

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CA No. 1188/87

CAUSE TITLE OF

NAME OF THE PARTIES Babu Lal Applicant

Versus

O O I Babel

..... Respondent

Part A.

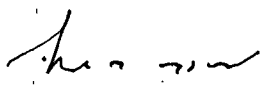
Sl.No.	Description of documents	Page
1	Check list	A1 to A2
2	Index sheet	
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CERTIFICATE

Certified that no further action is required to be taken and that the case is fit for consignment to the record room (decided)

The file received from record room without Barta.
Dated 05/07/11 Recheck on

Counter Signed.....


Signature of the
Dealing Assistant

Section Officer/In charge

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause Title 1108/87 (of 19)
 Name of the parties Babu Lal and others Applicants.
 Versus

U.O. 4 Respondents.

Part B.C.

Sl.No.	Description of documents	Page
①	check list	A ₁ to A ₂
②	Order sheet	A ₃ to A ₁₄
③	Judgement	A ₁₅ to A ₂₀
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⑤	Annexure	A ₄₅ to A ₈₇
⑥	Power / M.P.	A ₈₈ to A ₉₀
⑦	C.A. / Annexure	A ₉₁ to A ₁₀₈
⑧	R.A. Annexure	A ₁₀₉ to A ₂₃₆

B. File

Petition, Annexure B₂₃₇ to B₄₅₅
 C.A. / R.A. and M.P.

Seniority / Supersession

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Registration No. 1189 of 1987

APPLICANT (s) Babu Lal + 3 others

RESPONDENT(s) U.O.I. through Secretary, Ministry the Secretary

Ministry of Defence Production, New Delhi + 2 others

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent?
2. (a) Is the application in the prescribed form?
(b) Is the application in paper book form?
(c) Have six complete sets of the application been filed?
3. (a) Is the appeal in time?
(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?
5. Is the application accompanied by B. D /Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?

Yes but separate applications should have been filed.

Yes

Yes

3 sets filed (2 sets kept)

(i) Yes in r/o Applicants No 1, 3 + 4
(ii) No in r/o Applicant No. 2

10 days in r/o applicant No. 2

Yes

Yes.

Order dated 27.0.06 has only been filed and 4 other orders have not been filed.

Yes

Yes

Particulars to be ExaminedEndorsement as to result of Examination

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

Yes

Yes

Yes

No

Yes

only one extra copy instead of 3 have been filed.
~~There~~ 3 copies are identical

No

—

No

Yes

Yes

N.A.

Yes

Yes

Yes

Yes

No

19. Whether all the remedies have been exhausted.

Yes

If approved the case may be listed
 on 7.1.88

11/12/88

Submitted by
 Vhandar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
(LUCKNOW BENCH)
LUCKNOW.

A

O.A. NO 1188/87 199 (L)

T.A. NO

Date of Decision

Bahadur Das

Petitioner.

Sh. N. K. Nair

Advocate for the
Petitioner(s)

V E R S U S

Union of Indus

Respondent.

Sh. K. C. Sinha

Advocate for the
Respondents

C O R A M

The Hon'ble Mr.

Justice C. C. Srivastava, VC

The Hon'ble Mr.

K. S. Chatterjee, Deput. Membr

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

lu

VICE-CHAIRMAN/MEMBER

Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

(A 15)

A
18

O.A. No. 1188 of 1987

Babu Lal and others

Applicants

versus

Union of India & others

Respondents.

Shri N.K. Nair
Shri K.C. Sinha

Counsel for applicants
Counsel for Respondents.

Coram

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

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

The applicants, feeling aggrieved, against the seniority list of Chargemen Grade I (Mech.) of the Ordnance Factories Board inclusive of those who were in the DGOF Organization as well as those who were transferred to the Organization of the DGOF from the Director General of Inspection Organization consequent upon the the transfer of stage/interstage inspection responsibilities from the DGI to the DGOF as per the Rajyadhyaksha Committee on recommendations of the Ordnance Factories, wherein the applicants who were seniors, were shown as juniors, have approached the Tribunal praying that the respondents be directed to fix the seniority of the applicants in the cadre of Chargeman Grade I on the basis of the seniority of the applicants in the cadre of Chargeman grade II and the seniority list published by the Ordnance Factories Board on 12.5.86 be recast/rectified. Subsequently

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by way of amendment yet another relief challenging the transfer of the applicants from DGI Organization to the DGOF Organisation without taking options, has been added..

2. Before opening his arguments the learned counsel for the applicant stated that the relief which has been claimed by the applicants by way of amendment has already been answered by some of the Tribunal ^{and} he is not pressing this relief and thus original relief only survives.

From
3./ the facts, as appear from the pleadings of the parties, the plea of the respondents is that as per recommendations of Rajadhakshya Committee relating to the transfer of stage/inter-stage responsibilities from DGI to the DGOF, persons belonging to Ammunition Group etc. were shifted to DGOF Organisation in various Ordnance Factories. The principle that was applied was personnel to be transferred was "the man on the job". The Ministry of Defence in its letter dated 30.4.85 provided that the DGI employees including the applicants transferred to DGOF Organisation were assigned seniority in their respective grades in the DGOF Organisation with reference to their holding the posts on merger. The applicants were promoted to the grade of Chargeman grade I/T in D.G.I. Organisation with effect from 10.1.1981 and 12.1.1981 but the respondents, against whom the applicants are claiming seniority were promoted during June, 1980. Thus, the applicants were not promoted before the merger of the cadre from the DGI Organisation to the DGO Organisation. Consequent upon the merger of Chargeman grade II (T) with Supervisor grade II(T) the overall sanctioned strength of Chargeman grade I(T) and Chargeman Grade I (T) ~~and~~

in the ratio of 1 : 2 was maintained .The revised authorised strength of Chargeman grade I(T) and Chargeman Grade II(T) were 705 and 1410 respectively in DGI Organization. In DGOF Organisation the revised authorised strength of Chargeman Grade I(T) and Chargeman Grade II(T) were 2917 and 5936 and additional 1655 vacancies of Chargeman grade I (T) were sanctioned to the DGOF Organisation with effect from 1.1.1980. Supervisor 'A'(T) were awarded the pay scale of Rs 425-700 with effect from 1.3.1977 and on the merger of both the grades with effect from 1.1.1980, the seniority of erstwhile Supervisors 'A'(T).

4. According to the respondents, it was done through regular departmental promotion committee held during April/May, 1980 and May-July, 1980. There appears to be material in the version of the respondents and the same appears to be correct. The Departmental Promotion Committee found the Chargeman grade II(T) fit for promotion to the Charge grade I(T) and thereafter the promotion orders were issued in five batches in June 1980 and after this the final list of Departmental Promotion Committee was published. According to the applicants the Chargeman grade II/Tech of the D.G.I. Organization who had not been transferred to the DGOF Organization and were much juniors to the applicants, at the time when they were transferred from DGI to DGOF Organization, were already got higher promotions to the grade of Assistant Foreman while the applicants have been wrongly deprived of the promotion and persons junior

to them were promoted and have become senior in the higher cadre and the applicants have been deprived of their legitimate claim for the lapses on the part of the Organization and they have been made to suffer without any reason. The promotion rules from Chargeman grade II to Chargeman Grade I are different in DGI AND DGOF Organization. The Ministry of Defence letter dated 30.4.85, on which reliance has been placed by the respondents, does not in any way come in the way of the reliefs claimed by the applicants. The applicants were not given any opportunity to exercise option before transferring the applicants from DGI to DGOF and they could not refuse the transfer which otherwise would have resulted in disciplinary action.

5. The learned counsel for the applicant contended that the applicants should be given seniority over the juniors who were promoted. He made reference to the case of Employees Heavy Vehicle Factory/^{Avadi} which was earlier beyond the purview of the DGOF Organisation and the said factory merged into DGOF Organization and the employees prior to the said merger were senior compared to the merged Chargemen grade II of the DGOF organisation but they were treated junior after merger and were not given promotion prior to 1980 to the post of Chargeman grade I. After the merger they got promotion only in August, 1981 and claimed back seniority. They approached Central Administrative Tribunal, Madras, which directed for considering the promotion of the petitioners as Asstt. Foremen and to place them if selected, above those who were promoted as Assistant Foremen by the said DPCs, which decision was implemented and in the year 1986

the petitioners were promoted as Asstt. Foremen. The applicants contend that they are even senior to such employees of Vehicle Factory and in this connection they have made reference to the seniority list which has been placed on record. After the said judgment, the applicants made representations to the Director General and the representation was rejected on the ground that the decision of the C.A.T was implemented only in the case of applicants of that case. It is because of this reason the applicants have filed this application. A perusal of the judgment of Madras Bench of the C.A.T. which has been placed on record by the applicants as Annexure A-6 states that the respondents stated before the Tribunal that they have decided to review the proceedings of the DPC of March 1983 like the earlier two DPCs and they have asked their counsel to inform the Court accordingly, with which the the applicants were satisfied.

6. The case of the applicant precisely is that it was an administrative lapse that the promotion was not considered and it is a settled principle that nobody is to suffer due to lapses on the part of the Govt.

See State of Maharashtra vs. J.A. Karandikar (AIR 1989 Supreme Court, 1133).

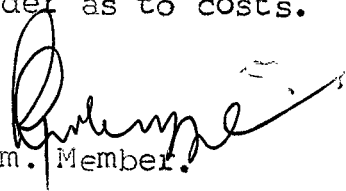
In the case of Madras Tribunal (Supra) also the persons said to be affected were granted relief. There appears to be no reason why the relief is not granted.


7. The respondents are directed to convene Review D.P.C. and consider the case of the applicants in this

A 20 4/18

light as to whether they were entitled to promotion post earlier, if so, their case will be considered from that date and they may be given due place in the seniority list. Let it be done within a period of three months from the date of receipt of a copy of this judgment.

8. Application is disposed of as above, without any order as to costs.


Adm. Member.


Vice Chairman.

Shakeel/

Lucknow: Dated 15th Sep 1992

IN THE CENTRAL ADMINISTRATIVE
ALLAHABAD BENCH

Date of Receipt
Chandra
ORIGINAL

Registration No. of 1987

Babu Lal & others Applicants

VERSUS

Union of India & others ... Respondents

APPLICATION UNDER SECTION-19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985

IN D EX

Sl No.	Description of Documents to be relied upon	Document dated	Annex. no.	PAGES From-To	
1	2	3	4	5	6
1.	Application under section-19 of the Administrative Tribunals Act, 1985.	9.12.87	--	1	21
2.	True copy of the Govt. of India, Ministry of Defence Letter No. F.26(12)77/224/6-II/O(Fy.II) dated 30.1.80, conveying the sanction of the President to the merger of the posts of Supervisor 'A' (Tech) in the OFCs/OEFCs and DGOF Hqrs and OEF Hqrs with that Chargemen Gr.II (Tech) w.e.f. 1.1.1980.	30.1.80	A.1	22	23
3.	True copy of the Circular no. 89947/1/Sup./DGI(Admn.8)/PCC/4273/D(Prod.) dt.5.5.80 issued to the DGI regarding merger of Supervisor Gr.II (Tech) with Chargemen Gr.II in the DGI organization.	5.5.80	A.2	24	00
4.	True copy of the corrigendum dated 18.9.80 issued to the DGI directing ante-dating of the merger from 1.4.80 to 1.1.1980.	18.9.80	A.3	25	26
5.	True copy of the Inspectorate of Armaments, Kanpur, D.O.Pr.II No.10 dated 14.1.81, announcing promotion of applicants nos.1 and 2 as Chargeman Grade-II w.e.f. 10.1.1981.	14.1.81	A.4	27	29
6.	True copy of the Ministry of Defence letter no.1(3)/82/ (Inspection) dated 28.11.83, addressed to the OFB and the DGI regarding transfer of personnel from DGI to DGOF consequent upon the acceptance of the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/inter-stage inspection responsibilities from DGI to DGOF in respect of Ordnance Factories.	28.11.83	A.5	30	31

1	2	3	4	5	6
7.	True copy of the order dated 17.4.86 passed by the Central Administrative Tribunal, Madras Bench in the Transferred Application Case no.734 of 1986 (Writ Petition No.11339 of 1984) on the file of the High Court of Madras regarding promotions sought by the juniors to the applicants to the post of Assistant Foreman.	17.4.86	A.6	32	37
8.	True copy of the enclosures to the OFB Calcutta letter no.3265/AF(A/NG) dt.27.8.86 announcing promotion of the juniors of the applicants who were parties to the aforementioned case in the Central Administrative Tribunal, Madras Bench.	27.8.86	A.7	38	41
9.	True copy of the representation of the applicant no.1, dated 26.6.1986.	26.8.86	A.8	42	43
10.	True copy of the representation of the applicant no.2, dated 30.5.86.	30.5.86	A.9	44	00
11.	True copy of the representation of the applicant no.3, dated 23.7.86.	23.7.86	A.10	45	46
12.	True copy of the representation of the applicant no.4, dated 26.6.86.	26.6.86	A.11	47	48
13.	Vakalatnama	9.12.87	--	49	00
14.	Bank Draft	20.11.87	--	--	--

Dated:9.12.87

Place:Kanpur.

Applicant
no.1Applicant
no.2Applicant
no.3Applicant
no.4Shardabhai Keshavnagar
AdvocateN.K. NAIR
ADVOCATE

N.K. Nair



ADVOCATE

FOR USE IN TRIBUNAL'S OFFICE

Date of filing _____

Registration No. _____

SIGNATURE
For REGISTRAR


 2/1/87


IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

BETWEEN

Babu Lal & others Applicants
 AND
 Union of India & others..... Respondents.

DETAILS OF APPLICATION

1. Particulars Of The Applicants:

Names, Fathers' names : a) Babu Lal, S/O late Mana Prasad,
 age, designations and aged 43 years, R/O 37, Bara
 particulars of offices Sirohi, Post I.I.T., Kanpur-16,
 in which employed, office employed as Chargeman Gr.I(Tech),
 addresses and addresses Ordnance Factory, Kanpur.
 for service of notices. : b) Ram Kunwar Singh, S/O Sri Balwant
 Singh, aged 47 years, R/O 17-MIG,
 Barra-I, Hemant Vihar, Kanpur-14,
 employed as Chargeman Gr.I(Tech),
 Ordnance Factory, Kanpur.
 : c) Narsingh Bahadur Saxena, S/O late
 Pratap Bahadur Saxena, aged 50
 years, R/O 119/217, Om Nagar,
 Darshanpurwa, Kanpur-12, employed
 as Chargeman Gr.I(Tech), Small
 Arms Factory, Kanpur.
 : d) P.K. Sarkar, S/O late DL Sarkar,
 aged 41 years, R/O NT-3/142,
 Armapore Estate, Kanpur-9,
 employed as Chargeman Gr.I(Tech),
 Small Arms Factory,
 Kanpur.

2. Particulars Of the Respondents:

Names, designations, : a) Union of India,
 particulars of offices, Through the Secretary,
 office addresses and Ministry of Defence Production,
 addresses for service Government of India,
 of notices. New Delhi.
 : b) Chairman/Director General of
 Ordnance Factories (DGOF),
 Ordnance Factories Board,
 10A, Auckland Road,
 CALCUTTA-700 001.
 : c) Director General of Inspections,
 Ministry of Defence Production,
 Government of India,
 DHQ P.O.,
 NEW DELHI.

3. Particulars Of The Orders Against Which
This Application Has Been Made:

The application is against the following
orders:-

- (1) (i) Order no. : (a) OBF No.147/CH/Mech/A/NG
(ii) Date : (b) 12.5.1986.
(iii) Passed by : (c) Chairman/Director General
of Ordnance Factories Board
Calcutta(DGOF).
(iv) Subject in brief : (d) Circulating the combined
inter-se seniority-list of
Chargemen Grade I (Mech.)
of the Ordnance Factories
Board (OFB) Organization
inclusive of those who were
originally in the DGOF
Organization as well as
those who were transferred
to the Organization of the
DGOF from the Director
General of Inspection(DGI)
Organization consequent
upon the transfer of stage/
interstage inspection
responsibilities from the
DGI to the DGOF as per
recommendations of the
Rajyadhyaksha Committee
on Ordnance Factories,
wherein the applicants who
are seniors, have been
shown as juniors.
- (2) : a) OFB No.323/A/DPC
: b) 11.6.1986
: c) Secretary, Ordnance
Factories Board.
: d) Publishing the DPC
Selection-List/Panel of
Assistant Foreman/STA(T)
as prepared by the DPC
held at the OFB Headquarters

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- (3) (i) Order no. : a) OFB No.3265/AF/Mech/A/NG
(ii) Date : b) 18.6.1986
(iii) Passed by : c) Secretary, Ordnance Factories Board.
(iv) Subject in brief. : d) Promoting juniors of the applicants.
- (4) (i) Order no. : a) OFB No.3265/AF/NG.
(ii) Date : b) 28.8.1986
(iii) Passed by : c) Secretary, Ordnance Factories Board.
(iv) Subject in brief. : d) Promoting juniors of the applicants.
- (5) (i) Order no. : a) OFB No.3265/AF/A(NG).
(ii) Date : b) 27.8.1986
(iii) Passed by : c) Secretary, Ordnance Factories Board.
(iv) Subject in brief. : d) Promoting those who were placed juniors to the applicants even in the combined seniority-list dated 12.5.86, consequent upon the decision of the Central Administrative Tribunal, Additional Bench, Madras.

4. Jurisdiction Of The Tribunal:

The applicants declare that the subject-matter of the orders against which they want redressal, is within the jurisdiction of the Tribunal.

5. Limitation:

The applicants further declare that this application is within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985, in as much as the orders challenged were issued between May, 86 and August, 1986 and a period of one year after the expiry

[Signature]

of 6 months of submission of the appeals/representations has not passed with the representations having not been replied.

6. FACTS OF THE CASE:

The facts of the case are given below:-

- (1) That the applicants were initially appointed in different lower posts in the technical trades/grades in the Organization of the Director General of Inspection (DGI), Ministry of Defence Production, Government of India and all of them became Technical Supervisors and were subsequently promoted as Chargemen Grade-II (Tech) and again as Chargemen Grade-I (Tech) in the DGI organization itself.
- (2) That the applicant no.1, Babu Lal, became Supervisor Grade II (Tech.) in the then pay scale of Rs.205-280, on 27.2.1967. He was promoted as Chargeman Grade II on 27.7.1975 in the pay scale of Rs.425-700 and was again promoted as Chargeman Grade-I on 10.1.1981 in the then pay scale of Rs.550-750. The applicant no. 2, Ram Kunwar Singh, became Supervisor Grade-II (Tech) on 23.5.1966 and was promoted as Chargeman Grade II (Tech) on 25.9.1982 and was again promoted as Chargeman Grade-I (Tech) on 10.1.1981. The applicant no.3, Narsingh Bahadur Saxena, became Supervisor Grade II (Tech) on 25.3.1966, was promoted as Chargeman Grade-I on 21.5.1974 and was subsequently promoted as Chargeman Grade I on 10.1.1981. The applicant no.4, P.K.Sarkar, was appointed as Supervisor Grade-III(Tech) on 6.1.1969 and was again recruited on selection as Chargeman Grade II on 6.5.1977 and was promoted as Chargeman Grade I (Tech) w.e.f. 12.1.1981.

All the applicants became Chargemen Grade-I while working in the organization of the DGI. The seniority of the applicants in the post of Chargeman Grade II is to be reckoned with reference to the date of promotion/appointment of the applicants to the said post and the applicants ought to derive all benefits arising therefrom.

(3) That in the Ministry of Defence Production, there have been two Departments, viz., the organization of the Director General of Inspection (DGI) and the organization of the Director General of Ordnance Factories (DGOF), presently called Ordnance Factories Board (OFB). Similar posts of Technical Supervisors, Chargemen Grade-II, Chargemen Grade I and higher posts of Assistant Foremen and Foremen etc. with identical nature of duties and pay scales exist in both the DGI Organization as well as the DGOF organization. The Supervisor Grade II (Tech) in the DGI organization was equivalent to the Supervisor Grade-A (Tech) of the DGOF organization and the pay scale was Rs.205-280 with the next post of promotion having been the post of Chargeman Grade II in both the organizations.

(4) That as a result of the recommendations of the III Pay Commission for the Central Government Employees, the Supervisor Grade II (Tech) and Supervisor Grade-A(Tech) were given the pay scale of Rs.380-560 w.e.f. 1.1.1973 in place of the pre-revised pay scale of Rs.205-280. The Pay Commission had, however, recommended a higher pay scale of Rs.425-700 to similarly placed employees of other Departments who were in the pre-revised pay scale of Rs.205-280, such as in the Railways and Posts & Telegraphs Departments etc. Representations were made against this anomaly by the Associations of the Supervisors and consequently the Government agreed to upgrade the pay scale of the

Supervisor S.A (Tech)/Supervisor Gr.II (Tech) of the DGOF/DGI organizations to Rs.425-700, at par with the other Departments, w.e.f. 1.1.1980.

(5) That since as a result of such upgradation of the pay scales, the Supervisors-A(Tech)/Supervisors Grade-II (Tech) of the DGOF/DGI organizations happened to draw ^{the} same pay scale as were availed by the Chargeman Grade-II of these organisations, it was deemed proper to abolish the posts of Supervisor Grade-A(Tech)/Supervisor Grade-II (Tech) by merging the then existing Supervisors Gr.A(Tech)/Supervisors Gr.II (Tech) with the cadre of Chargeman Grade-II and designating all such Supervisors also as Chargeman Grade-II. Accordingly instructions were issued by the Ministry of Defence, Govt.of India to the DGOF/DGI and the Ordnance Factories Board for such merger of Supervisors-A/Supervisor Gr.II with the cadre of Chargemen Gr.II. Vide letter No. F-26(12)77/224/6-II/O(Fy.II) dated 30.1.1980, issued to the by the Under Secretary to the Govt.of India Secretary, Ordnance Factories Board, ^{conveying} the sanction of the President to the merger of the posts of Supervisor Gr.A(Tech)/Supervisor Gr.II (Tech) and other allied categories who were placed in the pay scale of Rs.425-700 in the Ordnance Factories and Ordnance Equipment Factories including the DGOF Headquarters and OEF Headquarters with that of Chargemen II (Tech) in the N.G.Establishments w.e.f. 1.1.1980 ^{was conveyed.} It was further ordered that consequent upon the merger, the revised strength in the grades of Chargeman Grade-I (Tech) and Chargeman Grade-II (Tech) in the ratio of 1:2 was to be maintained and the existing strength and the revised strength of both the categories of Chargeman Grade-I (Tech) and Chargeman

Annexure A-1 I

Grade-II (Tech) were also mentioned in the Annexure to the aforementioned letter of the Ministry of Defence. The true copy of the said letter of the Govt. of India, Ministry of Defence, dated 30.1.1980 is annexed herewith as Annexure-A1. It may be seen from the said Annexure that as a result of such merger, additional 1655 vacancies of ^{the} posts of Chargemen Grade-I were sanctioned to the OFB organization as on the effective date of merger i.e. 1.1.1980.

(6) That, however, in the DGOF organization as on 1.1.1980, there remained only about 200 Chargemen Gr.II who were ~~promoted~~ eligible to be promoted as Chargemen Grade-I who had completed 3 years of regular service as Chargeman Grade-II after having successfully completed their period of probation in the cadre of Chargeman Gr.II after their promotion to the said cadre. Since there ~~were~~ ^{were} not sufficient number of eligible Chargemen Gr.II in the OFB organization at that time who came under the eligibility criteria for promotion as Chargeman Gr.I laid down as per S.R.O. 4-56 i.e. 3 years regular service as Chargeman Gr.II after successful completion of minimum period of probation of 2 years, the additional 1655 vacancies sanctioned by the government for the post of Chargeman Gr.I were filled by the OFB by promoting all the then existing Chargemen Grade-II as on 31.12.1979, numbering 300 (both eligible and not eligible) and the remaining about 1400 vacancies of the Chargeman Gr.I were filled by promoting those Supervisors-A (Tech) who were ~~fixxxxxx~~ designated as Chargeman Gr.II w.e.f. 1.1.1980. It may be mentioned that such promotions were ~~affected~~ without constituting any DPC and obviously ^{except} 200 persons all those who were promoted did not remain

eligible for such promotion and ~~they~~ were, in fact, promoted on the basis of their seniority in the grade of Supervisors Grade-A (Tech).

(7) That instead of taking the seniority of the incumbents in the grade of Chargeman Grade-II as was required by the SRO 4/56, the OFB had deliberately not constituted the DPC which was necessary for promotion of the Chargemen Grade-II to Chargemen Grade-I as a selection post. Instead, the OFB granted blanket promotion as Chargemen Gr.I to all those who were Chargemen Grade II as on 1.1.1980 as well as a large number of those who were redesignated as Chargeman Gr.II ~~as~~ on 1.1.1980 from the post of Supervisor-A (Tech). For such promotion of the erstwhile Supervisors Gr.A (Tech), the only criteria was their seniority in the grade of Supervisor Grade-A. Such promotions were ordered by the DGOF/OFB in 5 batches in June, 1980, i.e. 12.6.1980, 16.6.1980, 20.6.1980, ~~and~~ 23.6.1980 and 25.6.1980. Out of these batches only ^{the} first ~~batch~~ batch promoted on 12.6.1980 was of existing Chargeman Grade-II prior to the date of merger. It may be mentioned that the Ministry of Defence letter dated 28.12.1965, clearly prescribed a minimum period of probation of 2 years for adjudging the suitability of an employee for regularisation in the post of Chargeman Gr.II and thereafter it is necessary that a minimum period of 3 years regular service in the post of Chargeman Grade-II should be completed for further promotion to the higher post of Chargeman Gr.I. As mentioned above, the OFB did not follow such requirements and granted blanket promotion to a large number of ineligible persons including those who were only Supervisors Gr.A(Tech) prior to 1.1.1980.

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It may be seen that a large number of junior persons got such irregular promotions in the DGOF organization as Chargeman Gr.I in June, 1980.

(8) That in the DGI organization, however, similar letter regarding merger of the posts of Supervisor Gr.II (Tech) with the posts of Chargeman Grade-II in the DGI organization consequent upon the upward revision of the pay scales of Supervisors Gr.II (Tech) to Rs.425-700 could be issued only in May, 1980, and similar instructions as were given to the DGOF organization/OFB were issued to the DGI organization vide letter no. 89947/1/SUP/DGI(Admn.8)/PCC/4273/D(Prod.) dated 5.5.1980, by the Under Secretary to the Govt. of India. In the said letter also, the sanction of the President to the merger of the posts of Supervisor Gr.II (Tech) in the pay scale of Rs.425-700 in the DGI organization with that of Chargemen Gr.II was ~~ordered~~ ^{conveyed} but the date of merger was mentioned as 1.4.1980 while in the case of the DGOF organization, the effective date of merger was mentioned as 1.1.1980. Subsequently, however, to remove the anomaly in regard to the effective date of merger in the cases of both organisations of DGI and DGOF, the Under Secretary to the Govt. of India vide letter no. 89947/1/Sup./DGI(Admn.8)/PCC/8655/D(Prod.) dated 18.9.1980, issued a corrigendum amending the earlier letter dated 5.5.1980 by ante-dating the effective date of merger in the ~~DGOF~~ ^{DGI} organization also as ~~on~~ 1.1.1980 instead of 1.4.1980. The true copies of the letters dated 5.5.1980 and 18.9.1980 are annexed herewith as Annexures A-2 and A-3 respectively. It may be mentioned that in the case of the DGI also while ordering merger of the Supervisors Gr.II (Tech) with the cadre of the Chargeman Gr.II, the ratio of Chargemen Gr.II and Chargemen Gr.I was maintained as 1:2 and the respective

Annexures-A.2)
and A.3)

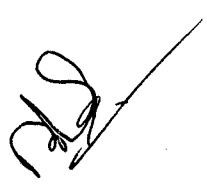
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strength of Chargeman Gr.I and Chargeman Gr.II in the organization was specified. In the DGI organization, 336 additional posts of Chargemen Gr.I were also sanctioned consequent upon such merger w.e.f. 1.1.1980. The DGI had to fill up 336 additional posts of Chargemen Grade I under the circumstances, from 1.1.1980. There were sufficient number of eligible Chargemen Grade-II in the DGI organization and the DGI had duly constituted the DPC, followed the selection procedure of promotion to the post of Chargeman Gr.I from the post of Chargeman Gr.II by selecting those Chargemen Gr.II who had already completed 3 years regular service as Chargemen Gr.II after successful completion of minimum period of probation of 2 years. In this process, the matter of promotion was delayed for one year and the DGI promoted the eligible Chargemen Gr.II including the applicants as Chargemen Grade-I in the month of January, 1981, about 6 months later than the dates on which the additional vacancies of Chargeman Gr.I were filled up in the OFB organization by a large number of junior, ineligible persons.

(9) That since the additional vacancies of Chargemen Gr.I arose in both the organizations of DGI and DGOF w.e.f. 1.1.1980, the date of merger of Supervisor Gr.A(Tech)/Supervisors Gr.II (Tech) with Chargemen Grade-II, the Department ought to have granted atleast notional promotion and seniority in the promotion post of Chargeman Gr.I to all the promotees including the applicants w.e.f. 1.1.1980. Since the applicants continued to be in the DGI organization at that time, there was no question of the applicants,



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being adversely affected in any way in the matter of inter-se seniority with any other Chargeman Gr.I of the DGI organization. The true copy of the Inspectorate of Armaments, Kanpur Daily Order Part ~~xxx~~II no. 10 dated 14.1.1980 announcing the promotion of the applicants no. 1 and 2 along with certain other persons, on the authority of the DGI New Delhi letters quoted therein, is annexed herewith as Annexure A-4. Similar letter was issued in the cases of the applicants nos. 3 and 4 also in the month of January, 1981. The applicants continued to work as Chargemen in the DGI organization upto 18/10/84, maintaining their own seniority ~~in the organization~~ in the grade of Chargeman Grade-I in the organization.

(10) That ^{the} Government had appointed a Committee named ~~The Rajyadhyaksha Committee~~ The Rajyadhyaksha Committee to ~~make~~ recommendations relating to the transfer of stage/interstage inspection responsibilities from DGI to the DGOF under the Ministry of Defence Production. The said Committee had recommended transfer of stage/interstage inspection responsibilities from the DGI to the DGOF in respect of the Ordnance Factories. The Ministry of Defence, Govt. of India, vide letter no. 1(3)/82/D(Inspn.) dated 28.11.1983, addressed to the OFB, Calcutta and the DGI, New Delhi issued directions regarding the transfer of the man-power along with the ^{job} from the DGI to the DGOF consequent upon the transfer of stage/interstage ~~xxx~~ inspection responsibilities. It was stipulated that

^{Steps} ~~Steps~~ would be initiated to prepare a combined seniority-list with the staff of the Ordnance Factories ^{Board} ~~concerned~~ keeping in mind the principle of fixation of interse seniority ^{as} detailed in C.S.R. 41, Article-26. It was also directed that in respect of all the staff proposed

Annexure A-5

to be transferred, they should be asked to exercise an option to be transferred to the DGOF. The true copy of the said letter of the Ministry of Defence dated 28.11.1983 is annexed herewith as Annexure A-5. However, no specific policy was followed while transferring the man-power from DGI to OFB and no option letters were obtained from the individuals as required and thereby the respondents violated their own policy. The DGI management adopted a policy of pick and choose and affected transfer arbitrarily without obtaining options. Senior persons including the applicants were transferred to the OFB organization from the DGI organization, retaining juniors in the DGI. The applicants had not consented to such transfers and no options were called from the applicants. Some of those juniors who were left over in the DGI organization, have since been promoted as Assistant Foreman also while as a result of the transfer of the applicants to the OFB, the applicants could not get such promotion so far in view of the wrong policies of the respondents.

(11) That on the transfer of the applicants from the DGI organization to the OFB organization, the seniority of the applicants in the OFB organization was fixed and maintained with reference to the date of promotion of the applicants as Chargemen Grade-I w.e.f. the month of January, 1981. All those who were juniors to the ~~to the~~ applicants in the grade of Chargeman Gr.II and were illegally promoted as Chargeman Gr.I by the OFB in June, 1980, to fill up the resultant vacancies of the post of Chargeman Grade-I additionally sanctioned w.e.f. 1.1.1980 were wrongly placed seniors to the applicants in the seniority-list of the Chargemen Gr. I

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announced vide OFB letter no. 147/CH/MECH/A/NG dated 12.5.1986. On account of the fact that the OFB had implemented the Defence Ministry's directions regarding the merger and consequent filling up of the additionally sanctioned resultant vacancies of Chargemen Grade-I by adopting wrong policies, in the year 1980, ^{and} on account of delay caused by the DGI organization for such promotions, the promotions of the applicants as Chargemen Grade-I in the DGI organization were done only in the month of January, 1981, ~~and~~ ^{Thus} the applicants ^{were} adversely affected by such delayed implementation of the policy by the DGI organization for no fault on the part of the applicants. The applicants were much seniors as Chargemen Gr.II than those juniors of the OFB who were promoted as Chargemen Gr.I in June, 1980. The seniority-list prepared by the OFB on 12.5.1986 and all subsequent seniority-lists of Chargemen Gr.I (Mech) are illegal, arbitrary, malafide, untenable and the legitimate rights and entitlements of the applicants cannot be jeopardised on the basis thereof. The said seniority-lists and the relevant promotion orders did not take into consideration the actual interse seniority of the incumbents in the post of Chargeman Gr.II and persons who were much seniors in the grade of Chargeman Gr.II have been illegally and wrongfully placed as juniors in such seniority-lists on account of the lapses on the part of the respondents and for no fault on the part of the affected individuals including the applicants.

(12) That on account of the fact that the applicants have been illegally and arbitrarily shown as juniors to

[Signature]

those ^{who} ~~was~~ ought to have been ranked as juniors to the applicants, the applicants were not included in the DPC held in the year 1986 and consequently the applicants who remained entitled to be promoted to the next higher post of Assistant Foreman in preference to their juniors who were wrongly placed as seniors in the seniority-list of Chargemen Gr.I could not be considered for promotion and empanelled by the DPC of 1986. This resulted in persons who were much juniors to the applicants getting promotion over the heads of the applicants to the detriment of the legitimate rights and claims of the applicants. The said DPC proceedings and the promotion orders issued consequently are liable to be quashed/reviewed and by granting the applicants their rightful seniority in the post of Chargeman Gr.I by ante-dating the promotion of the applicants from Chargeman Gr.II w.e.f. 1.1.1980, the wrongful seniority-list of Chargemen Gr.I prepared by the OFB organization and announced on 12.5.1986 is liable to be rectified and on the basis thereof, the DPC of the year 1986 is liable to be reviewed and the applicants duly considered for promotion to the post of Assistant Foreman in preference to those who have been empanelled/promoted as a result of the said DPC.

(13) That similar anomalies occurred in the matter of promotion to the post of Assistant Foreman in the case of some erstwhile employees of the Heavy Vehicle Factory, Avadi who were absorbed as employees under the OFB consequent upon the merger of the Heavy Vehicle Factory, Avadi with the OFB on 1.8.1980. Those persons who were holding the post of Chargemen Grade-II in the Heavy Vehicle Factory, Avadi at the time of such merger,

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were further promoted as Chargemen Gr.I by the OFB only w.e.f. 1.8.1981 while the OFB had already promoted with effect from June,1980, a large number of those who were converted as Chargemen Grade-II by the OFB on 1.1.1980 who were actually much juniors in the grade of Chargeman Grade-II. Consequently such senior persons were also placed juniors to those of the OFB who were actually juniors to them. Such Chargemen Grade-I drawn from the Heavy Vehicle Factory, Avadi were placed from serial nos. 1223 to 1269 of the seniority-list of Chargemen Grade-I, much below their juniors who were illegally and wrongfully shown as seniors in the seniority-list consequent upon their wrongful promotion made in June,1980. The said Chargemen Grade-I of the Heavy Vehicle Factory, Avadi filed a writ petition in the Madras High Court, numbered as Miscellaneous Writ Petition no. 11339 of 1981, challenging the wrongful seniority awarded to their juniors in the OFB and for including the names of the petitioners in the DPC select-lists of the year 1983 and 1984 and for promotion as Assistant Foremen taking into account their factual seniority in the category of Chargeman Grade-II and also to place them, if promoted, above those juniors who were included in the said select-lists.

(14) That the said writ petition was subsequently transferred to the Central Administrative Tribunal, Madras Bench as transfer application no. 734 of 1986. The petitioners of the said petition had requested the Tribunal that the DPCs of the years 1983 and 1984 should be reviewed and the names of the petitioners should be inserted in the panel and they should be considered for further promotions to the post of Assistant Foreman

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based on their seniority in the grade of Chargeman Grade-II. The Central Administrative Tribunal, Madras Bench, while accepting the pleas of the petitioners raised in the said petition, directed the DGOF, Calcutta to review the DPCs of the years 1983 and 1984 for considering the promotion of the petitioners as Asstt. Foremen and to place them, if selected, above those juniors who were promoted as Assistant Foremen by the said DPCs. The true copy of the judgement of the Central Administrative Tribunal, Madras Bench dated 17.4.1986 is annexed herewith as Annexure A-6.

Annexure A-6

(15) That consequent upon the directions given by the Central Administrative Tribunal, Madras Bench, as mentioned above, the OFB held review DPC in the year 1986 and promoted the said petitioners as Asstt. Foremen vide their order no. 3265/AF(A/NG) dated 27.8.1986. In the enclosure to the said letter, the promotion-list was published. The true copy of the enclosure to the OFB Calcutta letter in question dated 27.8.1986 showing the promotion of the said petitioners as Assistant Foremen (Mech) is annexed herewith as Annexure A-7.

Annexure A-7

(16) That it will be seen that the said petitioners who have been promoted by the OFB on the basis of the judgement and direction given by the Central Administrative Tribunal, Madras Bench were juniors to the applicants in the cadre of Chargeman Grade-II as well as in the cadre of Chargeman Grade-I. They were accordingly placed juniors to the applicants in the seniority-list dated 12.5.1986 also. In the said seniority-list of Chargemen Grade-I announced on 12.5.86, the applicants nos. 1, 2, 3 and 4 ~~are~~ ^{were} placed at serial numbers 1187, 1204, 1186 and 1195 respectively while the petitioners of the said writ-petition

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Amended Portion of the Application

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(17) That some employees who were similarly placed as the applicants, who were originally employed under the DGI and were subjected to transfer to the DGOF just as the applicants as a result of the recommendations of the Rajyadhyaksh Committee, without obtaining options just as in the cases of the applicants, had filed a case before the Jabalpur Bench of the Central Administrative Tribunal, stating that consequent upon their transfer from the DGI to the DGOF, their legitimate claims and expectations in the matter of promotions, seniority, etc have not been preserved and that they had to suffer thereby and also, that since options were not taken from them for such transfer, which was effected in a 'pick and chose' manner, the said employees sought their transfer back to their present Organisation, where their juniors had got further promotions. The said case was decided by the C.A.T., Jabalpur Bench on 11-8-89, directing the respondents to transfer the applicants of the said case to their parent Organisation and the transfer of the said applicants from the DGI Organisation to the DGOF Organisation was struck down. The applicants came to know of the said judgment in the middle of year 1990 and obtained copy of the same in October, 1990 and thereafter the applicants submitted identical

Received
10 July
* Chandra K.C. Sube
Adv
31/2/92

Advocate

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representations dated 10-10-1990, seeking the relief that they be also transferred back to the DGI Organisation. The true copy of the judgment.

ANNEXURE A-8

dated 11-8-1989 is annexed herewith as Annexure A-8 and the representations of the applicants No. 1, 2,

ANNEXURES A-9
TO A-12

3 & 4 are annexed herewith as Annexures A-9, A-10, A-11 & A-12 respectively.

(18) That since the applicants are similarly placed as the applicants of the above mentioned case O.A. No. 436 of 1987, namely, B.L. Patel and Others Vs. Union of India and Others, decided by the Jabalpur Bench of the C.A.T. and since the respondents have duly transferred the applicants of the said case with their original seniority and other benefits of promotion, seniority etc., in the parent Organisation, the applicants are also entitled to the benefits of the said judgment and the respondents are liable to grant such benefits to the applicants also. By not granting such benefits as have been given to similarly placed employees who had filed the case O.A. No. 436 of 1987, B.L. Patel

and Others Vs. Union of India and Others,

Advocate

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decided by the Jabalpur Bench of this Tribunal, discrimination violative of Articles 14 and 16 of the Constitution of India is being practised against the applicants.

(19) That the transfer of the applicants from the DGI to the DGOF Organisation without seeking options and without ensuring and safeguarding the legitimate claims and expectations of the applicants in the matter of seniority and promotions etc., is liable to be struck down and the respondents are liable to be directed to transfer the applicants back to their parent Organisation of DGI and to restore the original seniority and consequent promotion and other benefits, accruing thereby and the applicants are seeking such relief by way of an alternative relief in the present application.

*See above
advocate*

who were promoted as Assistant Foremen as per the verdict of the Central Administrative Tribunal, Madras were placed between serial nos. 1223 to 1269. Hence, it will be seen that even those who were actually juniors and were also placed juniors to the applicants in the seniority-lists of both Chargemen Grade-II and Chargemen Grade-I, have been granted promotion as Assistant Foremen by the Review DPC held in the year 1986 but the applicants have not been so promoted. The petitioners of the said writ petition were promoted as Chargemen Grade-II between 1974 and 1976 whereas the applicants nos. 1, 2 and 3 were promoted as Chargemen Grade-II between 1972 and 1975. The said petitioners were promoted as Chargemen Grade-I on 1.8.1981 while the applicants were promoted as Chargemen Gr.I in the month of January, 1981. Hence, it is apparent that the applicants who were seniors have been illegally and wrongfully superseded in the matter of promotion as Assistant Foremen. The applicants ought to be promoted and given seniority over their juniors including the petitioners of the said writ petition by reviewing the earlier DPCs and promotion ~~orders~~ ^{granted to} ~~the~~ ^{and} the applicants, ^{they} if selected, are also entitled to be placed seniors to their juniors, in the promoted post.

(17) X

7.

Details Of The Remedies Exhausted:

The applicants declare that they have availed of all the remedies available to them under the relevant Service Rules. The applicants nos. 1, 2, 3 and 4 submitted representations dated 26.6.86, 30.5.86, 2.7.86 and 26.6.86 respectively addressed to the Chairman/DGOF, Ordnance Factories Board, Calcutta, through proper channel, in the matter of the wrongful interse seniority assigned to them

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in the seniority-list published on 12.5.86 as well as the wrongful promotion of the juniors of the applicants to the higher post of Assistant Foreman by the DPC held in the year 1986. The true copies of the said representations are annexed herewith as Annexures A-8, A-9, A-10 and A-11 respectively. In spite of the fact that more than 6 months have passed since the submission of the representations, the respondents have neither replied to the representations nor conceded the genuine demands raised by the applicants in the representations, and hence this application, which is being moved within one year of the expiry of the period of 6 months from the dates of submission of the representations.

8. Matters Not Previously Filed Or Pending With Any Other Court:

The applicants further declare that they have not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any Court of Law of any other Bench or any other Authority, nor any, such application, writ-petition or suit is pending before any of them.

9. RELIEFS SOUGHT:

In view of the facts mentioned in para-6 above, the applicants pray for the following reliefs:-

(1) The respondents be directed to fix the seniority of the applicants in the cadre of Chargeman Gr.I on the basis of the seniority of the applicants in the cadre of Chargeman Grade II and the seniority-list published by the Ordnance Factories Board on 12.5.86 be directed to be recast/rectified accordingly.

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Alternative Relief, as Amended.

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(3) In the alternative, the transfers
of the applicants from the DGI

Organisation to the DGOF Organisation

without taking options, as was

required and without ensuring

and safeguarding the legitimate

claims and expectations in the

matter of seniority, promotion

etc., be struck down and the

respondents be directed to transfer

the applicants back to the parent

Organisation, that is, the DGI (now

called DGQA) Organisation ~~the~~ restoring
the original seniority and granting the
benefits of promotions etc, accruing

thereby.

Advocate

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(2) The respondents be directed to promote the

applicants as Assistant Foremen and recast the seniority of the Assistant Foremen in such a manner that the applicants are given their due seniority over those who were promoted as Assistant Foremen vide OFB letter no. 3265/AF/A/NG dated 27.8.86, in compliance with the directions given by the Central Administrative Tribunal, Madras in the Transfer Application Case No. 734 of 1986 as well as above those who were promoted Assistant Foremen by the DPC held in the year 1986 and the seniority of the applicants in the cadre of Assistant Foreman be fixed accordingly, and the respondents be further directed to give all concomitant benefits to the applicants.

(3) *

The Grounds & Legal Provisions To Be Relied Upon:

The grounds for the reliefs sought and the

Legal provisions relied upon have already been mentioned in para-6 above.

10.

Interim Order, If Any, Prayed For:

None.

11.

Particulars Of Bank Draft:

i) Name of the Bank on which : U.Co.Bank, Armapur Estate, Kanpur.
ii) Demand Draft No. : OT/B 966478
iii) Dated : 20.11.1987.

12.

LIST OF ENCLOSURE

S1. Particulars of documents

1. No.

1.

True copy of the Govt. of India, Ministry of Defence letter no.

30.1.80

A.1

Document Dated

3

2

Particulars of documents

Annexure no.

4

1	2	3	4
1)	F.26(12)77/224/6-II/O(Fy.II) dated 30.1.80, conveying the sanction of the President to the merger of the posts of Supervisor-A(Tech) in OFCs/OEFCs and DGOF Hqrs and OEF Hqrs with that Chargemen Gr.II (Tech) w.e.f. 1.1.1980	30.1.80	A.1
2)	True copy of the circular no. 89947/1/Sup/DGI(Admn.78)PCC/4273/D(Prod.) dt. 5.5.1980, issued to the DGI regarding merger of Supervisor Grade-II (Tech) with Chargeman Gr. II in the DGI organization.	5.5.80	A.2
3)	True copy of the corrigendum dated 18.9.80 issued to the DGI directing ante-dating of the merger from 1.4.80 to 1.1.1980.	18.9.80	A.3
4)	True copy of the Inspectorate of Armaments, Kanpur, D.O.Pt.II No.10 dated 14.1.81, announcing promotion of applicants nos.1 and 2 as Chargeman Grade-II w.e.f. 10.1.1981 10.1.1981.	14.1.81	A.4
5)	True copy of the Ministry of Defence letter no.1(3)/82/ (Inspection) dated 28.11.83, addressed to the OFB and the DGI regarding transfer of personnel from DGI to DGOF consequent upon the acceptance of the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/interstage inspection responsibilities from DGI to DGOF in respect of Ordnance Factories.	28.11.83	A.5
6)	True copy of the order dated 17.4.86 passed by the Central Administrative Tribunal, Madras Bench in the Transferred Application Case no. 734 of 86 (Writ Petition no.11339 of 1984) on the file of the High Court of Madras regarding promotions sought by the juniors to the applicants, to the post of Assistant Foreman.	17.4.86	A.6
7)	True copy of the enclosures to the OFB Calcutta letter no.	27.8.86	A.7

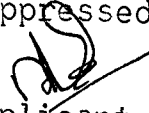
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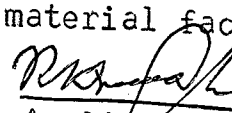
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1	2	3	4
	3265/AF(A/NG) dated 27.8.86 announcing promotion of the juniors of the applicants who were parties in the afore- mentioned case in the Central Administrative Tribunal, Madras.		
8)	True copy of the representa- tion of the applicant no.1, dated 26.6.1986.	26.6.86	A.8
9)	True copy of the representation of the applicant no.2, dated 30.5.1986.	30.5.86	A.9
10)	True copy of the representa- tion of the applicant no. 3, dated 23.7.86.	23.7.86	A.10
11)	True copy of the representa- tion of the applicant no. 4, dated 26.6.86.	26.6.86	A.11

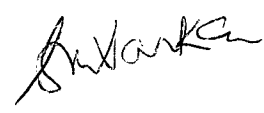
VERIFICATION

We, (1) Babulal, (2) Ram Kunwar Singh, (3) Narsingh Bahadur Saxena and (4) PK Sarkar, the applicants nos.1, 2, 3 and 4 respectively, whose details are given hereinabove, do verify that the contents of paragraphs-1, 2, 3, partly-4, partly-5, partly-6, 7, 8, partly-9, partly-10, 11 and 12 are true to our personal knowledge and those of paragraphs partly-4, partly-5, partly-6, partly-9 and partly-10 are believed to be true on legal advice and that we have not suppressed any material facts.


Applicant
no.1


Applicant
No.2


Applicant
no.3


Applicant
no.4

(N.K. NAIR)
ADVOCATE


ADVOCATE,
KANPUR.

TO,

The Registrar,
Central Administrative Tribunal,
Allahabad Bench.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Registration No. of 1987

Babulal & others APPLICANTS

VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-1

COPY of Govt. of India, Min. of Defence, New Delhi, letter No. F.26 (12) 77/224/6-II/O(FY-II) dated 30 January 1980 addressed to the Secretary, Ordnance Factory Board, 6, Esplanade Est. Calcutta- 700 069 and copy to others.

Subject : SUPERVISION(TECH) AND ALLIED GRADES IN ORDNANCE AND ORDNANCE EQUIPMENT FACTORIES-MERGER OF.

Sir,

I am directed to convey the sanction of the President to the merger of the posts of Supervisor-A(Tech) and other allied categories Senior Planner, Senior Rate Fixer and Senior Estimator in the scale of Pay of Rs 425-15-500-EB-15-560 -20-700/- in Ordnance and Ordnance Equipment Factories including the DGOF H. Qrs. and OEF H.Qrs. with that of Chargeman Gr.II(Tech) in Non- Gazetted establishment w.e.f. 1.1.80 consequent upon merger the revised strength in the grades of Chargeman Gr.I (Tech) and Chargeman Gr.II (Tech) will be shown in the annexure attached hereto.

2. This issues with the concurrence of IFA(Proj) vide their U.O. No. 109/Proj/I/80 dated 22.1.80.

Yours faithfully

sd/

(JT. BAILEY)

Under Secretary to the Govt. of India.

Contd...2/

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ANNEXURE TO THE MINISTRY OF DEFENCE LETTER NO. F.26(12)JT/224/
6-II/O(FY-II) DATED 30 Jan. 1980

	Chargeman Gr.I (Tech)	Chargeman Gr.II(Tech)	Supervisor-A(T) & allied- categories	Total
Existing	1,262	2,626	5,063	8,951
Revised	2,917	5,936	NIL	8,853

* Consequent upon the above merger financial implication of the increase on the No. of posts of Chargeman Gr.I(Tech) in terms of existing ratio prescribed in the Min. of Def.letter No.8223/D-II dated 23.9.1948 has been set off by surrendering of 98 posts of Supra (Tech) and allied categories.

:: TRUE COPY ::

attested

N.K. Nair
ADVOCATE,
KANPUR.

24

(A-17)

46

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No. of 1987

Babulal & others APPLICANTS
VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-2

COPY

No. 89947/1/SUP/DGI(Adm-8)PCC/4273/D(Prod)
Govt. of India.
Ministry of Defence.
New Delhi, the 5th May 1980.

To,

The Director General of Inspection
New Delhi.

Subject: Merger of the posts of Supervisor Technical Grade II with
the Posts of Chargeman Grade II in DGI Organisation.

Sir,

I am directed to convey the sanction of the President to the merger of the posts of Supervisor Technical Grade II in the scale of Rs 425-15-500-EB-15-550-20-700 in DGI organisation with that of Chargeman Grade II w.e.f. 1.4.80. Consequent upon the merger the revised strength in the grades of Chargeman Grade I and Chargeman Grade II will be as under :-

	Chargeman Grade I	Chargeman Grade II	Supervisor Technical Grade II	Total
Existing	369	747	1026	2142
Revised	705	1410	NIL	2115

Consequent upon the above merger financial implementation of the increase of the number of posts of chargeman Grade I in terms of the existing prescribed ratio, has been set off by surrender of 27 posts of Chargeman (9 posts of Grade I and 18 posts of Grade IIC).

2, S This issues with the concurrence of finance Branch vide their ~~xxx~~ U.O. No. 1713/Proj.II/80 dated 28.4.1980.

Yours faithfully
sd/

(N. Manohara Prasad)

Under Secretary to the Govt. of India

Copy of the letter forwarded to all concerned.
Circulated by Shri B.B. Gaikwad, MA (Eng), M.A. (Pol). LL.B., Secretary,
Indian National Defence Workers

:: TRUE

OPY: sd/

True Copy
attested

N.K. Nair
ADVOCATE,
KANPUR.

25. A-48
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Registration No. of 1987

Babulah & others APPLICANTS

VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-3

No. 89947/1/Sup/DGI(Adm.8/PCC)/8655/D(Prod)
Government of India.
Ministry of Defence/Deptt. of Def.Prod.
New Delhi, the 18th September, 1980.

CORRIGENDUM

The following amendment is made to Govt. of India,
Ministry of Defence letter No. 89947/1/Sup/DGI(Adm.8/PCC)/4273/
D(Prod), dated 5th May, 1980, regarding merger of the post of
Supervisor Technical Grade II with that of Chargeman Grade II
in the DGI Organisation :-

In line 4 of para 1 - for " 1.4.80"
read * 1.1.80"

2. This issues with the concurrence of Finance Branch,
vide their U.O. No. 3119/Proj.II/80, dated 30.8.1980.

sd/

(N. MANOHARA PRASAD)
Under Secretary to the Govt. of India

to:

Director General of Inspection, NEW DELHI.

Copy to:-

- (1) The Controller General of Defence Accounts, New Delhi.
 - (2) The Director of Audit, Defence Services, New Delhi.
 - (3) The Sr.Dy.Dir. of Audit, Defence Services, Calcutta & PUNE
(3 & 6)
 - (4) The Dy. Director of Audit, Def. Services, Calcutta,
Poona, Meerut and Dehradun (3 copies each)
- 25.

26.

Aug

Aug

-2-

- (5) The Controller of Defence Accounts (Fys) Calcutta (3)
- (6) The Controller of Defence Accounts, S.C. PUNE.
- (7) The Controller of Defence Accounts, General Command, Meerut (3).
- (8) The Controller of Defence Accounts, Patna (3).
- (9) The Controller of Defence Accounts, Western Command, Meerut. (3)
- (10) DCDA I/C Pay Section, New Delhi. CAO /I6-III (5)
DFA (Proj-II) (2) R&D Orgn./RD.27. Dept. of Def. Prodn.
DGI (Adm.12A) (75 DGI (Stores-I) DGI (ARMT. D) DGI (VEH. I)
DGI (ADM.6) Copies DGI (ADM.8/PCC) DGI (ADM.7A) DGI (ADM.7B)
DGI (ADM.10) DGI (ADM.12-B) (75) DGI (ADM.14) DG I (1.2)
M of D - D (BY. II) Copies for information.

Copy signed in ink to

D(Prod-5 copies)

All Controllers of Defence Accounts as mentioned above.

.....

True Copy Attested

[Signature]
[Stamp]
ADVOCATE,
KANPUR.

27.

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A/W

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No. of 1987

Babu Lal & others APPLICANTS

VERSUS

Union of India & othersRESPONDENTS.

ANNEXURE. A-4

SUSPECTORATE OF ARMAMENTS, ARMAPORE POST, KANPUR-208009
DAILY ORDER PART II

BY
COLONEL AC BANERJEE, ARTY
SENIOR INSPECTOR OF ARMAMENTS
Dated 14 Jan. 81

No. 10 PROMOTIONS : SELECTION GRADES

The following promotions are ordered with effect from
10 Jan. 81 (E/N):-

<u>NAME</u>	<u>FROM</u>	<u>TO</u>	<u>REMARKS</u>
1. Shri PN MISHRA C/M II	Offg C/M I (Sub 3)		Against one of the vacancies of C/M authorised vide Govt. of India, M of D letter No. 97184/DGI(ADM-12(A)/ 11441 80/D(prod) dt. Dec. 80.
2. Shri BABU LAL C/M II	Offg C/M I (Sub 3)		-do-
3. " SN UPADHYAY C/M II	Offg. C/M I (Sub 3)		-do-
4. " OD TYAGI C/M II	Offg. C/M I (Sub 3)		-do-
5. % ANIL SANTRAC/M II (SC)	Offg. C/M I (Sub 1)		-do-
6. " RK SINGH C/M II	Offg C/M I (Sub 4)		- -do-

2. They will be on probation for a period of two years from the date of assumption of duties of the higher grade to which promoted and if their performance is not found satisfactory

....2/

they will be liable to be reverted or the period of probation extended any time either before the expiry of the probationary period or thereafter. Ordinarily, the period of probation shall not be extended beyond 4 years i.e. double the period of probation. The order of their seniority on promotion will be as shown in the select list.

3. They will continue to draw the same pay and allowances which they are in receipt of at present, pending fixation of their pay in the higher grade by the CDA (Fys) Calcutta.

4. Certified that the individuals assumed the duties of higher grade with effect from 10 Jan. 81 (F/N).

Authy :

- (i) DGI, New Delhi letter No. 87362/CIW/80/DGI (ADM-10) dated 1 Jan 81,
- (ii) DGI, New Delhi letter No. 87362/Metals/80/DGI (ADM-10) dated 1 Jan 81.
- (iii) DGI, New Delhi letter No. 87362/CIA/80/DGI (ADM-10) dated 2 Jan 81).

No. 11 FIXATION OF PAY ON PROMOTION : NGO

Reference this office Pt. II order No. 206 dated 7.7.80.

2. The pay in respect of Shri MB MIRZA on his promotion to C/M Gde I vide Pt. II order quoted under reference is fixed at Rs 725/- PM wef. 5.7.80 in the scale of Rs 550-20-650-25-750.

3. He will draw his next increment on 1.11.80 if otherwise in order.

(Authy : CDA (Fys) Calcutta letter No. Pay/X/827-NI-CDS-73-V dated 24.12.80).

No. 12 APPOINTMENT- LOWER DIVISION CLERK

Shri BINDA CHARAN has been appointed as Lower Division Clerk- @ Rs 260.00 PM in the scale of Rs 260-6-290-EB-6-326-8-366 - EB-8-390-10-400 in the Inspectorate w.e.f. 14.1.81 (F/N).

[Handwritten signature]

(AS2)

2. He will be on probation for a period of two years from the date of his appointment as Lower Division Clerk and if his performance is not found satisfactory, his services are liable to be terminated without assigning any reason or the period of probation shall be extended at any time either before the expiry of probation period or thereafter. Ordinarily the period of probation shall not be extended beyond four years i.e. double the period of probation.

3. Certified that Medical fitness Certificates on the prescribed forms from the proper authority have been obtained in his respect.

4. He has been allotted Army No. 14,006,902.

5. He has been posted to Tech Coord.

No. 13 RESIGNATION: MINISTERIAL STAFF

The resignation tendered by Shri VK Sachan Ty. LDC of this Inspectorate is accepted by the Senior Inspector of Armaments w.e.f. 10.1.81 (E/N) and accordingly, his name has been struck off the strength of this establishment from the same date. The notice period in his case has been waived by the appointing authority.

sd/
(PREM SARAN)
DSS

Copy to:-

for Sr. Inspector of Armaments.

The DGI (Adm-10), New Delhi-11
The Controller, CIW, Jabalpur (M.P.)
The CDA (Fys), Calcutta- 72
The Controller, CIA Kirkee, Pune-3
The Controller, CI (met), Ichapur.
The GM, OFC.
The ACDA I/C AO, of Kanpur-9
The Foreman Estate of Armapore, Kanpur-9.

729.
:: TRUE COPY ::

Attested

N.K. Nair

ADVOCATE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No. of 1987

Babulal & others APPLICANTS

VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-5

Copy of Min. of Defence, Govt. of India letter No. 1(3)/82/D (Inspection) dated 28th Nov '83 addressed to Ordnance Factory Board, Calcutta and the Director General of Inspection, New Delhi.

Subject : Transfer of Stage/ Inter-stage inspection responsibilities from the DGI to DGOF- recommendation of the Rajadhyaksha Committee on Ordnance Factories.

.....

Sir,

As you are aware, Government have already accepted the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/ interstage inspection responsibilities from the DGI to the DGOF, in respect of the Ordnance Factories. The modalities of transfer have been under consideration by a working Group under the Chairmanship of Additional Secretary Defence Supplies. In pursuance of the discussions held by the working group, the personnel to be transferred from the DGI to the DGOF in respect of the factories belonging to the Ammunition group etc., has now been decided upon and the enclosed statements indicates the personnel to be transferred at various levels in respect of the factories indicated in the statement.

2. Government are anxious to see that the transfer of personnel is effected not later than 1.4.84 and with this end in view, it will be necessary to take the following actions :-

22

- (i) In respect of the factories indicated in the statement, attached to this letter, the Factory Managers and Inspectors should immediately prepare a list of names of all categories of employees who will be transferred to the DGOF. The basic principle to be observed in deciding the personnel to be transferred is 'man on the job'.
- (ii) The development of personnel in the factories as on 1.12.83 will be frozen until further orders.
- (iii) On the basis of the list prepared as per (i) above, in respect of the individuals employed and non-industrial employees where seniority lists are maintained in a factory-wise basis, steps will be initiated to prepare a combined seniority list with the staff of the Ordnance Factory concerned keeping in mind the principle of fixation of inter-se seniority detailed in CSR-41 Article 26. In respect of other staff and officers, list of names will be forwarded to the OFB and DGI Hqs. so that inter-se-seniority could be worked out in this respect as well.
- (iv) In respect of service officers, they will be sent to the DGOF at the present moment only on deputation.
- (v) In deciding on the transfer of officers, apart from the principle of 'man on the job' the levels may be so worked out as to maintain a proper balance in the distribution of officers and the proportional relationship between the various levels is more or less that now available in the DGI.
- (vi) In respect of all the staff proposed to be transferred they may be asked to exercise an option to be transferred to the DGOF. The formal in this regard may be finalised by the OFB in consultation with the DGI.
- (vii) Consultation were required with concerned representative bodies of the employees may also be taken up immediately. :: TRUE COPY:

True Copy
Affected

N.K. Nair
ADVOCATE,
KANPUR.

2/5

(KS RAO) sd/
Joint Secretary to Govt of India

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Registration No. of 1987

Babulal & others APPLICANTS

VERSUS

Union of India & othersRESPONDENTS.

ANNEXURE.A-6

ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL

MADRAS BENCH

Thursday, the 17th day of April, 1986

PRESENT

Justice Shri G.Ramanujam ---Vice-Chairman

and

Shri K.Ramamurti - Member.

Transferred application No. 734 of 1986

(Writ petition No. 11339 of 1984 on the file of the High Court, Madras).

1. S.Maniokam
2. S.N.K.Murthy
3. K.Sundar Rajan
4. K.Anchuthan
5. T.Radhakrishnan
6. P.Balan
7. P.Swamidass
8. R.K.Datta
9. S.Chakkarapani Pillai
10. A.Ramalingam
11. R.R.Panikar
12. V.Thomas Abrahan
13. G.C.Sircar
14. H.C.Roy
15. C.N.Solvaraj
16. B.K.R.Naidu
17. K.G.Karunakaran

Applicants

18. P.P.Narayanan
19. K.Panduranga Rao
20. S.Krishnapillai
21. R.Rajappan
22. S.N.Chandrasekaran
23. M.S.Namboodiri
24. R.D.Radhakrishnan
25. Walton Corea
26. P.George Thomas
27. M.A.Nandha
28. S.A.Khader
29. P.K.Sureshbabu
30. K.C.S.Pillai
31. N.Balkrishnan
32. D.K.Dass
33. C.S.Achari
34. S.N.K.Pillai
35. M.M.Abdul Khadar
36. P.K.Chatopadhyaya
37. J.K.Vishvakarma
38. A.K.Dandu
39. A.K.Paul
40. R.N.Tiwari
41. S.K.Nangia
42. S.K.Singh
43. S.K.Nandhi

Applicants.

Versus

1. The Director General of Ordnance
Factpress, 6, Esplanade Estate,
Calcutta- 69.
2. The General Manager,
Heavy Vehicles Factory,
Avadi, Madras- 600 054.
3. P.K.U.Nair, Assistant Foreman
C/o General Manager,
Ordnance Factory, Ambarnath,
District Thane, P.O. 421 502
Maharashtra.
4. Om Prakash Rao, Assistant Foreman
C/o General Manager, Gun Carriage,
Factory, Jabalpur- 482 001,
Madhya Pradesh.

Respondents.

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-3-

Prayer : To issue a writ of mandamus directing respondents 1 and 2 to consider the cases of the applicants for inclusion in the DPC select lists for 1983 and 1984 and for promotion as Assistant Foreman taking into account the seniority of the applicants in the category of chargeman Grade II and to place the applicants, if promoted, above the 328 persons represented by respondent-2 3 and the 22 persons represented by respondent- 4 in the category of Assistant Foreman.

Read : Petition and affidavit filed in support thereof and the records material to the case.

Heard : M/s Vijay Narayan and } Advocates for applicants.
R.Pathiban }
C.Krishnan - Advocate for respondents.

ORDER

(Order pronounced by Justice Shri G.Ramanujam,Vice-Chairman)

This matter which was originally filed as Writ Petition No. 11339 of 1984 on the file of the High Court of Judicature at Madras, stands transferred this tribunal and numbered as Transferred Application No. 734 of 1986.

The applicants who are 43 in number have prayed for the issue of a writ of mandamus, directing the respondents 1 and 2 (The Director General of Ordnance Factories, Calcutta and the General Manager, Heavy Vehicles Factory, Avadi) to consider the case of the petitioners for inclusion in the DPC Select List for the year 1983 and 1984 and for promotion as Assistant Foreman, taking into account their seniority in the category of Chargeman Grade.II and to place them, if promoted, above the 328 persons represented by the third respondent.

....4/

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Asd

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Subsequent to filing of the above writ petition and after receipt of notice in the writ petition, the respondents 1 and 2 appeared to have considered the applicants case and they have decided to review the proceedings of the DPC of March 1983, like the earlier two DPCs and they have asked their counsel to inform the Court accordingly.

The applicants who have asked for a review of the DPC of the year 1983 and 1984 panels in the writ petition are now satisfied with the offer of the respondents 1 and 2 to review of the DPC panel of April 1983, like the earlier two DPCs. However, the learned counsel for the applicants requested for a date being fixed for completion of such a review, by the respondents 1 and 2. In view of the fact that at least a part of the prayer of the applicants in the writ petition had been conceded and the respondents 1 and 2 have decided and undertaken to review the DPC of the year 1983, a time limit must be fixed for that review to avoid further delay. The learned counsel for the respondents represented that four months time may be granted. But we feel that a period of three months may be sufficient to undertake and complete the review.

We therefore direct the respondents 1 and 2 to complete the review of the DPC Panel of 1983 and communicate the result to the applicants within three months from the date of receipt of this order. The application is therefore closed with the above observations.

Given under my hand and the seal of the Tribunal

sd/

DEPUTY REGISTRAR

.....5/

To,

1. S.Maniokam)
2. S.N.K.Murthy)
3. K.Sundar Rajan)
4. K.Achuthan)
5. T.Radhakrishnan)
6. P.Balan)
7. P.Swamidass)
8. R.K.Datta)
9. S.Chakkarapani Pillai)
10. A.Ramalingam)
11. R.R.Panikar)
12. V.Thomas Abraham)
13. G.C.Sircar)
14. H.C.Roy)
15. C.N.Selvaraj)
16. B.K.R.Naidu)
17. K.G.Karunakaran)
18. P.P.Narayanan)
19. K.Panduranga Rao)
20. S.Krishnapillai)
21. R.Rajappan)
22. S.N.Chandrasokaran)
23. M.S.Namboodiri)
24. R.D.Radhakrishnan)
25. Walton Corea)
26. P.George Thomas)
27. M.A.Nandha)
28. S.A.Khadar)
29. P.K.Suroshbabu)
30. K.C.S.Pillai)
31. N.Dalakrishnan)
32. B.K.Dass)
33. C.S.Achari)
34. S.N.K.Pillai)
35. M.M.Abdul Khadar)
36. P.K.Chatopadhyaya)
37. J.K.Vishvakarma)
38. A.K.Bandu)
39. N.K.Paul)
40. R.N.Tiwari)
41. S.K.Nangia)
42. S.K.Singha)
43. S.K.Nandhi)

C/o M/s Vijay Narayan and
R.Parthiban,
Advocates,
No. 16, Pycrafts Garden Road,
Madras- 600 006.

44. The Director General of
Ordnance Factories,
16, Esplanade Estate,
Calcutta- 69 (By RPAD)
45. The General Manager
Heavy Vehicles Factory,
Avadi, Madras- 600 054- (By RPAD)
46. P.K.U.Nair, Assistant Foreman,
C/o General Manager,
Ordnance Factory,
Ambarnath,
District Thane, P.C. 421 502
Maharashtra.
47. Om Prakash Rao,
Assistant Foreman,
C/o General Manager,
Gun Carriage Factory,
JABALPUR- 482 001,
Madhya Pradesh (BY RPAD)
48. M/s Vijay Narayan and R.Parthiban,
Advocates,
No.16, Pycrofts Garden Road,
MADRAS- 600 006.
49. Shri C.Krishnan,
Additional Central Government,
Standing Counsel.
High Court, MADRAS.

:: TRUE COPY ::

Attested

N.K. Nair
ADVOCATE,
KANPUR.

38.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No. of 1987

Babulal & others APPLICANTS

VERSUS

Union of India & others....RESPONDENTS.

ANNEXURE. A-7

Enclosure to OF Board, Calcutta
letter No. 3265/AF(A/NG)/ dt. 27.8.86.

* * *

MECH

Sl.	Name Designation and Factory.	Transferred Promotion to to
-----	----------------------------------	--------------------------------

1.	2-	3.	4.
1.	Sri B.G.Narayanaswamy CH-I (Mech) HVF	HVF	Offg. AF(Mech)
2.	AS Apparao CH-I (Mech) HVF	HVF	-do-
3.	S Manickam, CH-I (Mech)? HVF	OFPM	-do-
4.	S.N.Krishnamurthy CH-I (Mech), HVF	OF TIRCHI	-do-
5.	K.Sundara Rajan, CH-I (Mech), HVF	HVF	-do-
6.	K. Achuthan, CH-I (Mech), HVF	T-72 AVADI	-do-
7.	T. Eadhakrishnan CH-I (Mech) HVF	HAPP	-do-
8.	Samar Banerjee CH-I (Mech.), RFI	RFI	-do-
9.	P Balan CH-I(Mech), RFI	REF HVF	-do-
10.	P Swamidass CH-I (Mech) HVF	Addl. DG/ AV	-do-
11.	RK Datta CH-I (Mech) HVF	OFPM	-do-

...2/

39.

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-2-

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12. S Chakrapani Pillai CH-I (Mech), HVF	HVF	-do-
13. A Ramalingam CH-I (Mech), HVF	T-72 AVADI	-do-
14. RR Paniokar CH-I (Mech) HVF	T-72 AVADI	-do-
15. V Thomas Abraham CH-I (Mech) HVF	MPF T-72 AVADI	-do-
16. G. C. Sarkar CH-I (Mech), MPF	MPF	-do-
17. H. C. Roy CH-I (Mech) HVF	HVF	-do-
18. Sri C. N. Selvaraj CH-I (Mech) HVF	OEPM	Offg. AF (Mech).
19. B. K. Ramakrishna Naidu CH-I (Mech) HVF	OEPM	-do-
20. Telyson Edward CH-I (Mech), HVF	HVF	-do-
21. K. G. Karunakaran CH-I (Mech), HVF	CFA	-do-
22. P. P. Narayanan CH-I (Mech), HVF	HVF	-do-
23. K. Panduranga Rao CH-I (Mech) HVF	T-72 AVADI	-do-
24. S Krishna Pillai CH-I (Mech) HVF	OEPM	-do-
25. R Rajappan CH-I (Mech) HVF	Addl DG/AV	-do-
26. SN Chandrasekharan CH-I (Mech) HVF	HVF	-do-
27. RT Kumarappa CH-I (Mech) HVF	OEPM	-do-

....3/

28.	MS R Nomboodiri CH-I (Mech) HVF	T-72 AVADI	-do-
29.	RB Radhakrishnan CH-I (Mech) HVF	OFPM	-do-
30.	Walton Corea CH-I (Mech) HVF	T-72 AVADI	-do-
31.	Sri P. George Thomas CH-I (Mech) HVF	T-72 AVADI	Offg. AF (Mech)
32.	N. A. Nanda CH-I (Mech) HVF	HVF	-do-
33.	S. K. Abdul Kader CH-I (Mech) HVF	T-72 AVADI	-do-
34.	P. K. Suresh Babu CH-I (Mech) HVF	T-72 AVADI	-do-
35.	K. Chandrasekharan Pillai CH-I (Mech) HVF	HVF	-do-
36.	Sri S. Jaganathan CH-I (Mech) HVF	OFPM	-do-
37.	B. K. Das CH-I (Mech) HVF	HVF	-do-
38.	C. Sivan Achory CH-I (Mech) HVF	OFPM	-do-
39.	N. Balakrishnan CH-I (Mech), HVF	T-72 AVADI	-do-
40.	S. Neelakanta Pillai CH-I (Mech) HVF	HAPP Tirchi	-do-
41.	M. M. Abdul Khader CH-I (Mech) GIF	GIF	-do-
42.	R. N. Tiwari CH-I (Mech), & VFD	GIF	-do-

41.

A 64

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-4-

43.	R. K. Chattapadhyay CH-I (Mech), VFJ	VFJ	-do-
44.	J. K. Vishwakarma CH-I (Mech) GIF	GIF	-do-
45.	A. K. Bandhu CH-I (Mech) VFJ	VFJ	-do-
46.	N. K. Paul CH-I (Mech) OFK	OFK	-do-

ANNEXURE- B

Enclosure to OF BOARD Calcutta letter No. 3265/AF(A/NG)/NG Dt. 27.8.86.

ELECTRICAL

Sl.	Name Designation and Factory	Transferred to	Promotion
1.	2.	3.	4.
1.	S/ Sri C. Ravi cul an CH-I (Elect) HVF	HVF	Offg. AF (Elec)
2.	J. Joseph CH-I (Elect) HVF	HAPP Tirchi	-do-
3.	P. V. Govindan CH-I (Elec) HVF	CFA	-do-

ANNEXURE. C

Sl	Name Designation and Factory	Transferred to	Promotion to
1.	2.	3.	4.
1.	Shri Y. M. N. Purushthaman CH-I (Civil) HVF.	HVF	Offg. AF (Civil)

*** TRUE COPY ***
Attested

[Signature]

N. K. Nair
ADVOCATE,
KANPUR.

[Signature]
Added accordingly
H. K.
10/11/12

AGS

64

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Registration O.A. No. 1188 of 1987.

Babu Lal and Others Applicants.

Versus

Union of India & Others Respondents.

ANNEXURE A-8

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. 436 of 1987

B.L. Patel & others ... APPLICANTS.

Versus

Union of India & others ... RESPONDENTS.

COUNSEL:

Shri P.S. Nair ... FOR THE APPLICANTS

Shri B.K. Rawat ... FOR THE RESPONDENTS

CORAM:

Hon'ble Shri S.K.S. Chib ... Vice Chairman

Hon'ble Shri K.B. Khare ... Member (J)

J U D G M E N T

(Delivered on this the 11th day of August, 1989)

The applicants who were originally working as
Chargeman Grade II under the Director General of
Inspection in the Gun Carriage Factory, Jabalpur have
filed this petition against the order dated 20.7.1987

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of the General Manager, G.C.F. Jabalpur transferring them to the Ordnance Factory. They contend that as a result of this their promotion prospects have been affected which they would have availed in their parent organisation and this change has been detrimental to their service condition and this has been done contrary to the instructions contained in letter No. 1(321)U2/b (Inspection) dated 28.11.1983 (Annexure-A) according to which it was necessary to take the options from the staff ~~EDNE~~ to be transferred.

2. In their return dated 10.4.1988 the respondents have taken the plea that no departmental appeal had been filed against the impugned order and the petition should be dismissed on that ground besides that of limitation as the orders are of 20.11.1983 and 18.10.1984. The respondents have stated that this transfer is in pursuance of an 'Expert Committee' recommendation and, made in the public interest and, therefore, cannot be challenged. The respondents have not raised any other points.

3. In their rejoinder dated 12.7.1988 the petitioners have stated that they were serving with the Director General of Inspection Organisation as Chargeman Grade II and were transferred to Director General Ordnance Factories organisation without obtaining their consent on a pick and choose policy. In their parent establishment they were due for promotion as Chargeman Grade-I which promotional chances they have lost. In the DGOF organisation they have also become junior in the grade although in the matter of overall seniority they are senior to the serving Chargeman Grade I in DGOF organisation.

There were also vacancies in the DGOF organisation. On the one hand the Director General of Inspection is transferring his employees to DGOF and at the same time indirecting new hands.

On the question delays and laches and failure to file department appeal they contend that they had filed representations which were finally decided only on 20.7.1987 and the present application had been filed before this Tribunal on 17.9.1987 which is therefore, within limitation.

4. We have considered the contention of the parties. It appears from circular of the Ministry of Defence, Department of Defence Production dated 28.11.83 (Annexure-A) that certain reorganisations between the Director General of Inspection and the Director General of Ordnance Factories was contemplated and consequent to the Rajadhyaksha Committee's recommendations certain responsibilities and functions were transferred from the Director General of Inspection to the DGOF organisation in respect of the Ordnance Factories. The transfer of staff and functions were considered by a working group under the Chairmanship of an Additional Secretary Defence Supplies. In pursuance of various discussions, the Government then issued the aforesaid circular the operative part of which is paragraph 2 which is reproduced as follows:-

"2. Government are anxious to see that the transfer of personnel is effected not later than 1.4.84 and with this and in view, it will be necessary to take the following action:-

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(i) In respect of the factories indicated in the statements attached in this letter the factory Managers and Inspectors should immediately prepare a list of names of all categories of employees who will be transferred to the DGOF. The basic principle to be observed in deciding the personnel to be transferred is "MAN ON THE JOB".

(ii) The deployment of personnel in the factories as on 1.12.83 will be frozen until further orders.

(iii) On the basis of the list prepared as per para (i) above in respect of the Industrial employees where seniority lists are maintained to prepare a combined seniority list with the staff of the Ordnance Factory concerned keeping in mind the principal fixation of inter-se-seniority detailed in CSR-41 article 26. In respect of other staff and officers lists of names will be forwarded to the OF Board and DGI Hqrs. So that inter-stage seniority could be worked in this respect as well.

(iv) In respect of the service officer, they will be sent to DGOF where the present movement only on deputation.

(v) In deciding on transfer of the officers, apart from the principle of "MAN ON JOB" the levels may be so worked out as to maintain a proper balance in the distribution of officers and the proportion & relationship between the various levels is more or less than now available in the DGI.

(vi) In respect of all the staff proposed to be transferred, they may be asked to exercise an option to be transferred to the DGOF. The format in this regard may finalised by the OFB in consultation with the DGI.

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(vii) Consultation where required with concerned representative bodies of the employees may also be taken up immediately."

It will be seen from the above circular that the essential ingredients of the implementation of the policy are Clauses (i) and (vi) of the above para of instructions. In fact it has been emphasised by Clause (vi) that in respect of the persons proposed to be transferred they may be asked to exercise option to be transferred to the DGOF. It was also envisaged that a format in this regard should be finalised by the OFB in consultation with the DGI.

The short point for determination in this case, therefore, is whether such options were asked. The applicants have clearly stated that options were not asked for from them. This has not been rebutted by the respondents either. Any such inter organisation transfer without asking the options would therefore, be liable to be struck down as this has a material bearing on the conditions of service of the personnel involved.

On the question of limitation and delay and laches the applicants have clearly stated that they had filed a representation on which the decision was taken by the respondents on 20.7.1987. There was no averment to the contrary. We, therefore, hold that the petition is within limitation. Moreover, this is a matter which affects the continuous rights of Staff and their service conditions and it cannot be held that the petitioners suffers

from delay and laches. We therefore rule out this objections of the respondents.

Lastly we may observe that a similar point had arisen before the High Court of Madhya Pradesh in Letters Patent Appeal No. 57 of 1985 in which the Division Bench of the High Court comprising of the Hon'ble Shri Chief Justice N.D. Ojha and Hon'ble Late Shri Justice K.K. Adhikari had upheld Single Bench's decision holding such transfers without asking for option as illegal and unjustified. We are of the same view.

5. In the net result in the light of the facts and circumstances of the case the transfer of the applicants from the DGI Organisation to the DGOF organisation is struck down and they may be reverted to their parent organisation unless they give a clear option of opting for the DGOF Organisation.

Sd/-
(K.R. Khare)
Member (J)

Sd/-
(S.K.S. Chib)
Vice Chairman

(SEAL OF THE CAT)
(JABALPUR BENCH.)

TRUE COPY

Sd/- illegible.

Deputy Registrar,
Central Administrative Tribunal,
Jabalpur Bench, Jabalpur.

*True copy
attested
advocate*

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Registration O.A. No. 1188 of 1987

Babu Lal and Others Applicants.

Versus

Union of India & Others Respondents.

ANNEXURE A-9

To

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

Through :- The General Manager,
Ordnance Factory, KANPUR-208 009.

Sub :- TRANSFER FROM DGI TO DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration:-

(i) That I was transferred from I of A, Kanpur to Ordnance Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of Stage/Interstage Inspection responsibilities from DGI to DGOF as per recommendations of RAJADHYAKSH COMMITTEE.

(ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide Letter No. 1(321)82/D/Inspection dated 28-11-83 that option will be taken from the individuals employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.

(iii) That I joined OFC on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 ~~XXX~~ of CSR 41 extract of which is given below:

"That while public interest is served legitimate claims and expectations of individual employees should not be ignored. It is also necessary to make

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sure not only that there is no less of pay but also that the employee's reasonable expectation in the original service or department are preserved or equal prospects are provided in the service or department to which the employee is transferred".

(iv) That, it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion where as I am still rotting in the same grade which is clear violation of CSR-41 article 26.

(v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice at this transfer has already been declared illegal/unjustified by the Honorable Court - CAT Jabalpur in writ petition No. OA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & others Vs. Union of India and others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief, so that I may not be forced to go to Court of Law for justice.

Thanking you.

Yours faithfully,

Sd/-
(BABU LAL)
Chargeman-I (Mech)
ORDNANCE FACTORY, KANPUR-09.

Encl: C.A.T. Jabalpur
Judgement in Writ No.
OA 436/1987.

Dated: 9/10 Oct '90.

Copy to:

The Director General,
Directorate of Quality Assurance, HQRS,
Dept. of Defence Production,
DHQ Post Office,
NEW DELHI - 110 011.

Through:- The Senior Quality Assurance Officer,
SQA, KANPUR - 208 009.

*True copy
Attended
as advised*

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No. 1703/PL/E/NG

Estt./O.F.C.

Date: 25.10.90.

To,

Shri Baboo Lal,
CM-1/QC (W)

SUB: NG Staff - Application Forwarding of.

Ref: Your application dated 10.10.90.

The application quoted under reference
has been forwarded to The Secretary, Ordnance Factory
Board (A/NG), Calcutta for necessary action.

Sd/-

(SURESH K KULSHRESHTHA)

WORKS MANAGER (ADMIN)

for GENERAL MANAGER.

True Copy
Attested
Advocate

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Registration O.A. No.1188 of 1987.

Babu Lal and Others Applicants

Versus

Union of India & Others Respondents.

ANNEXURE A-10

To

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

Through :- The General Manager,
Ordnance Factory, KANPUR - 208 009.

Sub :- TRANSFER FROM DGI TO DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration :-

(i) That I was transferred from I of A, Kanpur to Ordnance Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of Stage/Interstage Inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.

(ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter No. 1(321)82/D/Inspection dated 28-11-83 that option will be taken from the individual employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.

(iii) That I joined OFC on 19th Oct 1984 as there was no other alternative before. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 of CSR 41 extract of which is given below:

"That while public interest is served legitimate claims and expectations of individual employees should not be ignored. It is also necessary to make sure ~~that~~ not only that there is no less of pay but also that the employee's reasonable

expectation in the original service or department are preserved or equal prospects are provided in the service or department to which the employee is transferred."

(iv) That, it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion where as I am still rotting in the same grade which is clear violation of CSR-41 article 26.

(v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court- CAT Jabalpur in writ Petition No. OA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & Others Vs. Union of India and others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief, so that I may not be forced to go to Court of law for justice.

Encl: C.A.T. Jabalpur
Judgement in Writ
No. OA 436/1987.

Yours faithfully,

Sd/=

(R.K. SINGH)

CHARGEMAN-I (Mech)

ORDNANCE FACTORY, KANPUR-09.

Dated: 10 Oct '90.

Copy to:

The Director General,
Directorate of Quality Assurance, HQRS,
Dept. of Defence Production,
DHQ Post Office,
NEW DELHI - 110 011.

Through:- The Senior Quality Assurance Officer,
SQAE, KANPUR - 208 009.

*True copy
Attested
[Signature]*

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No. 1703/PS/E/NG

Estt./O.F.C.

Dated: 25-10-90.

To,

Shri R.K. Singh

CM-I (T)/QC (NA)

SUB: NG STAFF - Application Forwarding of.

Ref: Your application dated 10.10.90.

The application quoted under reference has been forwarded to the Secretary, Ordnance Factory Board (A/NG), Calcutta for necessary action.

Sd/-

(SURESH K KULSHRESHTHA)

WORKS MANAGER (ADMIN)

for GENERAL MANAGER.

*True copy
attested
by
advocate*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

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Registration O.A. No. 1188 of 1987.

Babu Lal and others Applicants.
Versus
Union of India & Others Respondents.

ANNEXURE A-11

To,

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA-700001.

Through:- The General Manager,
Small Arms Factory, KANPUR-208009.

Sub:- TRANSFER FROM DGI to DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration:-

(i) That I was transferred from I of SA, Kanpur to Small Arms Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of stage/inter-stage inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.

(ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter No. 1(32) 82/D/Inspection dt. 28.11.83 that option will be taken from the individual employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.

(iii) That I joined SAF on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new department as laid down in article 26 of CSR 41 extract of which is given below:

"That while public interest is served legitimate claims and expectations of individuals employees should not be ignored. It is also necessary to make sure that not only there is no loss of pay but also that the employees reasonable expectation in the original service or department are preserved or equal prospects are provided in the service or department to which the employee is transferred".

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(iv) That it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion whereas I am still rotting in the same grade which is clear violation of CSR 41 article 26.

(v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court - CAT Jabalpur in writ petition No. OA 436/87. Judgment delivered on 5.9.89 in case of Shri B.L. Patel & Others Vs. Union of India & Others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief so that I may not be forced to go to court of law for justice.

Thanking you.

Yours faithfully,

Sd/=
 (N. B. SAXENA)
 Chargeman-I (Mech)
 Small Arms Factory,
 Kanpur-9.

Enclosure

C.A.T. Jabalpur
 Judgement in Writ No.
 OA 436/1987.

Dt. 10th Oct 1990.

Copy to:

The Director General,
 Directorate of Quality Assurance, HQRS,
 Deptt. of Defence Production
 DHQ Post Office
 New Delhi - 110 011.

True Copy
Attested
[Signature]

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Registration O.A. No. 1188 of 1987.

Babu Lal and others Applicants.

Versus

Union of India and others Respondents.

ANNEXURE A-12

To,

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA-700 001.

Through:- The General Manager,
Small Arms Factory, Kanpur-208009.

Sub:- TRANSFER FROM DGI TO DGOF ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration:-

- (i) That I was transferred from I of SA, Kanpur to Small Arms Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of stage/inter-stage Inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.
- (ii) That as per Policy decisions taken at the time of transfer it was clearly laid down vide letter No. 1(321) 82/D/Inspection dt. 28.11.83 that option will be taken from the individuals employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.
- (iii) That I joined SAF on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer, I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 of CSR 41 extract of which is given below:

"That while public interest is served legitimate claims and expectations of individual employee should not be ignored. It is also necessary to make sure not only that there is no loss of pay but also that the employee's reasonable expectation in the original service or department are preserved or equal prospects are provided in the service or department to which the employee is transferred."

.....2/-

(2)

(iv) That it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have been already received second promotion whereas I am still rotting in the same grade which is clear violation of CSR 41 article 26.

(iv) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to ~~you~~ my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable Court - CAT Jabalpur in writ petition No. OA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & Others Vs. Union of India & Others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief so that I may not be forced to go to Court of law for justice.

Thanking you.

Yours faithfully,

Sd/-

(P.K. SARKAR)

Chargeman-I (Mech)

Small Arms Factory, Kanpur-9.

Encl: CAT JABALPUR

Judgement in Writ No.

6A 436/1987.

Dt. 10 Oct. 90.

Copy to:-

The Director General
Directorate of Quality Assurance HQRS
Dept. of Defence Production,
DHQ Post Office
New Delhi 110001.

*True copy
attested
Advocate*

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Registration No. of 1987

Babu Lal & others APPLICANTS

VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-8

The Chairman
Ordinance Factory Board
10 A Auckland Road,
CALCUTTA-1

Subject : PUBLICATION OF DPC SELECTION LIST OF
ASSISTANT FOREMAN/ SIA(T)

Reference OFB letter No. 323/A/DPC dated 11th June 1986.

Sir,

Respectfully, I beg to submit a few following lines for
your kind consideration and issue of necessary orders :-

(i) That as per seniority role published as on 1.4.86 for
Chargeman Gde-I (Tech) my inter-se-seniority was fixed at Sl.
No. 49. But in the select list published vide your letter under
reference my name, including all others, who have been transfer-
red from DGI, have not been figured in the DPC list. Whereas
the persons much junior to me even in the grade of Chargeman
Gde-I (T) have been included. In this reference kindly refer
select list Sl. Nos. 46, 48, 51, 52, 56, 61, 65, 66, 69, 89,
94, 101 to 110, 123, 129. 131. 132, 135, 140, 142, 145, 148,
153, 161, 166, & 170 total 44 Nos. Here also I would like to
point out that for promotion to Assistant Foreman, Seniority
of C'Man Gde-II is considered not of Chargeman- Gde-I.

(ii) That accept a very few chargeman Gde-I I am much more

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senior in the NG Cadre. I was promoted to Chargeman Gde-II in July 1975, whereas the persons, who were Supr. upto 1.1.80, were converted to C'Man Gde-II as on 1.1.80 and their notional seniority was given from 1.3.77. In OFB for maintaining of ratio of C'man Gde-I and II most of these converted C'Man-II (as on 1.1.80) were again upgraded as C'man Gde-II in June 1980 and hence promoting these C'man Gde-I prior to me, will be clear in injustice with me and others, who have been transferred from DGI. It is clearly laid down in the CSB 41 Artcl.26" that if a person is transferred with the work the legitimate claim and expectations of the individuals will be preserved in case of inter-seniority and promotions) Here I would also like to point out that my basic pay (Rs 750/) is much more than the converted Chargeman Gde-I in June 1980.

In view of the above, I request you benign labour to kindly pass your necessary orders for inclusion of my name in the select list and in promotions.

Thanking you.

Yours faithfully

Dated: 26 June 1986

sd/

(BABU LAL)

C'Man Gde-I (T)
Mech.

Ordnance Factory, Kanpur.

Copy to:-

1. The Secretary, (A/NG)
2. " (A/IPC)
3. The Secretary
AINGOs, Ordnance Factory
Kanpur (Branch).

:: TRUE COPY ::

Attested

N.K. Nair

ADVOCATE,
KANPUR.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

Registration No. of 1987

Babu Lal & others Applicants

Versus

Union of India & others Respondents.

ANNEXURE A-9

The Chairman
Ordnance Factories Board(A/NG)
CALCUTTA

(Through:-General Manager, Ordnance Factory, Kanpur)

Sub: INTER-SE SENIORITY OF CHARGEMAN
GRADE-I (MECHANICAL)

Ref: Seniority-list of Chargeman Dr.I
(Mech) as on 1.4.1985

On scrutinising the latest seniority list of Chargeman Gr.I (Mech) as on 1.4.85, it is revealed that the seniority has been fixed from the date of promotion/recruitment in the lower grade other than Chargeman Gr.I.

2. My seniority has been fixed at Sl.1204 whereas it should be much prior to the existing one because I was recruited as Technical Supervisor Gr.III (Supr.B) on 4.10.62 and subsequently was promoted to Supv.Gr.II(Supvr.A) as on 11.5.66.

3. I was promoted to Chargeman Gr.II (Tech) on 25.9.72 and subsequently to Chargeman Gr.I(Tech) as on 10.1.81.

4. It is quite clear that except a very few, there is nobody senior to me either in the grade of Supervisor-II (Supvr.A) or in the grade of Chargeman-II who are placed prior to me in the seniority list.

5. In view of the above, it is requested to kindly look into the matter immediately to save me from any promotional/financial loss. At present my basic pay is also Rs.775/- which clearly indicates that I am much more senior than to many others who are placed prior to me.

6. I hope you will kindly do the needful at the earliest to adjust my seniority at the proper place, viz., after Sl.no.48.

Thanking you,

Yours faithfully,
Sd.RK Singh

(R.K.SINGH)
CHARGEMAN GRADE-I
QC(NA), OFC, KANPUR

Dt. 30.5.86

--; TRUE COPY:--

Attested

N.K. Nair

ADVOCATE,
KANPUR.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No.

of 1987

Babu Lal & others

..... APPLICANTS

VERSUS

Union of India & others

..... RESPONDENTS.

ANNEXURE. A-10

To,

The Secretary,
Ordnance Factory Board,
10A, Auckland Road,
CALCUTTA

Through: The General Manager
Small Arms Factory, Kanpur.

Sub : Seniority List of Chargeman Gr-I (Mech).
Fitment of.

Ref : 1) List circulated under OFB letter No. 147/CH/MECH/A/NG
dated 12.5.86.

2) Letter No. 108/NG/TS/QC dated 15th October, 1985.

Respected Sir,

As per reference No.(1) quoted above I have been assigned seniority in the subject list at Serial No. 48 and again my name/ seniority is shown at Serial No. 1186/ in the same list, which creates confusion and consequently I am not in position to understand that where my seniority position stands so far.

In this connection I want to draw your kind attention towards reference No.(2) quoted above in which my seniority was placed at Serial No. 10 (copy attached herewith). Moreover, the entries of my seniority are self proof to indicate my seniority fitment for serial no. 48 which seems likely to be correct.

Hence, it is requested your honour to kindly make necessary arrangement for correct fitment of my seniority position due to which I may not be debarred from my next promotion to Asstt. Foreman.

Hoping for your sympathetic consideration

Thanking you,

Yours faithfully

sd/

(N. B. Saxena)

Chargeman Gr- I
MMG Section,
SAFY, Kanpur.

Dated/ 23rd July 86.

Copy to :

The Secretary,
ATA, NGO Association,
S. A. F., Branch,
Kanpur

-with a request to take up the matter at
the earliest please.

:: TRUE COPY ::
Affected

N. B. Saxena
ADVOCATE,
KANPUR.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Registration No. of 1987

Babu Lal & others APPLICANTS

VERSUS

Union of India & others RESPONDENTS.

ANNEXURE. A-11

To,
The Secretary
Ordnance Factory Boare (A/NG)
10-A, Auckland Road,
Calcutta- 700 001

Sub : PUBLICATION OF DPC SELECTION LIST OF ASSTT FOREMAN

Ref : OFB Letter No. 323/A/DPC dated 11th Jun 1986.

Sir,

Respectfully I beg to submit a few following lines
for your kind consideration and issue a necessary orders :-

That I would like to point out that for promotion to
Asstt. Foreman, seniority of Chargeman Gd-II is considered
not of Chargeman Gde-I.

That except a very few Chargeman Gd-I, I am much more
senior in the NG Cadre. I was appointed to Chargeman Gd- II
in May 1977, whereas the persons, who were Supr. upto 1.1.80
were converted to Chargeman Gde-II as on 1.1.80 and their
rational seniority was given from 1.3.77. In OFB for maintaining
the ratio of Chargeman Gd-I and II most of these converted
Chargeman II (as on 1.1.80) were again upgraded as Chargeman
Gd I in Jun, 1980 and hence promoting these Chargeman Gd-I
prior to me, will be clear injustice with me and others, who
have been transferred from DGI. It is clearly laid down in the
CSR 41 Article 26 " that if a person in transferred with the work

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the legitimate claim and expectations of the individuals will be preserved in case of inter-se-seniority and promotions."

In view of the above, I request your besign favour to kindly pass your necessary orders for inclusion of my name in the select list and in promotions.

Thanking you.

Yours faithfully

Dated : June 26, 1986

sd/

(P.K. SARKAR)
Chargeman Gd.-I(T)
Small Arms Factory
Kanpur.

a :: TRUE COPY ::

Attested

N.K. Nair
ADVOCATE,
KANPUR.

ਪਛੇਤੀ
ਪਛੇਤੀ

1981 LA

8/11

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Accepted
 दिनांक १२-१२-८७
 अधिकारी
 दिनांक १२-१२-८७

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अवरोध परे अभ्यासक-पद लिख दिया और अर्धे घण्टा बाद इसकी एक प्रति ख लिया कि समय

उक्त पत्रगत को फाइल को कई अटायनी न पाने ।

उक्त सभी कारवाही वा उक्त सञ्चन कराय प्रत्येक दशा में अपने किसी की भाँति हमको मर्दाया स्वीकार होनी । अगर निश्चित अन्क अथवा किसी अन्क रकम का कोई भी अंश किसी समय भी हमारी और पावना रहे, तो उन्हें अधिकार होगा कि वह हमें कोई नोटिस दिये बिना ही हमारी ओर से मुकदमों की की परदा न करे । वैसी दशा में उनका हमारे प्रति कोई उत्तरदायित्व न होगा । यदि वे किसी अन्य कार्य में व्यस्त रहने के कारण मेरे मुकदमों की समय पर परदा न कर सकें और मुकदमा एकतरफा हो जाय तो भी उनका उत्तरदायित्व न होगा । उक्त सञ्चन की जब और बितनी फीस अदा कहेगा/करेंगे उसकी परकी रसीद प्राप्त कर लेंगे और परकी रसीद के अभाव में

वकाश महीना का वकाल कर ।

की निजबल श्रुत (सुनिवन्ता) निजबल करके अपना अभिप्रायकपद (वकील) नियुक्त करते हैं और यह स्वीकार करते हैं कि उक्त सज्जन हमारी और से बाद-एव (अर्थात् बाद), प्रतिवाद-एव (बयान लट्टरी), बाद स्वीकार एव, निवाद एव, पुनरीक्षण एवं परीक्षणान्न प्रार्थना-एव (रिज/रिजीजन) श्राप्यक कथन (हेकनमा), प्रवर्तन एव (दरेवस्त दरेव), सज्जबल अर्पण निगरानी इत्यादि हेर प्रकार के अन्य प्रार्थना एवदि, बेखिदि की प्रतिनिधियाँ अपने हेतुआर करके श्राप्यालय से प्रवृत्त करे अथवा किसी एव पर आवश्यकराजिस्तार श्राप्यक पृष्ठकरा करे और आवश्यक सवाल जवाब करे और बेखिदि की प्रतिनिधियाँ एवं हेमासे प्राप्य धन की अपनी हेतुआरणी एवती हेकर प्राप्त करें, हमारी और से किसी की मध्यस्थ तथा साक्षी (गादि) माने और उससे सज्जबल प्रार्थना-एव प्रस्तुत करे तथा उसका समर्थन करे तथा तसदीक करे, बाद-एव उठावे छुड़ें अथवा समर्थीता करे तथा मुलहेतुआमा दाखिल करे तथा उसके सज्जबल से प्रार्थना-एव दाखिल करके उसका समर्थन करे अथवा प्रकरा से सज्जबल रखे वाली कुल कानूनीहि दिष्टी के भर पाई होने के समय तक स्वतः अथवा समुक्त करे। आवश्यकरा होने पर किसी अन्य

25, Sammelan Marg, Allahabad.

Sharda Prasad Kesarwani, Advocate

28

112/274A Swaroop Nagar, Kanpur

N. K. Nair, Advocate

[illegible]

~~⑦ Am. Committee of Public Affairs (1917) MLC.~~
~~⑧ N. American of 15/5/1917 (1917) MLC.~~

~~① John of St. John's Mass~~

ॐ नमो भगवते वासुदेवाय

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बुधवार/१२/१२

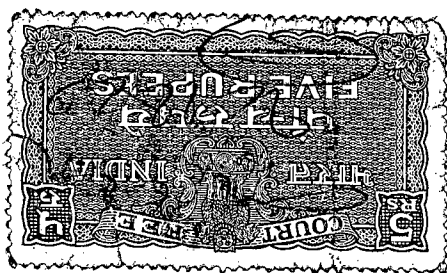
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ਅੰਤਰਿਕ ਸ਼ਕਤੀ

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हस्ताक्षर

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH
AT ALIAHABAD.

CIVIL MISC. APPLICATION NO. 462 OF 1988. 90.

On behalf of the respondents.

..... Applicants.

IN

REGISTRATION NO. 1188 OF 1987.

Babu Lal and others Applicant.

Versus

The Union of India

and others.

..... Respondents.

To

The Hon'ble the Vice-Chairman and His other
companion members of the aforesaid Tribunal.

The humble petition of the abovenamed applicant
most respectfully Showeth:-

1. That the full facts have been set out in the
accompanying counter affidavit.
2. That it is necessary in the interest of justice
that the reliefs sought by the applicant in his aforesaid
application may kindly be rejected.

Sir
There is no
transmission on the
record for filing
Rejoinder at this stage

Shree K. M.
2-4-89

Received
on 9-1-89 on
5-30 PM

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8/86

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Received

24/1/89

SO I

N.A.

11/8/89

04/1/89

Sri Shree Kumar

for compliance

6/1/89

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PRAYER

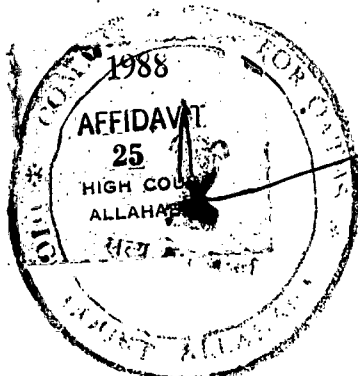
It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to allow this application and reject the relief sought by the applicant in his aforesaid application.

And/or be further pleased to pass such other and further order which this Hon'ble Tribunal may deem fit and proper under the circumstances of the case.

DATED/-3-1-89

K.C. Sinha

(K.C. SINHA),
Addl. Standing Counsel,
Central Government.



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH
AT ALLAHABAD.

COUNTER AFFIDAVIT

IN

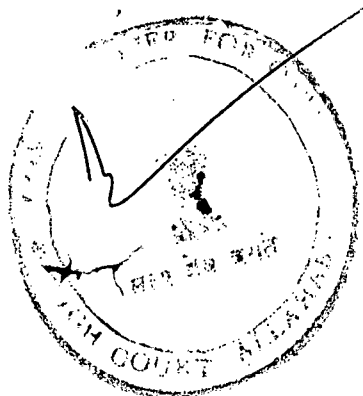
REGISTRATION NO.1188 OF 1987.

Shri Babu Lal and others Petitioners.

Versus

The Union of India
and others.

..... Respondents.



Affidavit of Shri Suresh K. Kulshrestha

aged about 55 years son of (late)

Shri Janki Prasad

Designation - Works Manager

ORDNANCE FACTORY

KANPUR.

(Deponent)

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

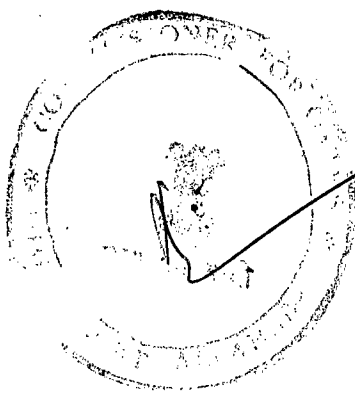
Shri Suresh K. Kulshrestha

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1. That the deponent is posted as
and is authorised to file
this counter affidavit on behalf of the respondents
and as such he is fully acquainted with the facts of the
case deposed to below.



2. That the contents of the application filed
by the petitioner have been read over by this deponent
and he has fully understood them and is in a position
to reply the same.

3. That the contents of paragraph nos. 1, 2, 3,
4 and 5 of the application need no comments.

4. That the contents of paragraph no. 6(1) and 6(2)
of the application being matters of record, need
no comments.

5. That the contents of paragraph no. 6(3)
of the application are admitted.

S. S. S. S. S.

6. That the contents of paragraph no. 6(4)

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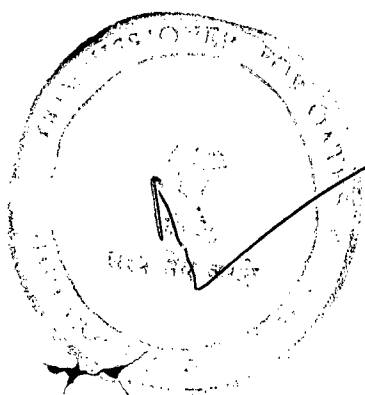
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of the application are not correct, as stated.

It is further submitted that the post of the Supervisor grade 'A' and Chargeman grade II (Technical) were merged in the scale of Rs.425-700/- with effect from 1-1-1980 and Supervisors 'A' (Technical) were designated as Chargemen grade II (T) with effect from 1-1-1980.

7. That in reply to the contents of paragraph no.6(5) of the application it is submitted that consequent upon the merger of Chargeman grade II (T) with Supervisor grade II(T) the overall sanctioned strength of Chargeman Grade I (T) and Chargeman Grade II(T) in the ratio of 1:2 was maintained. The revised authorised strength of Chargeman grade I(T) and Chargeman Grade II(T) were 705 and 2410 respectively in DGI Orgn. In DGOF Orgn. the revised authorised strength of Chargeman Grade I(T) and Chargeman Grade II(T) were 2917 and 5936 respectively. It is admitted that additional 1655 vacancies of Chargemen grade I(T) were sanctioned to the DGOF Organisation with effect from 1-1-1980.



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8. That the contents of paragraph no.6(6) and 6(7) of the application are not correct, as stated. It is submitted that Supervisor 'A' (T) were awarded the pay scale of Rs.425-700 with effect from 1-3-1977 which is equivalent to Chargeman grade II(T) On the merger of both the grades with effect from 1-1-1980, the seniority of erstwhile Supervisors 'A' (T) (now re-designated Chargeman Grade II/T) were considered for promotion to Chargeman Grade I(T) through regular Departmental Promotion Committee held during April-May, 1980 and May-July, 1980 in DGOF Organisation to consider their eligibility of their Chargeman grade II(T) for being promoted to Chargeman grade I(T). The Departmental Promotion Committee found them suitable for promotion after being satisfied with all the papers produced to them. The minutes/ agenda of the Departmental Promotion Committee were duly approved by the members of the relevant Departmental Promotion Committee and promotion orders were issued in 5 batches in June, 1980 in five batches to adjudge administrative expediency. After issue of the promotion orders formal Select List of Departmental Promotion Committee were published. Thus, there is no violation



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of rules with regard to their promotion to Chargeman grade I(T) during 1980 in five batches nor there is no deviation from the decisions/instructions issued by the Government in promoting their employees from Chargeman-II (T) to Chargeman-I(T) as alleged by the applicants.



9. That the contents of paragraph no.6(8) and 6(9) of the application are matters of record. However, it is submitted that in DGOF Organisation Supervisor 'A' (T) were awarded the pay scale of Rs.425-700/- with effect from 1-3-1977 which is equivalent to Chargeman Grade II(T). On the merger of both the grades with effect from 1-1-1980, the seniority of the erstwhile Supervisor 'A' (T), now re-designated Chargeman grade II/T, were considered for promotion to Chargeman grade I/T through regular Departmental Promotion Committee with effect from their holding the post of Supervisor 'A' (T) and they were promoted in June, 1980. The applicants' seniority in the DGI Organisation has no relevancy

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to the de-termination of the seniority in the grade of Chargeman grade I(T) on merger of both DGI and DGOF Cadre. In regard to delay in implementation of Ministry's orders by the DGI Organisation (Respondent No.(c) in promoting the applicants from Chargeman grade II(T) to Chargeman grade I(T), the respondent no.(b) is not at all connected in such state of affairs.

In DGI Organisation the corrigendum to Government of India order was issued on 18-9-1980. Thereafter, the action to convene Departmental Promotion Committee was initiated and finally Departmental Promotion Committee was held on 5-12-1980 in DGI Organisation Departmental Promotion Committee in DGOF Organisation is convened independently and the same has got no link with the Departmental Promotion Committee in DGOF. In both the organisations, the incumbents are governed by separate set of recruitment rules and Departmental Promotion Committee composition are different in both the organisations. Since the seniority of the applicants as Chargeman Grade I(T) has been assigned with reference to their holding the post of Chargeman grade I(T) in terms of Ministry of Defence



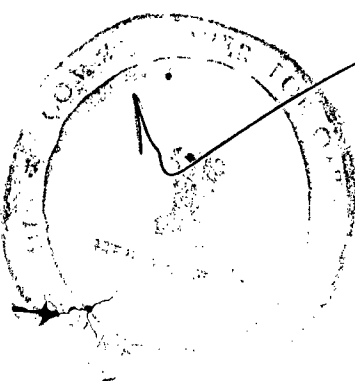
Sunder Reddy

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letter No.1(32)/82/D(Inspection) dated 30-4-1985 which is valid, binding and subsisting in the eyes of law, there is no necessity of granting notional promotion and seniority in the grade of Chargeman grade I(T) to the applicants and assuch their claim is not tenable. A photostat copy of the letter dated 30-4-1985 is being filed herewith and marked as ANNEXURE NO.C.A.1.



10. That in reply to the contents of paragraph no.6(10) of the application it is stated that as per recommendations of Rajadhakshya Committee relating to the transfer of stage/inter-stage responsibilities from DGI to the DGO, persons belonging to Ammunition Group etc. were shifted to DGO Organisation in various Ordnance Factories. The basic principles observed in this regard was that personnel to be transferred is "the man of the job". It has been intimated in the Ministry of Defence letter no.1(3)/82/D(Inspection) dated 20-11-1983 that all the staff proposed to be transferred may be asked

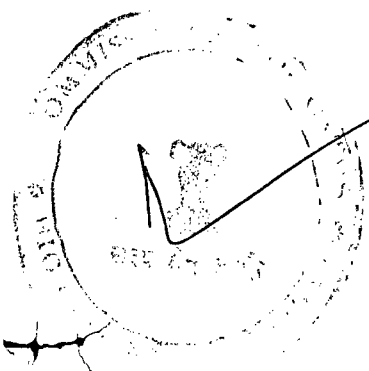
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to exercise option for their being transferred to DGOF Organisation. Since the merger and transfer of the staff was made in the public interest, exercising the option would be an empty formality. At any point of time till filing of this application none of the DGI personnel so transferred to DGOF Organisation, did challenge the validity of their transfer to DGOF without giving them opportunity in exercising option regarding their absorption in DGOF Organisation. Thus, the applicants are estopped from raising such question after their transfer from DGI to DGOF organisation at this belated stage. A photostat copy of the letter dated 20-11-1983 is being filed herewith and marked as ANNEXURE NO.C.A.2.



11. That the contents of paragraph no.6(11) and 6(12) of the application are not correct, as stated. As per Ministry of Defence letter No.1(32)/82/1 (Inspection) dated 30-4-1985, the ~~Rxxxx~~ DGI employees including the applicants transferred to DGOF Organisation were assigned seniority in their respective grades in the

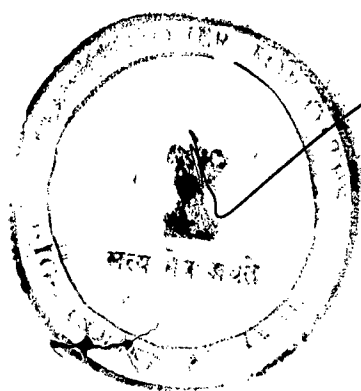
Subhash Chandra

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organisation with reference to their holding the post on merger. It appears that the applicants were promoted to the grade of Chargeman grade I/T in DGI Organisation with effect from 10-1-1981 and 12-1-1981 and the persons promoted to Chargeman grade I/T in DGOF Organisation during June, 1980 cannot be shown below the applicants in the grade of Chargeman grade I/T as claimed by them.



In view of the position explained above, the question of refixation of seniority in respect of the applicants in the grade of Chargeman I/T and further consideration of their promotion to Assistant Foreman/T by way of review Departmental Promotion Committee with reference to Departmental Promotion Committee held in 1986⁹ does not arise.

12. That in reply to the contents of paragraph no. 6(13), 6(14) and 6(15) of the application it is submitted that it appears that the petitioners have wrongly been advised to say that the case referred in the para under reply is similar to the case of the petitioners. In fact

Subscd. C.

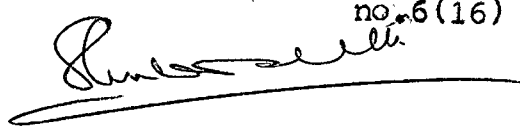
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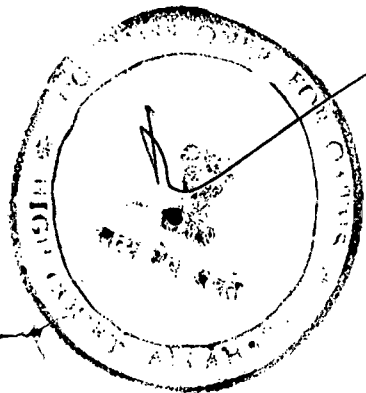
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the facts and circumstances are quite different and the order passed in the aforesaid case by the Central Administrative Tribunal Madras Bench has got no relevance in this case. Since none of the applicants were promoted before the merger of the cadre from the DGI Organisation to DGO Organisation, thus they are senior to the applicant and ~~be~~ considered for promotion in the subsequent Departmental Promotion Committee in the grade of the Assistant Foreman Grade (T). It is further submitted that the applicant should have made those persons as respondents who are being claimed to have superseded the applicants. Non-joinder of such NGOs as parties-respondents to the application, the application is bad and is not maintainable in the eyes of law. The application is liable to be rejected solely on this ground alone. It is reiterated that the seniority has been assigned correctly keeping in view the instructions contained in the Ministry of Defence letter dated 30-4-1985.

13. That in reply to the contents of paragraph no. 6(16) of the application it is stated that since



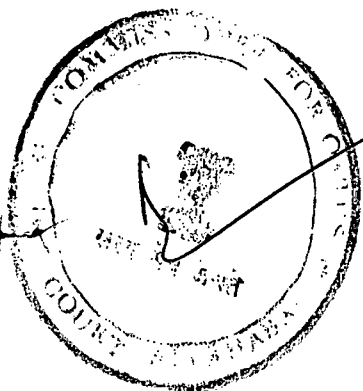


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applicants were not intervenor in the case No.TA 734/86 at Central Administrative Tribunal Madras, they are not eligible to get the benefit arising out of the order passed in the aforesaid case, and not applicable to them. Promotions were awarded only to the petitioners in the above case by holding review Departmental Promotion Committee in 1986.



14. That in reply to the contents of paragraph no.7 of the application it is submitted that similar representations from other sources were received at OF Board. As such, instead of issuing piece-meal reply to the concerned individuals, a general reply addressed to the GMs, ALL Factories with the advice to intimate the contents thereof to all concerned was issued vide OF Board letter No.100/Misc/A/NG dated 11-11-1986 a photostat copy of which is being filed herewith and marked as ANNEXURE NO.C.A.3.

15. That the contents of paragraph no.8 of the application being matters of record, need no comments.

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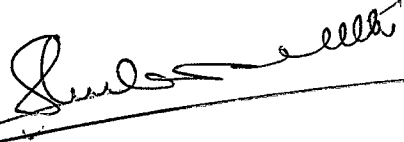
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16. That in reply to the contents of paragraph no.9 of the application it is submitted that in view of the facts mentioned in the preceding paras of this counter affidavit, the petitioner having failed to make out any case for interference by this Hon'ble Tribunal, is not entitled to any of the reliefs sought by him in the para under reply.

17. That the contents of paragraph nos.10, 11, 12 and 13 of the application being matters of record, need no comments.

That the contents of paragraph nos.1, 2 and 3 of this affidavit are true to my personal knowledge; those of paras nos.4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 17 are based on perusal of record; those of paragraph no.16 are based on legal advice; which I believe to be true that no part of it is ~~fx~~ false and nothing material has been concealed. SO HELP ME GOD


11 Aug 88 (DEPONENT)

 I, D.S.Chaubey, Clerk to Shri K.C.Sinha, Additional

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Standing Counsel, Central Government, High Court, Alld.
do hereby declare that the person making this affidavit
and alleging himself to be Shri Kulshrestha is known to me
personally.

✓

.....

(CLERK)

✓
~~Signature~~

Solemnly affirmed before me on this

Sugar

8.30 AM

day of July, 1988 at A.M./P.M. by the deponent who

is identified by the Clerk.

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.

Signature

OATH COMMISSIONER :

Alk Tal
OATH COMMISSIONER
H.E.C. Alld.
S. No. 25/67
Date 25/6/88

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ANNEXURE I

No.1(32)/82/D(Inspection)
Government of India,
Ministry of Defence,
New Delhi, the 30 April, 1985.

The DGOF/Chairman,
Ordnance Factory Board,
10A, Auckland Road, Calcutta-700 001

Subject : Fitment of certain categories of personnel
belonging to DGI transferred to DGOF.

Sir,

Consequent upon the transfer of inspection responsibility along with the related personnel from DGI to DGOF, the question of fitment of certain categories of personnel transferred from DGI to DGOF which do not have equivalence in DGOF has been engaging attention of the Government for quite some time. It has now been decided that the fitment of the following categories of personnel shall be done as under:-

(a) Senior Scientific Assistants(SSAS) (Rs.550-900)

The posts of Sr. Scientific Assistants(SSAS) shall be converted to those of Asstt. Foremen in the pay scale of Rs.700-900 and the transferee SSAS shall be placed in the seniority list along with the Asstt. Foremen in the O.F. Organisation; The interse seniority being determined on the basis of the respective date of holding the post of SSA and Asstt. Foreman.

(b) Store-keeping staff (Rs.450-700)

i) The stores superintendents transferred from DGI to DGOF shall be placed in the seniority list along with Chargemen Gr.II/Non-Tech(Rs.425-700). The interse seniority shall be determined on the basis of the respective date of holding the post of stores superintendent and Chargemen Gr.II/Non-Tech.

ii) The store-keepers transferred from DGI to DGOF (Rs.260-400) shall be placed in the seniority list along with the Asstt. Store-keepers in the O.F.Organisation(Rs.260-400), the interse seniority being determined on the basis of the respective date of holding the post of Store-keepers and Asstt. Store-keepers. The Asstt.Store-keepers after integration in the O.F.Organisation shall be redesignated as Store-Keepers.

Attended
(K.C. Ghosh)
Corrected

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In respect of other staff and officers, list of names will be forwarded to the OFB and DGI HQrs so that inter-se seniority could be worked out in this respect as well.

- (iv) In respect of service officers, they will be sent to the DGOF at the present moment ~~only on~~ deputation.
- (v) In deciding on the transfer of officers, apart from the principle of "man on the job", the levels may be so worked out as to maintain a proper balance in the distribution of officers and the proportional relationship between the various levels is more or less that now available in the DGI.
- (vi) In respect of all the staff proposed to be transferred, they may be asked to exercise an option to be transfeered to the DGOF. The format in this regard may be finalised by the OFB in consultation with the DGI.
- (vii) Consultations where required with the concerned representative bodies of the employees may also be taken up immediately.

Yours faithfully.

Sd/-

Encl. : As above.

(K.S. RAO)

Joint Secretary to the Govt. of India
Tele : No. 372778

Attended
(K.C. Singh)
Counsel for Government

copy

Annexure-~~II~~ I

No.1 (32)/82/D(Inspection)
Government of India
Ministry of Defence
(Department of Defence Production)
New Delhi, the 28th November, 1983

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1. The Member (TS&WE)
Ordnance Factory Board,
6, Esplanade East,
Calcutta.
2. The Director General of Inspection,
(Deptt. of Defence Production)
Govt. of India,
NEW DELHI

Sub : Transfer of stage/interstage inspection
responsibilities from the DGI to DGOF -
Recommendations of the Rajadhyaksha
Committee on Ordnance Factories

Sir,

As you are aware, Government have already accepted the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/interstage inspection responsibilities from the DGI to the DGOF, in respect of the Ordnance Factories. The modalities of transfer have been under consideration by a Working Group under the Chairmanship of Additional Secretary (Defence Supplies). In pursuance of the discussions held by the Working Group, the personnel to be transferred from the DGI to the DGOF in respect of the Factories belonging to the Ammunition group etc., has now been decided upon and the enclosed statement indicate the personnel to be transferred at various levels in respect of the factories indicated in the Statements.

2. Government are anxious to see that the transfer of personnel is effected not later than 1-4-84 and with this end in view, it will be necessary to take the following action :-

- (i) In respect of the Factories indicated in the Statement, attached to this letter, the Factory Managers and Inspectors should immediately prepare a list of names of all categories of employees who will be transferred to the DGOF. The basic principle to be observed in deciding the personnel to be transferred is "man on the job".
- (ii) The deployment of personnel in the Factories as on 1.12.83 will be frozen until further orders.
- (iii) On the basis of the list prepared as per (i) above, in respect of the industrial employees and non industrial employees where seniority lists are maintained on a Factory-wise basis, steps will be initiated to prepare a combined seniority list with the staff of the Ordnance concerned, keeping in mind the principle of fixation of inter-se seniority detailed in CSR-41 - Article 26.

Factory

✓

In respect of other staff and officers, list of names will be forwarded to the OFB and DGI HQrs so that inter-se seniority could be worked out in this respect as well.

- (iv) In respect of service officers, they will be sent to the DGOF at the present moment ~~only on~~ deputation.
- (v) In deciding on the transfer of officers, apart from the principle of "man on the job", the levels may be so worked out as to maintain a proper balance in the distribution of officers and the proportional relationship between the various levels is more or less that now available in the DGI.
- (vi) In respect of all the staff proposed to be transferred, they may be asked to exercise an option to be transfeffered to the DGOF. The format in this regard may be finalised by the OFB in consultation with the DGI.
- (vii) Consultations where required with the concerned representative bodies of the employees may also be taken up immediately.

Yours faithfully.

Sd/-

Encl. : As above.

(K.S. R/O)

Joint Secretary to the Govt. of India
Tele : No. 372778

*Pls. see
(K.C. Piche)*

A 108

No. 100/Misc/A/NG,
Government of India,
Ministry of Defence,
Ordnance Factory Board,
10-A, Auckland Road,
Calcutta-1, dt. 11.11.86.

A-107

To,
The General Manager,

Sub:- Seniority list of Asstt. Foreman,
and Chargeman Gr. I as on 1.4.85.

Ref:- OFB letter No. 100/Misc/A/NG,
dt. 9.9.86.

In continuation to this Hqrs. letter of
even No. dated 9.9.86 referred to above, it is intimated
that the representations received in response to the
seniority list of Asstt. Foreman and Ch. I as on 1.4.85
from the DGI personnels merged with the DGOF Organisation
have been examined in depth. It is found that the
seniority position assigned in the grades of AF and CM, I
as on 1.4.85 and circulated to all factories is in order
in pursuance of directives issued by the M of D vide
their letter No. 1(32)/82 D (Inspection), dt. 30.4.85
and in pursuance of seniority rules indicated in
Art. 26 of C.S.R.

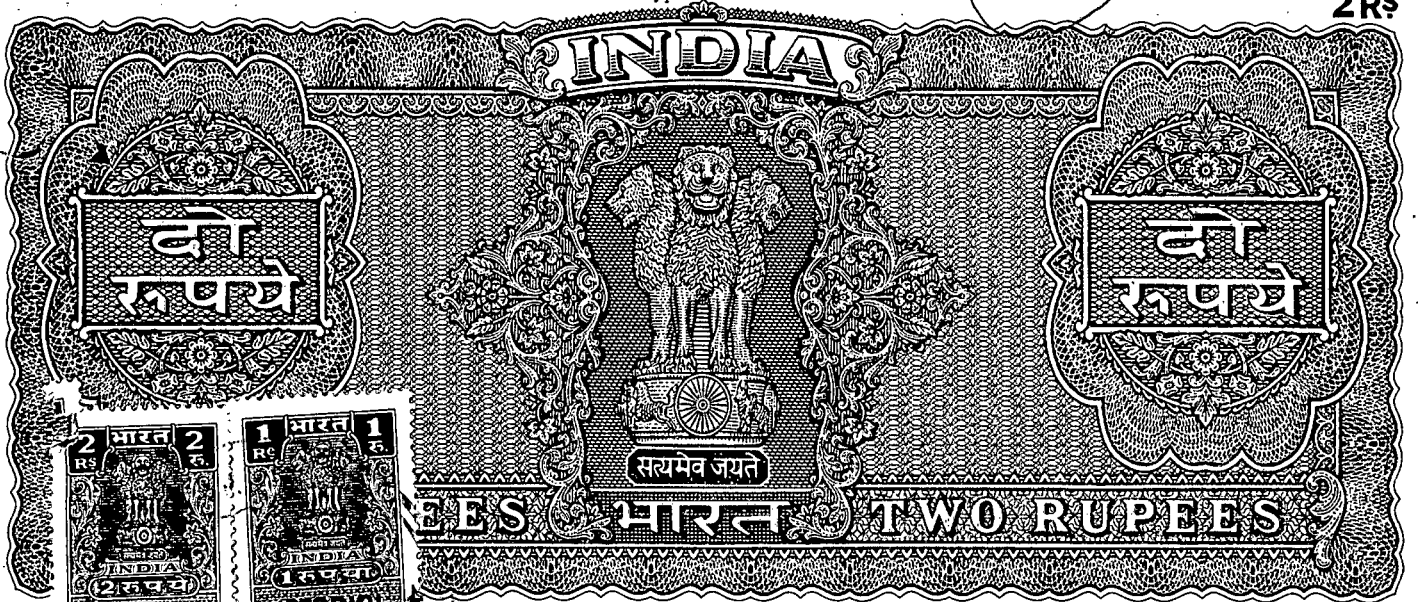
The individuals may be replied suitably.

Legal
(B. S. Pal) 7/11/86.
ASO/NG

for Director General, Ordnance Factories.

Alister J. ...
(K. C. ...)

*Adv
Counsel for the ...*



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration no. 1188 of 1987

Babu Lal & others Applicants

VERSUS

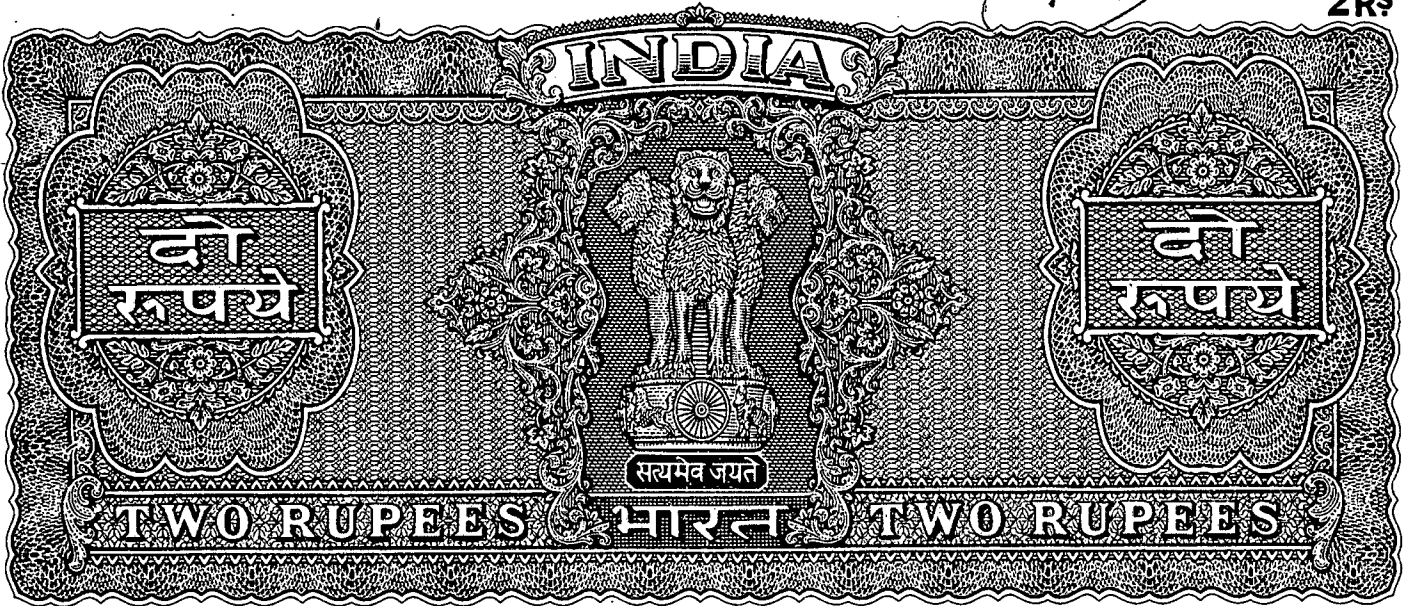
Union of India & others Respondents

AFFIDAVIT OF BABU LAL, AGED ABOUT
44 YEARS, S/O LATE MANA PRASAD,
R/O, 37, Bara Sirohi, P.O.I.I.,
KALYANPUR, KANPUR.

..... (DEPONENT)



3/1/87



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration no. 1188 of 1987

Babu Lal & others Applicants

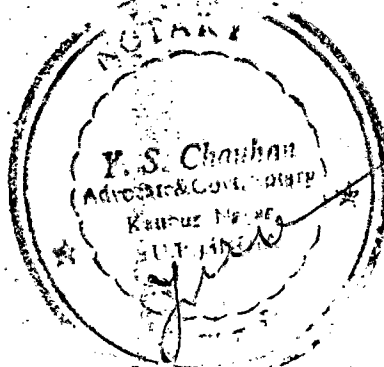
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Union of India & others Respondents

AFFIDAVIT OF BABU LAL, AGED ABOUT
44 YEARS, S/O LATE MANA PRASAD,
R/O, 37, Bara Sirohi, P.O.I.I.,
KALYANPUR, KANPUR.

..... (DEPONENT)

[Signature]





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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration no. 1188 of 1987

Babu Lal & others Applicants

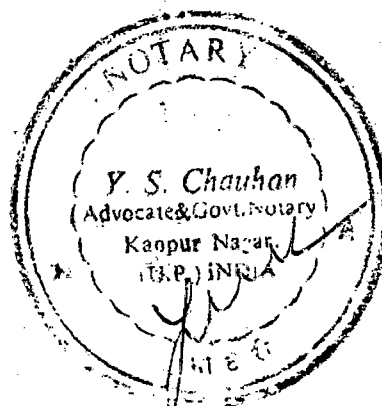
VERSUS

Union of India & others Respondents

AFFIDAVIT OF BABU LAL, AGED ABOUT
44 YEARS, S/O LATE MANA PRASAD,
R/O, 37, Bara Sirohi, P.O.I.I.,
KALYANPUR, KANPUR.

..... (DEPONENT)

[Handwritten signature]



Sworn on this Day of
19..... before me by the
deponent who is duly identified

NOTARY

A112

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH

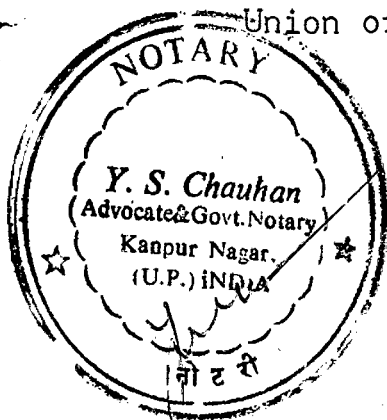
REJOINDER AFFIDAVIT
IN

Registration No. 1188 of 1987

Babu Lal and others APPLICANTS

VERSUS

Union of India & others..... RESPONDENTS



AFFIDAVIT OF BABU LAL, AGED ABOUT
44 YEARS, SON OF LATE MANA PRASAD,
RESIDENT OF 37, BARA SIROHI, P.O.
I.I.T., KALYANPUR, KANPUR

.....(DEPONENT)

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

- 1) That the deponent is the applicant no.1 in the above case and has been authorised by the other applicants to file this Rejoinder affidavit on their behalf also. The deponent has read and understood the contents of the counter-affidavit filed in the above case on behalf of the respondents. The deponent is fully conversant with the facts deposed to below.
- 2) That the contents of paragraphs 1, 2, 3, 4 and 5 of the counter-affidavit need no comments.
- 3) That the contents of paragraph-6 of the counter-affidavit are not admitted as alleged. The contents of paragraph 6(4) of the application are correct and are reiterated. It is not disputed and, in fact, the applicants have already stated in the application that the posts of Supervisors-A (Tech)/ Supervisors-Gr.II (Tech) in the D.G.O.F./D.G.I. Organisations under the Ministry of Defence Production were redesignated as Chargemen Gr.II(Tech) w.e.f. 1.1.1980. The pay scale of Supervisors-A(Tech)/ Supervisors Gr.II(Tech) was converted to Rs.425-700

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from the erstwhile scale of Rs.380-560. The merger of the Supervisor-A(Tech)/Supervisor-II(Tech) with the cadre of Chargeman Gr.II(Tech) took effect from 1.1.1980 only. In fact, by the Daily Order Part II No. 181 dated 7.6.1980, issued by the Inspectorate of Armaments, on the authority of the D.G.I., New Delhi letter no. A/97184/DGI/Adm.(12A), dated 29.5.1980, it was specifically mentioned in respect of those individuals who had been redesignated to Chargeman Gr.II (Tech) from their erstwhile posts of Supervisors Gr.II (Tech) ~~that they~~ were placed enblock juniors to such Chargemen Gr.II who were holding the posts of Chargemen Gr.II on 1.4.1980. The true copy of the said Daily Order Part-II No.181 dated 7.6.1980, issued by the Inspectorate of Armaments is annexed herewith as Annexure RA-1 | Annexure no. RA-1. The applicants were holding the post of Chargeman Gr.II (Tech) even much prior to 1.3.1977.

- 4) That the contents of paragraph-7 of the counter-affidavit, being matters of record, need no comments, especially since they are not in conflict with the averments made in paragraph 6(5) of the application.
- 5) That the contents of paragraphs-8, 9 and 10 of the counter-affidavit are not admitted as alleged. The corresponding paragraphs 6(6), 6(7), 6(8), 6(9) and 6(10) of the application are correct and are reiterated. The erstwhile Supervisors-A(Tech) of the D.G.O.F.Organisation who were merged into the cadre of Chargeman Gr.II (Tech) w.e.f. 1.1.1980 were enblock granted promotion as Chargeman Gr.I(Tech) upto a limit

A114

NOTARY

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A/112

of 1450 numbers strictly on the basis of seniority in the cadre of Supervisor-A (Tech), without undergoing any process of selection under the then existing promotion rules which envisaged that promotion to the post of Chargeman Gr.I from the post of Chargeman Gr.II was to be made on the basis of selection since the post

NOTARY

of Chargeman Gr.I is a selection post. Under the S.R.O. No 109 dated 7-3-1964 relating to the promotion to the post of Chargeman Gr.I,

the incumbents should have completed a minimum period of 3 years service as Chargeman Gr.II. The post of

NOTARY

Chargeman Gr.II further stipulates probation for a minimum period of two years. Hence, the said 1655

1400 persons out of the

persons of the D.G.O.F.organization who were promoted in June, 1980, as Chargemen Gr.II (Tech) had neither

completed probation of two years as Chargemen Gr.II nor had they worked as Chargemen Gr.II for 3 years for the minimum period of required 3 years. All of them

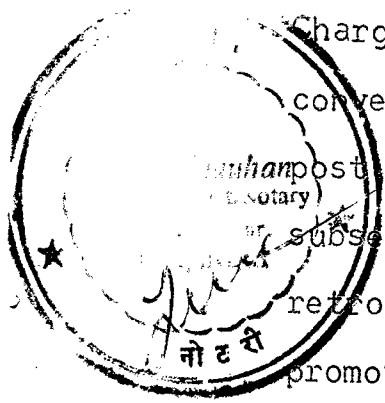
were promoted to the selection post of Chargemen Gr.I in the order of seniority just after about six months of their holding the post of Chargeman Gr.II, which was irregular and uncalled for. Similar treatment was not meted out to the cases of similarly placed

Chargemen Gr.II of the D.G.I.organization who were also converted from the post of Supervisor-II (Tech) to the

post of Chargeman Gr.II w.e.f. 1.1.1980 and were also subsequently granted the pay scale of Rs.425-700

retrospectively w.e.f. 1.3.1977. The DGI organisation promoted only those existing Chargemen Gr.II who were

already holding the post of Chargeman Gr.II prior to 1.3.1977, who had successfully completed probationary period of 2 years as Chargemen Gr.II and also completed more than 3 years' service as Chargemen Gr.II. It is not admitted that in the DGOF organisation, proper DPCs

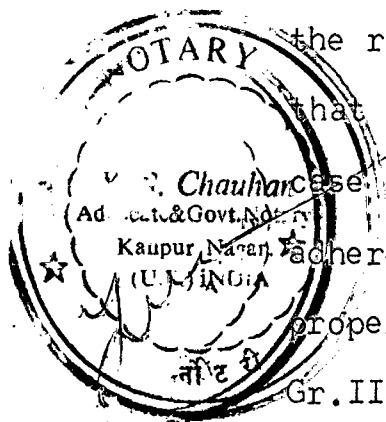


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A115

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were constituted and proper promotions were made on selection basis in accordance with the relevant SRO for promotion to the post of Chargeman Gr.I. The relevant extracts of the concerned SRO relating to promotion to the post of Chargeman Gr.I are annexed Annexure no.RA-2 herewith as Annexure No. RA-2. The respondents are put to strict proof of their false allegations that regular DPCs were held in the year 1980 in the DGOF organization for promotion to the post of Chargeman Gr.I and that proper promotions were made in accordance with the relevant rules. No DPC could have circumvented the relevant promotion rules. It is also not admitted that any select lists of DPCs were published. In the case of the DGI organization, however, the authorities adhered to the prescribed procedure by constituting proper DPC and by promoting only eligible Chargemen Gr.II on the basis of selection subject to their having completed two years' probation period in the post of Chargemen Gr.II and had completed 3 years service as Chargemen Gr.II. Since the DGI organization followed the correct procedure, the relevant DPC was constituted only in or around December, 1980. The said DPC recommended promotions strictly in accordance with the relevant promotion rules unlike in the DGOF organization. Due to the merger of the posts of Supervisor-A (Tech)/Supervisor-II(Tech) into Chargeman Gr.II (Tech) in both the organizations (DGOF and DGI) with effect from the same date of 1.1.1980, resultant vacancies of a large number of Chargeman Gr.I occurred simultaneously in both organizations. In the DGOF Organization, only the first batch of approximately 200 persons who were already Chargeman Gr.II from before 1.1.1980 and were eligible for promotion under the



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C. P. Khan
Kanpur
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promotion rules, were rightly promoted and all the remaining promotions were irregular and without having followed the relevant rules. In the case of the DGI organization, however, all the promotions were done properly though much later than in the DGOF organization since they had constituted proper DPCs, screened the eligible candidates and followed all prescribed procedure and rules. It is not correct to say that the seniority of the applicants in the DGI organization in the cadre of Charge²man Gr.II has no relevancy to the determination of the seniority in the cadre of Charge²man Gr.I. The transfer of Charge²men Gr.II and Gr.I from the DGI organization to the DGOF organization was made in public interest and the incumbents had come to the DGOF organization along with their job, as per the recommendations of the Rajyadhyaksha Committee regarding transfer of stage/interstage inspection responsibilities from DGI to DGOF. Hence, there was no question of such transferees to the DGOF organization being subjected to any adverse effect in regard to seniority or promotion vis-a-vis their counterparts in the DGOF organization and similarly placed employees of the DGOF organisation. The Rajyadhyaksha Committee recommendations also made it clear that the legitimate claims and expectations of the individual employees who were to be subjected to such transfer should not be ignored and that equal prospects be provided to them in the transferee Department. It was in accordance with the Govt. of India Instructions given under Article-26 of the Civil Service Regulations. The relevant portion under Article-26 C.S.R. is reproduced as below:-

NOTA...

CSR 41

" While public interest is served, the legitimate claims and expectations of individual employees should not be ignored. It is necessary to make sure, not only that there is no loss of pay but also that the employees' reasonable expectations in the original service or Department are preserved, or equal prospects are provided in the service or Department to which the employee is transferred."

NOTARY

Those Chargemen Gr. II/~~Gr. II~~ of the DGI

Organization who had not been transferred to the DGOF organization and were much juniors to the applicants at the time when the applicants were transferred from DGI to the DGOF organization, have already got higher promotions to the grade of Assistant Foreman while on account of the transfer to the DGOF organization, the applicants have been illegally and wrongfully deprived of similar promotions and persons who were much juniors to the applicants and were already in the DGOF organisation have got such promotions. Thus, the applicants have suffered on both counts. Had they continued in the DGI organization, the applicants would have been promoted and posted as seniors in the cadre of Assistant Foreman than those juniors of the applicants who had been promoted as Assistant Foreman in the DGI organization after the transfer of the applicants. Several persons who were much junior to the ~~in~~ applicants in the cadre of Chargemen Gr. II and were already in the DGI Organisation have also been promoted as Assistant Foremen and have become seniors in the higher cadre than the applicants who have been illegally and wrongfully kept deprived of their legitimate claims, benefits and aspirations. For the alleged lapses of the DGI organization, if any, as contended by the respondents, the applicants are not to be made to suffer. The DGI has also been arrayed as

Chargemen

Gr. II

DGI

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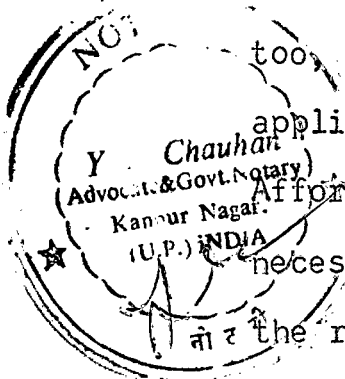
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NOTARY

a respondent in the present case. It is not admitted and is denied that the recruitment/promotion rules relating to promotion from Chargemen Gr.II to Chargemen Gr.I are different in the DGI and DGOF organisations. The reference to the Annexure CA-I of the counter-affidavit is wholly misconceived in the instant case. The said letter of the Ministry of Defence dt.30.4.85 does not in anyway come in the way of the ~~reliefs~~ claimed by the applicants. It is emphatically denied that the claims of the applicants are not ~~apix~~ **NOTARY** tenable as alleged by the respondents. Before transferring the applicants from DGI to DGOF, the applicants were not given any opportunity to exercise option. Hence, too, the respondents cannot seek to deprive the applicants of their legitimate claims and expectations. Affording opportunity to exercise such option is a necessary requirement in such cases of transfer and the respondents having not complied with such requirement, cannot seek to unduly jeopardise the service career of the applicants. Since the transfer was ordered in public interest and the applicants were not given any option to comply with or not to comply with the transfer orders and in case they had refused to ~~give~~ **NOTARY** on transfer, the same would have resulted in disciplinary action, the applicants were left with no option but to go to the DGOF organization in compliance with the Government Orders. Since the transfers were made in public interest and in terms of the recommendations of the Rajyadhyaksha Committee as well as the instructions under Article-26 of the C.S.R., the applicants could not anticipate that they would be subsequently put to suffer undue loss and humiliation on account of such transfers. It does not behove the respondents to suggest at this stage that the applicants



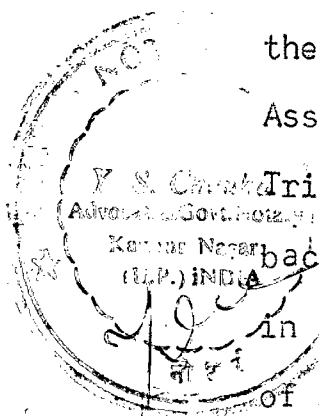
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should have challenged the validity of their transfer. There is no question of estoppel as alleged, and on the contrary, the respondents ~~were~~ ^{are} estopped from reciling from ^{the legal requirements and} raising such false and frivolous pleas as have been raised in the counter-affidavit. The reference to Annexure no. CA-II in the manner in which the respondents have done is also misconceived, especially since the respondents have failed to follow the instructions contained therein. There were specific instructions to the respondents to follow the guidelines of C.S.R. 41 Article 26 and for asking the affected staff to exercise ~~an~~ option in the matter of the proposed transfer. The respondents have failed to comply with such requirement prescribed by themselves and hence they are estopped from disputing the legitimate claims of the applicants as made in the present application.

Y. S. Chauhan
(Advocate Govt. Notary)
Kannur Nagar
(IN 126)

That the contents of paragraph 11 of the counter-affidavit are not admitted as alleged. The averments contained in paragraphs 6(11) and 6(12) of the application are correct and are reiterated. ^{A similar/identical case was agitated by the affected employees of the Heavy Vehicle Factory, Avadi, Madras, which was earlier beyond the purview and administrative control of the D.G.O.F. Organization. The said Factory was directly under the Ministry of Defence and not under the D.G.O.F. The Heavy Vehicle Factory, Madras had merged into the DGOF organization in the year 1980. Some employees of the Heavy Vehicle Factory, Madras who were in the cadre of Chargeman Gr.II prior to the merger of the Heavy Vehicle Factory into the DGOF organization and were seniors in the cadre of Chargeman Gr.II compared to many of the Chargeman Gr.II of the}

D.G.O.F. organization, were ~~xxxx~~ treated to be juniors after the merger and they were not granted promotion to Chargemen Gr. I prior to June, 1980, when such junior Chargemen Gr. II of the D.G.O.F. organization were promoted to the post of Chargeman Gr. I. After merger, they got promotion in the DGOF organization as Chargeman Gr. I only in August, 1981. Since such erstwhile employees of the Heavy Vehicle Factory, Madras, were seniors in the cadre of Chargeman Gr. II, they claimed backdated promotions as well as seniority over those Chargeman Gr. II who were promoted as Chargeman Gr. I by the DGOF organization in June, 1980 and further promotion as Assistant Foreman and seniority over such ^{persons} ~~xxxxxxx~~ of the DGOF organisation who got subsequently promoted as Assistant Foremen also. The Central Administrative Tribunal, Madras allowed their claim and granted them backdated promotions ~~promotions~~ as well as seniority in the cadre of Chargeman Gr. I as well as in the cadre of Assistant Foreman, based on their original seniority in the cadre of Chargeman Gr. II. The DGOF had implemented such decision and all those who were promoted as Chargemen Gr. I in June, 1980 from the Chargemen Gr. II under the DGOF organization, were treated as juniors to those Chargeman Gr. II of the Heavy Vehicle Factory, Avadi, Madras who were promoted as Chargeman Gr. I in the year 1981. As far as the applicants are concerned, they are even senior to such employees of the Heavy Vehicle Factory, Avadi, Madras who had filed the said case before the Central Administrative Tribunal, Madras. This will be proved from the All India Seniority List of Chargeman Gr. I published by the DGOF vide letter no. 147/Mech/A/NG dated 12.5.1986. It may be mentioned that



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the applicants were senior to the applicants of the said T.A.No. 734 of 1986, S.Manickam and others versus DGOF and others, decided by the Central Administrative Tribunal, Madras, on 17.4.1986, in the cadre of ^{of} ~~and~~ **NOTARY** Chargeman Gr.II also. The said judgement and the Central Administrative Tribunal, Madras alone is sufficient for granting the claim of the present applicants and the DGOF should not have forced the applicants to agitate the same/identical matter before this Hon'ble Tribunal. The applicants made representations in the matter after the judgement of the Central Administrative Tribunal, Madras. The true copies of such representations of two of the applicants are annexed herewith as Annexures Nos.RA-3 and RA-4 respectively. The DGOF rejected the representations on the plea that the decision of the Central Administrative Tribunal, Madras has been implemented only in respect of the applicants of the Madras case. Hence, the present applicants have been forced to knock the door of this Tribunal entailing unnecessary botheration and expenditure. The replies given by the General Manager, Ordnance Factor Kanpur to the said representations are annexed herewith as Annexure nos.RA-5 and RA-6 respectively. In this connection, the observations of the Central Administrative Tribunal, Principal Bench, New Delhi made in O.A.No.1942 of 1987, A.K.Khanna and others, applicants versus Union of India and others, respondents, reported in A.T.R., 1988(2) C.A.T. 518 is relevant. The DGOF is duty-bound to implement the same policy as has been adopted in the Madras case, in the case of the present applicants also. The respondents are estopped from pleading to the contrary. The averments contained in paragraphs-11, 12, 13, 14, 15 & 16

Annexure nos. 1
RA-5 and RA-6

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NOTARY

11.

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of the counter-affidavit are ~~not~~ irrelevant and untenable under the circumstances and as such are denied. The respondents are liable to refix the seniorities of the applicants in the grade of Chargeman Gr.I (Tech), to grant retrospective promotions to the applicants accordingly in the cadre of Chargeman Gr.I as well as Assistant Foreman along with all concomitant benefits. The contention of the respondents that the case decided by the Central Administrative Tribunal, Madras is not relevant or similar to the case of the applicants is a sheer concoction. At the time of merger of Heavy Vehicle Factory, Madras, into the DGOF organization, the applicants of the Madras case were only Chargemen Gr.II. They were promoted as Chargemen Gr.I in August, 1981, by the DGOF while the DGOF had promoted junior Chargemen Gr.II of the DGOF organization in June, 1980. It appears that the person who has sworn the affidavit has not cared to go through the facts of the said case and has simply made false averments in the counter-affidavit. The whole of the judgement of the Madras case has been annexed by the applicants with the present application as Annexure no.A-6. This Hon'ble Tribunal can peruse the judgement and understand the falsehood indulged in by the respondents. The applicants are challenging the wrong policy adopted by the respondents and hence there is no need to implead any individual in the present application. In fact, in the Madras case also, no individual employee was impleaded as a respondent. There is no question of any non-joinder of parties in the present application, as wrongly alleged by the respondents. The reference to the alleged letter of the Ministry of Defence dated 30.4.1985 is misconceived and

Y. S. C. (Advocate & Co.)

K. A. or P. A. or

INI.

नोटरी

the same is irrelevant for the present case. The respondents are liable to hold review DPCs for granting backdated promotions and correct seniorities to the applicants as prayed in the application and as was done in the identical case decided by the Central Administrative Tribunal, Madras. After the admission of the present application, the DGOF had given individual replies to the applicants also and hence the reference to the alleged general ^{replies} as contained in Annexure CA-3 is irrelevant. Such replies are arbitrary and untenable and the decision taken by the DGOF are liable to be quashed. The applicants have made out a very strong case for the grant of the reliefs claimed in the present application and the application is liable to be allowed as prayed, after rejecting the false and frivolous pleas of the respondents.

[Signature]
DEPONENT

VERIFICATION

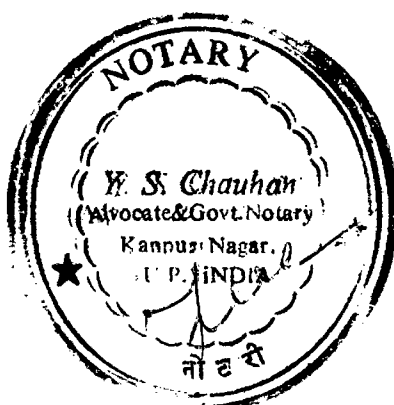
I, Babulal, the applicant no.1, do verify that the contents of paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of this Rejoinder Affidavit are true to my personal knowledge and those of paras 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 are true on the basis of legal advice received from my Counsel which I verily believe to be true. Nothing contained herein is false, nor has anything material has been concealed; So help me God.

VERIFIED on this 2nd day of January, 1989, at Kanpur.

[Signature]
DEPONENT

Identified by-

Identified Sri Babu Lal
who signed before me



Sworn to this 2nd Day of January,
1989 of 1989 before me by the
deponent who is duly identified

[Signature]
NOTARY

A124

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

REJOINDER AFFIDAVIT

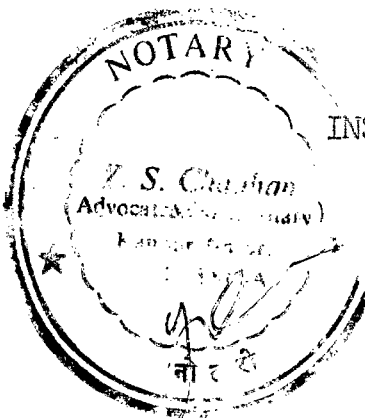
IN

Registration No. 1188 of 1987

Babu Lal & others Applicants

VERSUS

Union of India & others Respondents.



ANNEXURE NO. RA-1

INSPECTORATE OF ARMAMENTS, ARMAPORE POST, KANPUR-9

DAILY ORDER PART II

BY

COLONEL AC BANERJEE, ARTILLERY

SENIOR INSPECTOR OF ARMAMENTS

DATED 07 JUNE 1980

No.181 MERGER OF THE POSTS OF SUPERVISOR TECHNICAL GRADE II WITH THE POSTS OF CHARGEMAN GRADE II IN DGI ORGANISATION

Consequent upon the merger of Chargeman Gd.II and Supervisor (Technical) Grade II vide M of D. New Delhi letter No.89947/1/Sup/DGI(Adm-8/PCC/4273/D(Prod) dated 5 May 1980 the following Supervisors (Technical) Grade II who were on strength of Inspectorate of Armament Kanpur on 1.4.80 are redesignated as Chargman Grade II in the Scale of Rs. 425-15-500-EB-15-560-20-700 with effect from 1.4.80(F/N):-

Name & Designation

1. Shri RK Sengupta, Supervisor (Tech) Gde.II
2. Shri Surjit Singh -do-
3. " PA Gupta -do-
4. " JB Jha, -do-
5. " NK Srivastava -do-
6. " TR Kumar. -do-
7. " Sheo Bux Singh, -do-
8. " VK Roy, -do-
9. " GD Mishra, -do-
10. " JN Singh, -do-
11. " Ravi Kant, -do-
12. " SC Kapoor, -do-

22

A 125

A/122

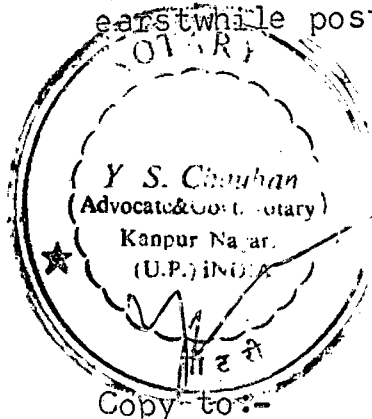
-2-

13	Shri VN Khanna,	-do-
14.	" SB Mishra,	-do-
15.	" RS Tiwari,	-do-
16.	" KK Singh,	-do-
17.	" BR Dixit,	-do-
18.	" Janardan Tewari,	-do-
19.	" Jamait Singh,	-do-
20.	" BN Tandon,	-do-
21.	" KN Bajpai,	-do-
22.	" LK Kureel,	-do-
23.	" BD Bose,	-do-
24.	" MM Mishra,	-do-
25.	" DK Jain,	-do-

2. The above individuals who have been redesignated to Chargeman Grade II from their erstwhile Supervisor (Technical) Grade II will be placed on-bloc junior to such Chargeman Grade II who were holding the post of Chargeman Grade II on 1.4.80, in the SP Rolls in their SP subjects.

3. The above persons will continue to draw their existing rate of pay, since the new grade to which they have been redesignated carries a scale identical to the scale of their erstwhile post.

(Authority:- DGI, New Delhi letter No. A/97184/ DGI(Adm-12(A) dated 29 May 80).



sd/

(MP SHARMA)

MAJOR

for SENIOR INSPECTOR OF ARMAMENT

The Director General of Inspection(DGI/Adm-12(A) & (Adm-10)

Department of Defence Production (DGI)

Ministry of Defence,

Government of India,

DHQPO NEW DELHI-110 001

The Controller,

Controllerate of Inspection(Weapons)

JABALPUR(MP)

A126

4/123

-3-

The Controller,
Controllerate of Inspection(Ammunition),
KIRKEE: PUNE-3

The Controller,
Controllerate of Inspection(Metals),
ICHAPUR

The Controller of Defence Accounts(Fys),
9,Chittranjan Avenue,
CALCUTTA-72

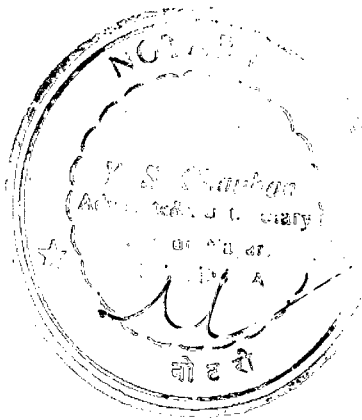
The ACDA I/C,Accounts Office,OFC,
The General Manager,OFC,

All persons listed in Srl.No.1 to 25 in para 1
of text. E.L,G,Cash,All Sections & Personal Cases.

:: TRUE COPY ::

Attested

N.K. Nair
ADVOCATE,
KANPUR.



261

New Delhi, the 6th March 1964

S.R.O. 106.—In the notification of the Government of India in the Ministry of Defence No. S.R.O. 332, dated the 27th October, 1961, published at pages 251 and 252 of Part II Section 4 of the Gazette of India, dated the 4th November, 1961,—

- (a) in clause (ii) of paragraph 3(b), for "0.015" read "0.15";
- (b) in clause (i) of paragraph 3(d), for "item" read "item (1)";
- (c) in clause (iv) of paragraph 3(d), for "0.30" read "0.03";
- (d) in clause (iv) of paragraph 3(e) for "(b)" read "(d)";
- (e) in clause (v) of paragraph 3(e) for "Item 2" read "Item 3 in the second column".

[File No. 53/4|G|L&C|60|2162-C|D(Q&C).]

New Delhi, the 7th March 1964

S.R.O. 107.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government hereby notifies the election of Shri Satya Pal to the Cantonment Board, Jutogh.

[File No. 29/24|G|L&C|57|751-C|D(Q&C).]
VINAYA VYAS, Under Secy.

New Delhi, the 7th March 1964

S.R.O. 108.—In exercise of the powers conferred by sub-section (2) of section 12 of the National Cadet Corps Act, 1948 (31 of 1948), read with sub-rule (2) of rule 42 of the National Cadet Corps Rules, 1948, the Central Government hereby appoints the Colonel-in-charge Administration, 101 Communication Zone Area, to be a member of the State Advisory Committee of the National Cadet Corps for the Union Territory of Manipur and makes the following further amendment in the notification of the Government of India in the Ministry of Defence No. S.R.O. 336, dated the 29th December 1962, namely:—

In the said notification, for item 8 and the entry relating thereto, the following item and entry shall be substituted, namely:—

"8. The Colonel-in-charge Administration, 101 Communication Zone Area."

[File No. 0972|NCC(Coord-D).]
K. SUBRAHMANYAM, Dy. Secy.

New Delhi, the 7th March 1964

S.R.O. 109.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the Class III Non-Gazetted (Technical, Scientific and other Non-Ministerial) posts in the Department of Defence Production (Directorate General of Inspection), namely:—

1. Short title.—These rules may be called the Department of Defence Production (Directorate General of Inspection) Class III Non-Gazetted (Technical, Scientific and other Non-Ministerial) Posts Recruitment Rules, 1964.

2. Application.—These rules shall apply to the Class III Non-Gazetted (Technical, Scientific and other Non-Ministerial) posts in the Department of Defence Production (Directorate General of Inspection), specified in column 2 of the schedule annexed hereto.

3. Classification and scale of pay.—The classification of the said posts and the scales of pay attached thereto shall be as specified in columns 3 and 4 of the said Schedule.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the said Schedule:

Provided that the age limit specified for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the general orders issued, from time to time, by the Government of India.

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Measure t_0

SR0	109	dt	7	3	1964
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THE SCHEDULE

Sl. No.	Name of post	Classification	Scale of pay	Whether Selection or Non-Selection post (for promotion posts only)	Method of recruitment	For direct recruitment only	Whether age and educational qualifications	Period of probation, if any	In case of promotion/transfer from grades which promotion/transfer to be made
1	Foreman	Class III Non-Gazetted Non-Ministerial	450-25-575	Selection	Direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods	Agg. limit	Educational qualifications	Period of probation, if any	In case of promotion/transfer from grades which promotion/transfer to be made
2	Assistant Foreman	Do.	370-20-450-25-500	Do.	Do.	19-35 years	Do.	No	Assistant Foreman with 3 years' service in the grade.

Handwritten notes:

- SRD 320 of 26.10.68*
- Encl. 1*
- Encl. 2*
- Encl. 3*
- Encl. 4*
- Encl. 5*
- Encl. 6*
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- Encl. 99*
- Encl. 100*

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration No. 1188 of 1987

Babu Lal & others Applicants

VERSUS

Union of India & others Respondents.

ANNEXURE NO. RA-3

To,

The Chairman,
Ordnance Factory Board,
CALCUTTA

Through Proper Channel.

Sub: Inter-Se-Seniority in the grade of C'Man Gde I (Mech)/
Promotions to A/F.

Ref:- My representations (1) Dated 17 Jan' 85

(2) dated 15 Jul' 85 &

(3) dated 30 May 86 forwarded vide
GM OFC letter No. 1741/2/E/NG dt.
31.5.86

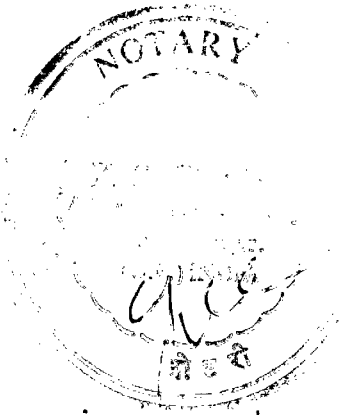
(4) GM OFC letter No. 1741/2/E/NG dt.
28.6.86

Sir,

Respectfully I beg to submit a few following lines for
your kind consideration and suitable orders for fixation
of my inter-se-seniority and promotion to A/F since my juniors
have been promoted vide OFB letter No. (1) 3265/AF(Mech)/A/NG
dated 18.6.86 (ii) 3265/AF/NG dt. 28.8.86 & (iii) 3265/AF/A(NG)
dt. 27.8.86.

2. That my representations, quoted under reference, have
not been replied so far, for the reasons best known to OFB.
In my above quoted representations I requested you for
fixation of my inter-se-seniority at the appropriate place

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-2-

in correct serial order and including my name in the DPC list of 1986 published for promotion to A/F(Mech) vide OFB letter No.323/A/DPC dt. 11th June 1986 as juniors have been enlisted/ promoted.

3. That 171 persons, who have been promoted as Assistant Foreman vide OFB letter Nos(i) 3265/AF(Mech)/A/NG dt.18.6.86 (ii) 3265/AF/NG dt. 28.8.86 and HVF Avadi personnels (Petitioners), who have been promoted as Assistant Foreman vide OFB letter No.3265/AF/A(NG) dt. 27.8.86, are junior to me. Moreover 171 persons are much junior to me even in the grade of C'Man II. Since these persons become C/M II as on 1.1.80 due to merger of supervisor 'A' with C/M II but I am CM II since 25.9.72. HVF personnels are junior to me in both the grades of C/M II and C/M I.

4. Central Administrative Tribunal Madras bench in their judgement in the case of S Manickam and 42 others (In the writ petition No.11339 of 1984 on the file of High Court of Madras transferred to Central Administrative Tribunal Madras Bench vide transferred application No. 734 of 1986) have clearly taken seniority from the C/M II for the promotion of A/F (in the prayer of writ). The same verdict have been accepted by your honour and considering the same the petitioners have been promoted to A/F by OFB letter No. 3265/AFA(NG) dt. 27.3.86. Here I may like to ^{point} ~~pxnx~~ out that these petitioners, who have been promoted by OFB, are junior to me in the grade of C/M II and C/M I both. They were also placed junior to me in the seniority list published by OFB vide letter no. 147/CH/Mech/A/NG dt. 12.5.86.

5. That since the judgment of Central Administrative Tribunal Madras Bench, in the case of inter-se-seniority and

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promotion, has not been made applicable to others affected individuals for the reasons best known to you. Shri NA Narayanan and these others C/M I of Ordnance Factory Khamaria have filed the similar writ in the Central Administrative Tribunal Jabalpur bench, which have been admitted vide REGN No.218/87 dated 8th Jan 87. It may be mentioned that if justice has not been given to me as per Central Administrative Tribunal Madras bench decision, I may be compelled to go to court of law.

6. In view of the above, I request your honour to kindly remove the anomaly and award justice by holding review of DPC of 1986 for A/F (Mech) and promote me to the rank of Assistant Foreman from the effective date and give the seniority in the grade of A/F above to those, who have been promoted in the year 1986.

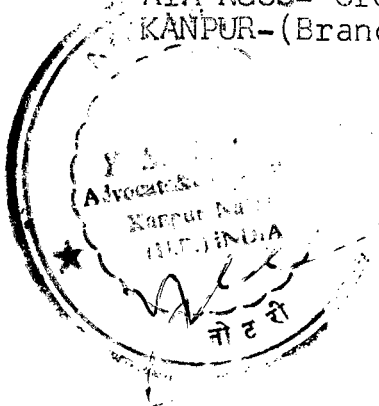
Dated 03 Sep. 1987

Yours faithfully

sd/
(RK SINGH)
C/M I (Mech)
ORDNANCE FACTORY
KANPUR

Copy to :-

The Secretary,
AIA NGOS- Ord.Fy.
KANPUR-(Branch)- for necessary action please.



:: TRUE COPY ::

Attested

N.K. Nair
ADVOCATE,
KANPUR.

A133

4/30

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration No. 1188 of 1987.

Babu Lal & others Applicants

VERSUS

Union of India & others Respondents.

ANNEXURE NO. RA-4

To,

The Chairman
Ordnance Factory Board,
CALCUTTA

Through Proper Channel

Sub: Inter-se-seniority in the grade of C'Man Gde I (Mech)/
Promotion to A/F.

Ref: My representations (i) dated 17 Jan 85

(ii) dated 15 Jul 85

(iii) dated 28 June 86 forwarded vide
GM OFC letter No. 1744/AF(Mech)/
DPC/GMS(C) dated 27.6.86.

Sir,

Respectfully I beg to submit a few following lines for
your kind consideration and suitable orders for fixation
of my inter-se-seniority and promotion to A/F since my
juniors have been promoted vide OFC letter No. (1) 3265/AF(Mech)
A/NG dt. 18.6.86 (ii) 3265/AF/NG dt. 28.8.86 & (iii) 3265/A(NG)
dt. 27.8.86.

3. That my representations, quoted under refernee, have
not been replied so far, for the reasons best known to OFB.
In my above quoted representations I requested you for
fixation of my inter-se-seniority at the appropriate place
in correct serial order and including my name in the DPC list
of 1986 published for promotion to A/F (Mech) vide OFB
letter No. 323/A/DPC dt. 11th June 1986 as juniors have been
enlisted/ promoted.

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-2-

4. That 171 persons, who have been promoted as Assistant Foreman vide OFB letter Nos.(i) 3265/AF/(Mech)/A/NG dt. 18.6.86(ii) 3265/AF/NG/ dt. 28.8.86 and HVF Avadi personnels (Petitioners), who have been promoted as Assistant Foreman vide OFB letter No.3265/AF/A/NG dt. 27.8.86, are junior to me. Moreover 171 persons are much junior to me even in the grade of C'Man II. Since these persons become C/M II as on 1.1.80 due to merger of supervisor with C/M II but I am C/M II since 27.7.75. HVF personnels are junior to me in both the grades of C/M II and C/M I.

Y. S. C. A. (Advocate & Co.)
Kanpur Nagar
(U.P.)

5. Central Administrative Tribunal Madras bench in their judgment in the case of S Manickam and 42 others (In the writ petition No.11339 of 1984 on the file of High Court of Madras transferred to Central Administrative Tribunal Madras Bench vide transferred application No.734 of 1986) have clearly taken seniority from the C/M II for the promotion of A/F (in the prayer of writ). The same verdict have been accepted by your honour and considering the same the petitioners have been promoted to A/F by OFB letter no. 3265/AFA(NG) dt. 27.3.86. Here I may like to point out that these petitioners, who have been promoted by OFB, are junior to me in the grade of C/M II and C/M I both. They were also placed junior to me in the seniority list published by OFB vide letter No.147/OH/Mech/A/NG dt. 12.5.86.

6. That since the judgment of Central Administrative Tribunal Madras Bench, in the case of Inter-se-seniority and promotion, has not been made applicable to other affected individuals for the reason best known to you.

22

A135

-3-

4/131

Shri NA Narayanan and three others C/M I of Ordnance Factory Khamaria have filed the similar writ in the Central Administrative Tribunal Jabalpur bench, which have been admitted vide REGN No.218/87 dt. 8th Jun 87. It may be mentioned that if justice has not been given to me as per Central Administrative Tribunal Madras bench decision. I may be compelled to go to court of law.

7. In view of the above, I request your ~~womx~~ honour to kindly remove the anomaly and award justice by holding review of DPC of 1986 for A/F (Mech) and promote me to the rank of Assistant Foreman from the affective date and give the seniority in the grade of A/F above to those, who have been promoted in the year 1986.

Thanking you,

Yours faithfully

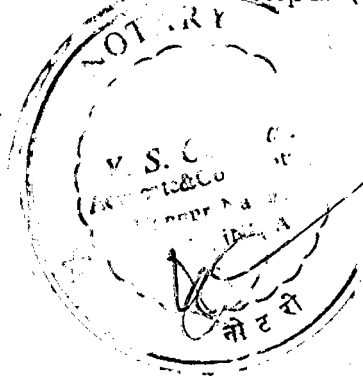
sd/

(BABU LAL)
C/M I(Mech)
ORDNANCE FACTORY
KANPUR

Dt. 03 Sept.1987

Copy to :-

The Secretary
AIA NGOs-Ord.Fy.
Kanpur(Branch)- for necessary action please.



:: TRUE COPY ::

Attested

N.K. Hair
ADVOCATE,
KANPUR.

A136

132

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration No.1188 of 1987

Babu Lal & others Applicants

VERSUS

Union of India & others Respondents.

ANNEXURE NO.RA-5

No.1741/2/E/NG
ESTABLISHMENT,
Date: 15-2-1988

To,
Shri RK Singh
Chargeman Cr.I(T)/QC(NA) OFC.

Sub: Central Seniority list of Ch.I/JTA(Mech)
as on 01.01.87

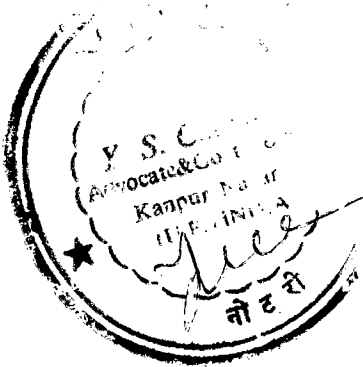
Ref: Your representation dated 03.9.1987

The request made by you in your above application has been considered by the O.F.Board,Calcutta who have intimated that the judgement of Central Administrative Tribunal,Madras on W.P. of Shri S.Manickam and others V/S Union of India, have been implemented in the case of petitioners only.

sd/
(SURESH K.KULSHRESHTHA)
WORKS MANAGER/ADMIN.
GENERAL MANAGER.

for

:: TRUE COPY ::



N.K. Nair
N.K. Nair
ADVOCATE.
KANPUR.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

REJOINDER AFFIDAVIT

IN

Registration No.1188 of 1987

Babu Lal & others Applicants

Versus

Union of India & others Respondents.

ANNEXURE NO.RA-6

NO.1741/2/E/NG
ESTABLISHMENT,
Dated: 15.2.1988

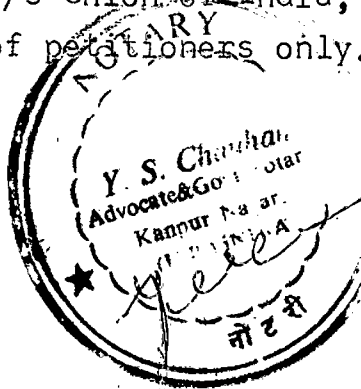
To,

Shri Babu Lal,
Chargeman Gr.I(T)/QC(W)/OFC.

Sub: Central Seniority list of Ch.I/JTA(Mech)
as on 01.01.87.

Ref: Your representation dated 03.9.1987.

The request made by you in your above application has been considered by the O.F.Board, Calcutta who have intimated that the judgement of Central Administrative Tribunal, Madras on W.P. of Shri S.Manickam and others V/s Union of India, have been implemented in the case of petitioners only.



sd/

(SURESH K.KULSHRESHTHA)
WORKS MANAGER/ADMIN.
for GENERAL MANAGER.

:: TRUE COPY ::

Attested

N.K. Nair
ADVOCATE,
KANPUR.

RECEIPT.

Received an application
in triplicate dt 10 Oct 1990
in r/o Sri PK Sarkar C/M
addressed to The Chairman
CFB Calcutta & DGQA
New Delhi regarding
transfer back to DG/

CA

22/10/90

N. Y. E. S. H.

208009
S. A. T. KANPUR - 208009

(7)

A135

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Registration No 1188 of 1987

Babu Lal & others _____ Applicants

Verses

Union of India & others _____ Respondents.

List of documents filed by the Applicants.

1. Relevant extracts of the seniority list of
Chargeman Grade I (Mech) under the DOP
as on 1.4.85.

2. D.P.C. Selection list dated 11.6.86 for
the Post of Asistant Foreman (Mech).

3. Promotion and Transfer order for the post
of Asistant Foreman dated 18.6.86.

4. Promotion and transfer order for the post
of Asistant Foreman dated 28.8.86.

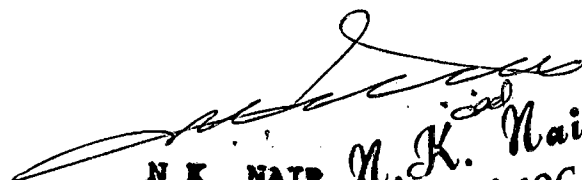
Dated 2nd Aug 1990

S.O (3)

to keep it with
the file

20/8/90

D.R


N K NAIR N.K. Nair
Advocate ADVOCATE,
KANPUR.
Counsel for Applicants

147 fch / mech / A / AG dt 12-5-86

SENIORITY LIST OF C/MAN GRD.I

AS ON 1-4-85

①

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	S/Shr			
13.	A.K. Bakshi	30.7.47	19.12.79	OFDC
19.	K.D. Joshi	10.12.34	19.12.79	HEF
20.	J.K. Deware	18.4.37	1.3.89	AFK
21.	N.L. Datta	8.10.38	19.12.79	GSF
22.	N.D. Borlikar	16.2.42	16.6.80	O/Ba.
23.	Kalyan Debnath	15.9.47	19.12.79	Hqrs.
24.	Indrajit Moon	12.6.48	-do-	OFC
25.	B.R. Arora	28.7.41	-do-	GCF
26.	N. Gopinathan	15.6.38	-do-	AFK
27.	Vaskar Gupta	15.4.49	-do-	VFJ
28.	V.B. Saxena	15.7.43	-do-	CEA]
29.	Pritam Singh	15.11.29	-do-	OFM
30.	G.N. Handgar	12.12.31	12.6.80	AFK
31.	R.M. Pataskar	28.10.35	9.5.80	AFK
32.	J.P. Jha	1.7.31	12.6.80	GCF
33.	B.D. Roy	10.8.38	-do-	GSF
34.	S.H. Banerjee	28.4.39	-do-	GSF
35.	Sukumar Khan	1.8.33	-do-	RFI
36.	A.K. Anand	11.9.43	-do-	RFI

	S/Shr			
37.	S.C. Banerjee	1.7.35	12.6.80	RFI
38.	S.N. Ganguly	5.9.32	-do-	MSF
39.	S.P. Halder	1.8.33	-do-	RFI
40.	A.K. Ganguly	19.10.39	-do-	RFI
41.	T.K. Chakraborty	5.3.40	-do-	OFDC
42.	G.L. Dey	17.7.34	-do-	RFI
43.	S.K. Misra	3.1.42	5.1.80	OFC
44.	M.B. Mirza	5.9.37	5.7.80	OFC
45.	Ajit K. Mondal	15.6.34	13.1.81	GSF
46.	V.S. Jadhav	28.2.35	12.1.81	AFK
47.	D.G. Datar	20.6.37	-do-	AFK
48.	Narsingh Saxena	15.5.27	10.1.81	SAF
49.	Babulal	25.11.44	-do-	OFC
50.	A.B. Barua	8.11.42	13.1.81	GSF
51.	P.K. Panja Roy	23.2.42	30.6.81	RFI
52.	K.S. Anjaneyalu	16.6.46	11.4.81	OFV
53.	M. Purushottom	10.2.50	1.6.81	OFA]
54.	A. Gangopadhyay	5.9.43	12.6.80	OFDun
55.	V.S. Iyer	12.3.47	1.6.81	GCF

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1	2	3	4	5	6
S/Shri					
94.	Gur Balsh Singh	6.7.36	12.6.80	Sup. 'A'/1.4.71	VFJ
95.	S.L. Bhalla	10.5.41	-do-	Sr.D'man/1.4.71	SAF
96.	Chandra Bhan	20.2.32	-do-	-do-	SAF
97.	M.A. Nazas	23.10.30	-do-		GCF
98.	S.C. Vij	28.5.43	1.6.81	Sup. 'A'	OFC
99.	D.P. Ghosh	2.1.43	12.6.80	-do-	OFC
100.	Arabinda Ray	7.5.42	-do-		GCF
101.	Kalyan Kr. Kar	1.1.44	-do-	Sup. 'A'/1.4.71	GSE
102.	K.N. Dewedi	1.1.40	-do-	Sup. 'A'/1.4.71	OFK
103.	M.K. Halder	13.1.49	30.6.81		VFJ
104.	M. Biswas	21.6.45	12.6.80		OFDun
105.	G.C. Jain	15.1.37	-do-	R/F - 1.4.62	OFDun
106.	D.K. Chatterjee	10.9.44	-do-	Sup. 'A'/1.4.71	OFAJ
107.	A.K. Mukherjee	10.9.44	-do-		OFAJ
108.	A. Bari	13.3.37	-do-		GCF
109.	V.N. Pandey	1.7.41	16.6.80	Sup. 'A'/1.4.71(74)	CFS
110.	B.K. Paul	6.7.46	1.6.81	Sup. 'A'/1.7.74	AFK
111.	K.C. Srivastava	10.8.45	1.6.81	Sup. 'A'/1.4.71	AFK
112.	C.V. Govindan	13.5.42	1.6.81		OFBa

1	2	3	4	5	6
S/Shri					
113.	N.P. Sharma	1.6.47	3.8.81	QP-Supt 'A'/20.8.71	OFM
114.	B.N. Saha	10.9.45	30.6.81	QP-Sup. 'A'/2.2.75	AFK
115.	A.M. Bondopadhyay	17.11.42	29.6.81		OFIt
116.	S.M. Duggal	16.2.48	20.7.81		VFJ
117.	Chetram Verma	15.6.47	30.6.81	QP-Sup. 'A'	GIF
118.	A.B. Ganguly	25.2.48	31.1.82	Fitter 'A'/1.4.72	GCF
119.	C.M. Malhotra	6.6.44	30.6.81		OFK
120.	R.R. Chandran	11.3.44	-do-		HEF
121.	R.N. Naha Roy	12.12.35	16.6.80	Sup. 'A'/1.4.67	OFK
122.	V.K. Agarwal	22.5.45	1.6.81	Sup. 'A'/21.1.72	OFA
123.	Khan Mahmood	12.7.43	16.6.80	Sup. 'A'/1.4.71	OFC
124.	M.A. Ansari	14.3.45	30.11.81		GCF
125.	A.K. Bardhan	22.11.47	-do-	QP-Grinder Spl.	OFAJ
126.	Ganesh Prasad	1.5.37	20.6.80		GCF (SC)
127.	Subhas Chandra	30.5.47	30.6.81		FGK
128.	B.S. Dhillon	1.9.46	1.6.81	Sup. 'A'/1.4.74	OFCh
129.	B.N. Dutta	21.1.46	27.2.82		Hqrs.
130.	S.N. Yadav	30.5.39	16.6.80		GCF
131.	H.N. Saha	3.1.43	-do-	Sup. 'A'/1.4.71	GSE

1	2	3	4	5	6
<u>S/Shri</u>					
170.	Radha Krishna Saha	4.1.42	16.6.80	Sup. 'A'/1.4.71	RFI
171.	Nirmal Kr. Srivastava	20.2.31	14.7.80	Sr.D'man/1.4.70	VFJ
172.	S.K.Roy Chowdhury	1.11.43	16.6.80	Sup. 'A'/1.4.71	RFI
173.	G.K. Pisipaty	1.11.36	16.6.80	Sup. 'A'/1.4.71	OFPH
174.	E.M. Kherkar	15.10.36	-do-	Sup. 'A'/1.7.75	MPF
175.	O.P. Khatri	12.10.57	30.6.81		VFJ
176.	O.P. Singh	14.7.43	16.6.80	Sup. 'A'/1.4.71	OFC ✓
177.	Pritam Singh	8.11.43	16.10.80	Sup. 'A'/1.4.71	OFC ✓
178.	R.K. Pandey	1.6.42	16.6.80		OFC ✓ — OFC Ben
179.	S.K. Roy Chowdhury	7.2.43	-do-	Sup. 'A'/1.4.71	SAF
180.	K.J. Zacharius	20.5.49	30.6.81	Borer B/15.9.76	OFA
181.	R.M. Mehta	24.4.40	16.6.80	Sup. 'A'/1.4.71	CFC ✓
182.	Arun Kr. Ghosh	6.1.42	-do-	-do-	GSF
183.	A.K. Sinha	21.9.43	-do-	-do-	AFK
184.	M.L. Gupta	1.7.43	30.12.81	Sup. 'A'/1.4.74	OFV
185.	D.K. Sharma	1.8.43	16.6.80	Sup. 'A'/1.4.71	OFC ✓ — last man DPC dt 1/1/77
186.	Faquir Chand	10.6.35	-do-	-do-	VFJ
187.	B.K. Verma	4.8.36	-do-	Sr.Planner 1.4.71	GCF
188.	R.C. Ghosh	6.4.54	1.6.81		VFJ

1	2	3	4	5	6
<u>S/Shri</u>					
189.	Dharma Pal Singh	20.3.30	16.6.80	Sup. 'A'/1.4.71	GIF
190.	G. Bhattacharyay	16.9.30	16.6.80	-do-	GCF
191.	B.B. Singh	6.1.36	-do-		GCF
192.	G. Sukesbn	10.10.46	1.6.81		VFJ
193.	M.K. Malik	14.4.43	16.6.80		OFCell
194.	S. Rajagopalan	7.12.43	-do-	Sup. 'A'/1.4.71	OFT
195.	Anil Baran Das	1.11.39	-do-	-do-	OFK
196.	P.K. Das	1.3.42	-do-	Sup. 'A'/1.4.71	AFK
197.	S.K. Chatterjee	25.2.45	16.6.80		VFJ
198.	S. Sashidharan	8.6.45	-do-	Sup. A/1.4.71	OFC ✓
199.	A.K. Bhattacharaya	10.6.42	-do-	Sup. A/1.4.74	AFK
200.	T.R. Kulkarni	16.6.41	23.6.80		OFIt
201.	S.K. Roy Chowdhury	22.12.45	9.6.81		Hqrs.
202.	S.R. Banerjee	25.7.43	16.6.80	Sup. A/1.4.71	RFI
203.	S.K. Biswas	15.6.44	-do-	-do-	GSF
204.	S.S. Basak	10.9.42	16.6.80	Sup. A/1.4.71	RFI
205.	B.B. Saha	23.8.43	-do-	-do-	SAF
206.	P. Goyal	1.1.46	30.5.81		OFV
207.	D.S. Jagdiv	7.4.36	30.4.81		GCP

S/Shri					
246.	A.K. Sur	13.1.44	16.6.80		OFK
247.	N.L. Vishwakarma	15.6.35	-do-		GCF
248.	M.I. Cheeverchese	6.5.42	-do-	Sup. 'A'/1.7.75	MPF
249.	S.C. Juneja	20.10.47	1.6.81		OFAJ
250.	P.K. Ghosh	21.8.43	16.6.80	Sup. 'A'/1.4.71	GSF
251.	Bhaskar Roy	24.1.45	30.6.81		VFJ
252.	B.P.B. Chaturvedi	3.2.43	16.6.80	Sup. 'A'/1.4.71	MPF
253.	B.K. Chakraborty	10.5.49	30.6.81		GCF
254.	R.N. Kulkarni	24.9.44	16.6.80	Sup. 'A'/1.4.71	MPF
255.	P.B. Rao	9.3.45	-do-	Sup. 'A'/1.7.75	OFPH
256.	C.L. Patil	12.8.43	-do-		GFit
257.	B.K. Jaishwal	7.3.44	-do-	Sup. 'A'/1.4.71	OFC
258.	M.V. Easwaran	10.2.44	1.7.81	OP Fitter/2.7.69	OFR
259.	S.K. Das	12.2.43	16.6.80	Sup. 'A'/1.4.71	OFK
260.	A.K. Chowdhury	5.3.42	-do-	Sup. 'A'/1.4.71	OFC
261.	P.S. Dhar	1.3.44	-do-		AFK
262.	M. Ponhampalam	13.6.42	-do-	Sup. 'A'/1.4.71	AFK
263.	A.K. Hazra	31.12.46	20.6.81		GCF
264.	R.S. Sankaran	12.3.43	16.6.80	Sup. 'A'/1.4.68	OFT

Contd. 15

S/Shri					
265.	C. Srinivas	1.11.31	16.6.80		GCF
266.	G.P. Yadav	1.3.29	-do-	Sr. Planner	OFC ✓
267.	P.K. Mazumdar	1.12.53	30.6.81		OFB
268.	S.M. Moitra	5.7.34	16.6.80	Sr. Planner	OFC ✓
269.	P.D. Kambo	0.1.38	-do-	D'man 29.6.61	FGK
270.	B.M. Agarwal	10.7.32	-do-	Sup. 'A'/1.4.71	SAF
271.	M.C. Guchhait	17.5.43	-do-		OFR
272.	Y.R. Sethi	15.11.43	-do-	Sup. 'A'/1.4.71	OFC ✓
273.	Ashok Bhowmick	12.11.42	-do-		GCF
274.	N.K. Dutta Gupta	5.7.43	16.6.80	Sup. 'A'/1.4.71	VFJ
275.	D.K. Viswakarma	15.2.43	-do-	-do-	VFJ
276.	V.N. Pandey	10.7.41	-do-	-do-	OFC
277.	C.M. Joshi	12.8.42	16.6.80		OFC
278.	P.S. Rathore	2.4.42	-do-	Sup. 'A'/1.4.71	VFJ
279.	B.D. Mahajan	15.3.43	20.6.80	Sup. 'A'/1.4.71	OFC ✓
280.	R.N. Singh	25.10.43	16.6.80	Sup. 'A'/1.4.74	CFK
281.	Tapan Kr. Das	1.10.45	-do-		CFK
282.	S.P. Singh	2.12.45	-do-	Sup. 'A'/1.4.71	OFC ✓
283.	S.M. Kapoor	16.7.38	16.6.80	Sup. 'A'/1.4.71	OFC ✓

Contd.

1	2	3	4	5	6	7
	S/Sr					
322.	S. R. Choudh.	16.6.80	Sup. 'A'/1.4.71		RFI	
323.	S. L. Choudh.	30.9.81	Sup. 'A'/16.2.73		RFI	
324.	R.L. Tiwari	16.6.80			OFF	
325.	J.P. Biswas	-do-	Sup. 'A'/1.4.71		GSF	
326.	D. P. Malhotra	-do-			CFM	
327.	M.K. Das	-do-	Sup. 'A'/1.4.71		GSF	
328.	D. Karmakar	-do-	Sup. 'A'/1.4.71		OFDC	
329.	S.S. Rathore	-do-	-do-		GCF	
330.	R.C. Sharma	-do-			OFM	
331.	K.B. Singh	-do-	Sup. 'A'/1.4.71		OFD	
332.	D.N.S. Chandel	1.6.81	QP Sup. 'A'/7.7.68		OFD	
333.	S.K. Chowdhury	16.6.80	Sup. 'A'/1.4.71		GSF	
334.	A.K. Paul	30.6.80	-do-		S&F	
335.	K.L. Sengupta	16.6.80	Sup. 'A'/1.4.71		GSF	
336.	M.C. Banerjee	-do-	Sup. 'A'/1.4.71		OFD	
337.	Gurdip Singh	30.6.81			CFK	
338.	B.B. Chakraborty	16.6.80	Sup. 'A'/1.4.71		MSF	
339.	D. Majumdar	-do-	-do-		RFI	
340.	M.K. Majumdar	-do-	-do-		MSF	

Contd.

1	2	3	4	5	6	7
	S/Sr					
341.	H.K. Sharma	25.10.45	16.6.80		GCF	
342.	C.P. Mishra	5.12.43	2.8.82		OFCh	
343.	S.J. Roy	11.11.45	16.6.80	Sup. 'A'/1.4.71	VFJ	
344.	G.P. Badoni	1.12.45	1.8.80		CFDun	
345.	S.K. Chakraborty	1.10.45	16.6.80		VFJ	
346.	Uptal Maity	22.4.41	-do-	Sup. 'A'/1.4.71	RFI	
347.	Mahindar Singh	10.1.46	8.6.81	Sup. 'A'/1.4.68	OFK	
348.	T.K. Nandi	7.1.45	16.6.80		RFI	
349.	S.M. Das	15.7.44	-do-		CFM	
350.	C.M. Mehrotra	5.8.45	-do-	Sup. 'A'/1.4.71	AFK	
351.	Vijay Kumar	5.6.46	30.6.81	QP Ch-II/26.6.81	OFA	
352.	H.M. Sarkar	1.9.32	16.6.80	Sr.D'man/ 1.4.71	GSF	
353.	Narayan Ch. Bose	15.9.38	-do-	-do-	GSF	
354.	S.K. Mukherjee	23.6.34	-do-	Sr. R/F/ 1.4.71	GSF	
355.	P. Chakraborty	12.8.43	14.5.81	Sup. 'A'/1.4.71	VFJ	
356.	K.C. Bhowmick	14.4.36	16.6.80	Sr. Planner 1.4.71	GSF	
357.	S.K. Khan	2.4.38	-do-	Sr. R/F 1.4.71	GSF	
358.	N.C. Dey	9.3.39	-do-	Sup. 'A'/1.4.71	GSF	
359.	A.K. Banerjee	15.8.46	30.6.81		GFV	

Contd.

1	2	3	4	5	6	7
399.	S.K. Narain	25.11.45	16.6.80	Sup'A'1.4.71	VEJ	
400.	U. Biswas	6.5.44	-do-	-do-	OFC	
401.	S. Mendel	24.11.44	-do-	-do-	AFK	
402.	P. Mukhapadyaya	10.4.45	-do-	-do-	GSF	
403.	V.K. Vargava	17.7.45	-do-	-do-	GEM	
404.	J.C. Chhabra	1.1.43	-do-	-do-	OFDun	
405.	A. Bhattacharjee	22.5.45	-do-	Sup'A'1.4.71	VEJ	
406.	L.D. Pandey	15.10.44	-do-	-do-	OFC	
407.	Sarjit Singh	11.2.39	-do-	Sup'A'1.4.74	CFK	
408.	N.R. Unnikrishanan	29.9.42	-do-	Sup'A'1.4.71	CFBa	
409.	R.N. Das	1.3.29	-do-	-do-	GSF	
410.	R.K. Mukherjee	16.2.39	-do-	-do-	GSF	
411.	P.K. Mukherjee	15.1.41	-do-	-do-	RFI	
412.	Santi Ram Dey	6.10.30	-do-	-do-	GSF	
413.	Dipak Majumder	23.8.45	-do-	-do-	HQrs.	
414.	K. N. Kishore	4.8.33	-do-	Sr. Planner 25.10.70	CFKat	
415.	Ram Krishna Paul	1.3.34	-do-	Sup'A'1.4.71	MSF	
416.	Gobindra Acherjee	1.3.41	-do-	-do-	GSF	
417.	Debrata Roy	9.3.43	-do-	-do-	HEF	

contd...23

1	2	3	4	5	6	7
418.	A.K. Gangopadyay	20.10.43	16.6.80		HEF	
419.	S.K. Ghosh	7.8.44	-do-		OFDC	
420.	A.K. Sur	22.4.29	Sup'A'1.4.71		OFK	
421.	A.S. Nagia	27.5.37	-do-	Sup'A'1.4.71	OFK	
422.	Dattatraya Joshi	10.4.27	-do-		OFK	
423.	R.D. Pillai	31.7.29	-do-	painter 1.4.59	VEJ	
424.	Y.M. Karaiya	1.1.35	-do-	Sup'A'1.4.71	OFK	
425.	C.L. Subhlok	9.4.29	-do-	-do-	OFK	
426.	K.C. Srivastava	16.11.41	-do-	-do-	OFK	
427.	D.C. Joshi	14.9.42	-do-	-do-	OFK	
428.	V.S. Philipose	19.5.39	-do-	Sup'A'1.4.74	OFK	
429.	B.K. Das	23.6.39	-do-	Sup'B'1.4.65	OFK	
430.	Gopi Nath Negi	1.7.42	-do-		OFK	
431.	M.K. Mukherjee	8.1.41	-do-	Sup'A'1.4.71	GSF	
432.	S.P. Bhattacharjee	7.2.41	-do-	-do-	OFK	
433.	Ram Nath Brahma	26.2.30	-do-	-do-	OFK	
434.	Hari Nandan Ram Bhatt	4.9.45	-do-		OFK	
435.	Shibban Lal Yadav	9.6.27	-do-		OEF	
436.	P.D. Khara	9.9.29	-do-		SAF	
437.	A.K. Roy	4.4.35	20.6.80	Sr.Pl.25.6.70	OFDC	

contd...24

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1	2	3	4	5	6	7
478.	Gurcharan Singh	14.1.31	20-6-80		OEM	
479.	Bidyut Roy Chowdhury	27.2.42	-do-	Sup'A'2.10.71	GSF	
480.	Suhas Krishna Sarkar	9.5.43	-do-	Sup'A'30.10.71	GSF	
481.	S.P. Bhattacharjee	1.1.43	-do-	Sup'A'1.12.71	GSF	
482.	A.K. Dasgupta	1.5.44	-do-	-do-	GSF	
483.	NC.Singh	13.6.44	-do-		OFDun	
484.	G.K. Gaur	20.6.44	-do-		OFDun	
485.	A. Banerjee	29.4.45	-do-	Sup'A'1.4.71	OFC ✓	
486.	Supratim Bhattacharjee	26.6.45	-do-	Sup'A'26.1.72	GSF	
487.	Sankar Lal Bose	16.1.41	-do-		Addl.DG/AV	
488.	J.L. Chakraborty	1.2.42	-do-		Hqrs.	
489.	Subal Ch. Neogi	10.10.44	-do-	Sup'A'2.3.72	GSF	
490.	Asit Kumar Sengupta	2.12.46	-do-	Sup'A'4.3.72	GSF	
491.	R.V.R. Naidu	12.7.30	-do-	Sup'A'1.4.72	OFAJ	
492.	H.P. Srivastava	14.6.41	-do-		SAF	
493.	S.K. Batra	28.9.40	-do-	Sr.Estimator 1.4.71	OFAJ	
494.	D.K. Dutta	9.3.41	-do-	Sup'A'1.4.72	OFC	
495.	Binod Kumar	20.8.36	-do-	Sup'A'16.5.72	GCF	
496.	P.D. Gupta	14.1.34	-do-	Sup'A'2.7.72	VFJ	
497.	Y.N. Ananda	26.8.35	-do-		GCF	

1	2	3	4	5	6	7
498.	N.P. Khushal	27.12.33	20-6-80	-	GCF	
499.	R.N. Singh	12.4.35	-do-		VFJ	
500.	Tiratha Ram	16.3.34	-do-	Sup'A'3.9.72	GCF	
501.	Baldeo Raj	16.6.29	-do-	Sup'A'1.2.73	GCF	
502.	J.C. Khatri	15.9.39	-do-	Sr.Esti.1.4.71	VFJ	
503.	Nimai Ch. Ghora	20.9.43	-do-	Sup'A'2.7.73	MSF	
504.	R.N. Sarkar	15.2.45	-do-	Sup'A'18.9.73	OFAJ	
505.	H.P. Sarkar	25.3.35	-do-		OFC	
506.	S.G. Hondekari	21.3.35	-do-	Sup'B'1.4.66	OFC	
507.	M.M. Motulvi	22.7.28	-do-	Sup'A'1.4.74	AFK	
508.	Gopal Krishan	17.3.40	-do-		OPF	
509.	V.N. Pandey	15.9.37	-do-	Sup'A'1.4.74	OFC ✓	
510.	M.D. Malve	24.5.32	-do-		AFK	
511.	K.A. Hariharan	26.4.34	-do-		AFK	
512.	R.K. Pandey	4.5.28	-do-		OFC	
513.	Mool Chand	20.3.30	-do-	Sup'A'1.4.74	OFC	
514.	S.K. Bawa	22.12.42	-do-	-do-	OFC	
515.	Narayan Ch. Das	2.10.33	-do-	-do-	OFC	
516.	M.N. Karmakar	13.2.39	-do-	Sup'A'13.12.76	OFC	
517.	S.N. Gupta	1.1.44	-do-	Sup'A'1.4.74	AFK	

AM 8

1	2	3	4	5	6	7
558.	J. S. Kalsi	10.1.43	20-6-80	Sup'A'1.4.74	OFK	
559.	D.K. Bagal	26.12.41	-do-	-do-	OFK	
560.	S.K. Basu	19.1.44	-do-	-do-	OFK	
561.	S.R. Teley	27.4.40	-do-	-do-	OFK	
562.	M. Bhattacharjee	6.10.43	-do-	-do-	OFK	
563.	H.N. Gupta	9.5.44	-do-	Sup'A'1.4.74	OFK	
564.	S.K. Mitra	15.9.42	-do-	-do-	OFK	
565.	S.H. Khan	31.12.42	-do-	-do-	AFK	
566.	V.G. Joshi	4.3.38	-do-	Sup'B'	AFK	
567.	A.S. Deshpande	29.6.41	-do-	Sup'A'1.4.74	AFK	
568.	M.R. Jayaraman	15.2.33	-do-	-do-	AFK	
569.	R.T. Pawar	20.2.35	-do-	-do-	AFK	
570.	N.D. Uttaroishwar	5.8.40	-do-	-do-	AFK	
571.	S.V. Ranawade	10.10.34	-do-	-do-	AFK	
572.	S.S. Kathuria	1.2.43	-do-	-do-	OFK	
573.	S. Dasgupta	25.11.29	-do-	-do-	OFK	
574.	R. Dasgupta	17.11.41	-do-	-do-	OFK	
575.	V.N. Bhagi	20.1.39	-do-	-do-	OFK	
576.	A.K. Sarkar	25.1.40	-do-	-do-	OFK	
577.	A.P.S. Narang	16.2.42	-do-	-do-	OFK	

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1	2	3	4	5	6	7
578.	Arup Sarkar	5.10.44	20.6.80	Sup'A'1.4.74	OFK	
579.	I.K. Ghosal	1.5.40	-do-	-do-	AFK	
580.	S.K. Ghosh	13.2.41	-do-	Sup'A'1.4.74	OFK	
581.	M.P. Sharma	27.9.45	-do-	-do-	OFK	
582.	M.K. Mathew	11.2.40	-do-	Sup'A'1.4.74	AFK	
583.	S.S. Shukla	1.8.33	-do-	-do-	OFK	
584.	M.K. Ghosh	13.1.40	-do-	-do-	OFK	
585.	N.M. Nandi	15.1.44	-do-	-do-	AFK	
586.	V.H. Sakhare	1.11.33	-do-	Sup'A'1.4.64	AFK	
587.	A.K. Basu	10.11.44	-do-	Sup'A'1.7.74	OFK	
589.	B.N. Goutam	22.10.40	-do-	-do-	OFK	
590.	A.M. Punnuswamy	13.3.42	-do-	Sup'A'1.4.73	AFK	
591.	V.S. Satav	25.10.38	-do-	Sup'A'1.4.74	AFK	
592.	V. Ganapathy	6.9.41	-do-	Sup'A'1.4.79	AFK	
593.	S. Santhanam	12.11.39	-do-	-do-	AFK	
594.	K.V. Subbiah	20.8.40	-do-	Sup'A'1.4.74	AFK	
595.	A.K. Chakravorty	2.2.43	-do-	Sup'A'1.4.68	OFK	
596.	V. Gopalan	20.10.42	-do-	Sup'A'1.4.74	OFK	
597.	N.S. Lakshman	6.2.41	-do-	Estimator	AFK	
598.	S.B. Kulkarni	13.3.40	-do-	Sup'A'1.4.74	AFK	

contd. 132

1	2	3	4	5	6	7
639.	S.K. Ghosh	2.7.41	20.6.80	Sr.Planner 1.4.71	RFI	
640.	A.R. Paul	12.7.39	-do-		VFJ	
641.	G.C. Ghosh	6.4.41	-do-	R/F - 1.4.71	RFI	
642.	C.R. Acharjee	12.10.40	-do-	Turner'D' 1.4.71	RFI	
643.	A.K. Ghosh	2.1.40	-do-	Sup'A' 1.4.74	RFI	
644.	Prem Chand Jain	28.6.28	-do-	Planner 1.4.66	RFI	
645.	Radhey Prasad	1.6.27	-do-	Sup'B' 25.10.70	GCF	
646.	Jhamai Lal	6.8.31	-do-	Sup'A' 25.10.70	GCF	
647.	Shyam Lal	1.9.31	-do-	-do-	GCF	
648.	Rajesh Kumar	20.3.36	-do-	-do-	GCF	
649.	R.K. Mehta	5.8.42	-do-	Sup'A' 1.4.74	VFJ	
650.	J.L. Gurnani	5.3.38	-do-	Sup'B' 1.4.67	GCF	
651.	Subhas Ch. Goel	1.9.43	-do-		OFC	
652.	Dhamija C. J.	25.10.43	-do-		OFC	
653.	T.P. Ravindra	15.5.45	25.6.80	Sup'A' 1.4.74	OFCa	
654.	Shyed Modmudullah	10.8.43	20.6.80	-do-	GSE	
655.	A.K. Mukherjee	1.5.32	-do-	-do-	MSF	
656.	Nirod R Ranjan Paul	23.9.36	-do-	-do-	MSF	
	Prañab Kr. Sen	16.12.38	-do-	-do-	MSF	

contd. 35.

1	2	3	4	5	6	7
658.	B.C. Tiwari	15.4.40	20.6.80	Sup'A' 2.6.71	MPE	
659.	P.B. Sahu	1.11.39	-do-	Sup'B' 1.4.68	VFJ	
660.	M. Sankaran	2.4.43	-do-	Sup'A' 1.4.74	AFK	
661.	Prasanta Kr. Danerjee	1.3.33	-do-	Sr.Planner 1.4.71	MSF	
662.	M.L. Kundu	25.3.45	-do-		OFCun	
663.	M.M. Gangopadhyay	25.11.41	14.7.80	Sup 1.4.74	MSF	
664.	Prasanta Kr. Mukha- padhyay	4.10.38	20.6.80	Sup'A' 1.4.74	MSF	
665.	Barun Kumar Nandy	27.1.41	20.7.80	-do-	MSF	
666.	Prem Nath	3.10.31	20.6.80	D'man 1.4.64	GCF	
667.	A.M. Bhole	18.9.45	-do-	Sup'A' 1.4.74	OFCa	
668.	Madan Lal Jaiswal	6.3.41	-do-	-do-	OFC	
669.	R.S. Narula	5.9.36	-do-		SAF	
670.	S.B. Pandey	28.12.42	-do-		SAF	
671.	B.K. Chopra	9.2.32	-do-		OFCun	
672.	Ramaswaroop	9.2.32	-do-		SAF	
673.	V.P. Chopra	12.9.39	-do-	Sup'A' 1.4.74	FGK	
674.	Gendan Lal	5.1.30	-do-		SAF	
675.	M.K. Chakraborty	18.2.37	-do-		SAF	
676.	K.C. Mukherjee	1.12.30	-do-		SAF	
677.	R.K. Pandey	10.7.41	-do-		SAF	

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1	2	3	4	5	6	7
718.	C.V. Sunny	25.3.42	20.8.80		CFA	
719.	L. Kohannakutty	22.12.40	-do-		CFA	
720.	L. Raju	11.1.47	-do-		CFA	
721.	R.K. Mishra	12.2.32	-do-		GCF	
722.	Ramdass	24.9.35	-do-		GCF	
723.	G.S. Notial	8.7.39	-do-		GCF	
724.	B. Sarkar	14.9.44	-do-	Sup'A' 1.1.74	OFC	
725.	Satyavir Singh	14.7.40	-do-	Sup'A' 1.1.74	OFC	
726.	Ajoy Kumar Ghosh	2.10.42	-do-	Sup'A' 1.4.74	GSF	
727.	Prasanta Bakshi	3.1.43	-do-	-do-	GSF	
728.	S.C. Bhattacharjee	10.1.44	-do-	-do-	RFI	
729.	A.K. Chatterjee	13.1.44	-do-		RFI	
730.	B.S. Narang	20.2.44	-do-		SAF	
731.	S.K. Biswas	18.2.45	-do-	Sup'A' 1.4.74	RFI	
732.	N.K. Bhattacharjee	11.3.45	-do-		GSF	
733.	Nishit Kr. Paul	1.4.45	-do-	Sup'A' 1.4.74	RFI	
734.	Dibyendu Pakrashi	4.5.45	-do-	-do-	RFI	
735.	B.M. Hazra	15.8.45	-do-	-do-	GSF	
736.	S.C. Bhalla	15.6.46	-do-		OCFC	
737.	U.P. Singh	5.7.46	-do-	Sup'A' 1.4.74	OFA	

1	2	3	4	5	6	7
738.	R.K. Bajaj	11.6.46	20.8.80		OFAJ	
739.	R.M. Bector	13.7.45	-do-	Sup'A' 1.4.74	OFC	
740.	K.G. Datta	1.11.32	-do-	Sr.D'man 5.9.66	RFI	
741.	H.N. Srivastava	15.10.42	-do-	Sup'A' 1.4.71	OFC	
742.	R.K. Chabla	20.6.45	-do-	Sup'A' 1.4.71	OFC	
743.	R.K. Vadga	3.10.45	-do-	Sup'A' 1.4.74	OFC	
744.	P.K. Ghosh	10.10.46	-do-	-do-	OFC	
745.	R.J. Sharma	27.1.46	-do-	-do-	JFC	
746.	A.K. Saxena	25.8.45	-do-		HEF	
747.	H. Sekher	5.11.45	-do-		OFC	
748.	Ku. V. Mascarenhas	8.1.29	-do-		GCF	
749.	A. Pillai	23.10.35	-do-			
750.	C. Mathew	2.3.30	-do-	Sr.D'man 1.4.74	OFAJ	
751.	M.L. Malhotra	22.12.41	-do-	D'man 1.4.67	GCF	
752.	R.K. Paul	25.1.41	-do-	-do-	GCF	
753.K	Ku.P. D'Souza	21.1.29	-do-	D'man 1.4.65	GCF	
754.	Vijoy Singh	18.12.38	-do-		GCF	
755.	A.S. Bhalerao	11.11.44	-do-	Sup'A' 1.4.74	OFAJ	
756.	S.K. Sharma	10.7.46	-do-		GCF	
757.	S.S. Srivastava	22.5.29	-do-		GCF	

2	3	4	5	6	7
797.	A.K. Tripathi	10.1.47	20.6.80	OEFC	A 146
798.	T.S. Chugh	10.9.44	-do-	OEFC	
799.	H.P. Methew	18.3.44	-do- Sup'A'1.4.74	OFK	
800.	Shee Kumar	30.6.44	-do-	OEFC	
801.	O.N. Shukla	9.10.35	-do-	OEFC	
802.	H.S. Sharma	15.7.31	-do-	OEFC	
803.	Hemant Rao	1.1.46	-do- Sup'A'1.4.74	FGK	
804.	S.C. Sharma	15.11.46	-do-	FGK	
805.	R.N. Agarwal	6.6.43	-do- Sup'A'1.4.74	OFK	
806.	C.H. Ahuja	15.6.38	-do- Sup'A'1.6.74	AFK	
807.	Subash Chandra	1.1.46	-do- Subs.Sup.'A'1.6.74	MPF	
808.	Dipak Bhattacharjee	1.11.45	-do- Sup'A'1.4.74	GSE	
809.	R.K. Chaubey	9.7.44	-do- -do-	OFK	
810.	N.K. Naidu	4.4.40	-do-	GCF	
811.	Victor Fernandez	30.3.30	-do-	GCF	
812.	Shiv Kumar Dixit	11.8.42	-do-	GCF	
813.	S.K. Kashikar	12.2.39	-do-	GCF	
814.	M.C. Sutradhar	1.1.29	-do- Sr.D'man	RFI	
815.	Subhra Kumar Roy	1.4.35	-do- Sr.D'man 1.4.66	RFI	

1	2	3	4	5	6	7
816.	G. Datta	15.7.40	20.6.80	Sr.D'man 1.4.71	RFI	
817.	G. Datta	26.3.40	-do-	Planner 1.4.69	RFI	
818.	Nilosh Chatterjee	3.8.45	-do-	Sup'A'1.11.74	RFI	
819.	V.A. Patil	2.8.34	-do-	Sr.Planner 1.4.72	DFV	
820.	P.G. Sonar	28.9.28	-do-	Sup'A'1.11.74	DFV	
821.	M.R. Narbede	4.7.37	-do-	Sup'B'1.4.68	OFV	
822.	P.D. Bauskar	1.5.37	-do-	Sup'B'1.4.74	OFV	
823.	Om Prakash	1.6.33	-do-		VFJ	
824.	S. Nagarajan	26.4.39	-do-	Sup'A'1.4.74	OFT	
825.	S.M. Sethi	2.11.36	-do-		GCF	
826.	J.B. Singh	21.6.39	-do-		GCF	
827.	V. Prasad	7.7.43	-do-		OFC	
828.	K.K. Bhaskaran	18.9.39	23.6.80		OFCh	
829.	S.S.A.K. Hussain Khadri	21.9.42	-do-	Sup'A'1.4.75	OFPH	
830.	V. Pandurang Rao	22.10.42	-do-		OFCh	
831.	S.L.M. Anverkhan	21.6.43	-do-		CFA	
832.	K.V.S.Prabhakar Rao	28.5.45	-do-	Sup'A'1.4.75	CFA	
833.	S. Gangadharappa	1.7.44	-do-	-do-	OFPH	
834.	S.N. Nair	25.10.43	-do-	-do-	OFDR	

1	2	3	4	5	6	7
854.	C. Charan Singh	1.2.33	23.6.80		OFM	
855.	B. Hey Lal	7.7.36	-do-		OFM	
856.	S. Mji Bhatt	30.6.40	-do-		OFM	
857.	S. Nankana	2.2.42	-do-		OFM	
858.	S. Batra	6.8.41	-do-		OFM	
859.	D.K. Roy Choudhuri	23.7.40	-do-		OFM	
860.	V.S. Tyagi	1.12.36	-do-		OFM	
861.	Man Mohan	15.5.39	-do-		AFK	
862.	M.A. Chadha	27.10.38	25.6.80 Sup'A' 1.4.75		AFK	
863.	V.V. Zirpe	19.7.41	29.6.80 -do-		AFK	
864.	B.B. Dawande	24.2.33	23.6.80 Sr.D'man 1.4.71		OFBa	
865.	Sankar M. Ghosh	1.2.28	-do- Planner 1.4.68		RFI	
866.	R.B. Shewale	9.4.40	-do- Sup'A' 1.4.75		AFK	
867.	S.S. Combrabail	13.4.36	-do- Sup'A' 1.8.75		AFK	
868.	R.N. Thakur	31.3.42	-do- -do-		AFK	
869.	B.C. Tink	21.10.40	-do- -do-		AFK	
870.	P.K. Singwi	30.12.37	-do- Sup'A' 1.9.75		AFK	
871.	B.K. Bhare	17.6.40	-do- -do-		AFK	
872.	A.L. Arkar	30.3.42	-do- Sup'A'		AFK	
873.	V. Srinivasan	14.8.43	-do- Sup'A' 1.10.75		AFK	

contd...46.

1	2	3	4	5	6	7
874.	M.S. Honap	9.10.40	23.6.80	Sup'A' 1.10.75	AFK	
875.	J.K. Chakraborty	14.10.36	-do-	Sr.D'man 1.4.72	MSF	
876.	Debabrata Sinha	15.9.38	-do-	-do-	MSF	
877.	B.K. Chatterjee	1.11.32	-do-	R/Fixer	MSF	
878.	A.K. Biswas	26.10.27	-do-	Sup. 1.1.75	MSF	
879.	B.K. Kar	1.6.31	14.7.80	-do-	MSF	
880.	C.P. Adhikari	1.6.32	23.6.80	Planner 1.4.66	MSF	
881.	B.K. Kulavi	17.3.41	-do-	Planner 1.4.67	MSF	
882.	N.B. Sholar	3.2.38	-do-	Sup'A' 1.4.76	AFK	
883.	J.N. Pokarkar	1.6.41	-do-	Sup'A' 1.4.74	AFK	
884.	S. Sankaraiya	1.6.46	-do-		OFCh	
885.	M.N. Krishnamurthy	28.8.44	26.6.80	Sup'B' 1.5.76	RFI	
886.	M.R. Nachiketh	10.4.36	23.6.80	Sup'A' 1.4.76	AFK	
887.	V.D. Khodkar	27.1.40	-do-	-do-	AFK	
888.	P.G. Chanekar	29.7.41	-do-	-do-	AFK	
889.	Jai Prakash	6.8.46	-do-	Sup'A' 1.7.76	OFC	
890.	D.K. Lahiri	21.4.47	-do-	-do-	MSF	
891.	D.P. Malhotra	1.7.47	-do-		OFM	
892.	R.A. Siddique	5.10.40	-do-	Sup'A' 1.7.76	OFC	
893.	Sohan Lal Pal	9.7.45	-do-		OFK	

contd...17

1	2	3	4	5	6	7
932.	R.N. Pati	26.5.42	23.6.80	Qpsup'A'11.4.70	OFCh	
933.	A.K. Bhattacharya	16.8.45	-do-	-do-	OFCh	
934.	M.L. Mahra	1.9.45	-do-	-do-	OFCh	
935.	D.N. Singh	3.2.46	-do-		VFJ	
936.	V.K. Khanna	4.4.44	-do-		OEFC	
937.	S.K. Karmarkar	24.1.45	-do-	Sup'A'1.4.71	RFI	
938.	V.P.S. Yadava	29.12.30	-do-	Sup'A'13.4.70	AFK	
939.	Kashan Lal	5.12.43	-do-		VFJ	
940.	S.K. Pal	11.3.45	-do-		OFBoard	
941.	N.N. Sarker	14.4.37	-do-	D'man 1.4.67	OFK	
942.	Puran Chand Verma	15.10.38	-do-	Subs.D'man 1.4.72	GIF	
943.	Inderjit Singh	1.8.42	-do-		VFJ	
944.	R.P. Mittal	1.1.44	-do-		SAF	
945.	S. Bhattacharya	8.7.45	2.12.80	Qpsup'B'15.4.70	OFCh	
946.	R.K. Sen	12.7.45	23.6.80	Qpsup'A'15.4.70	GSF	
947.	A.K. Jain	28.10.45	-do-	-do-	OFCh	
948.	S.C. Garg	9.3.42	-do-		OEFC	
949.	M. Saratchandran	7.2.44	-do-		OFT	
950.	R.D. Prasad	20.10.30	-do-	Sr.D'man 1.4.67	OFK	

contd...50

1	2	3	4	5	6	7
951.	P.S. Sinha	23.12.40	23.6.80	Sr.D'man 1.4.67	OFK	
952.	Somasekara	6.4.43	2.9.80	Qpsup'A'15.5.70	OFCh	
953.	Satpal Puri	25.7.43	23.6.80	Qpsup'A'12.5.70	OFM	
954.	S.C. Choudhury	12.5.37	20.6.80	D'man 1.4.67	GCF	
955.	Nirangan Dutta	27.2.43	23.6.80		GCF	
956.	Ajit Kr. Sen	9.1.28	2.7.80	Sr.D'man 1.4.72	RFI	
957.	A.K. Dasgupta	1.7.31	23.6.80	Subs.B	RFI	
958.	Subodh Kr. Mazumdar	1.11.31	-do-	Sup'B'1.4.67	RFI	
959.	Subodh Ch. Halder	1.6.32	-do-	Sup'B'1.4.68	RFI	
960.	Bhubaneswar Bhatta- charjee	1.2.33	-do-	-do-	RFI	
961.	Sashadhar Singha	1.3.33	-do-	Sup'A'1.4.71	RFI	
962.	Sudhir Ch. Dutta	1.1.33	-do-	Sup'B'1.4.68	RFI	
963.	Netai Ch. Ghosh	1.5.33	-do-	Sup'B'	RFI	
964.	Kanan Ch. Das	10.12.33	-do-	Sup'B'1.4.69	RFI	
965.	Ajit Kumar Das	10.2.34	-do-	Sup'B'	RFI	
966.	Jagat Bandhu Nath	1.10.34	-do-	Sup'B'	RFI	
967.	Debaprasad Chatterjee	6.8.38	-do-	Sup'B'1.4.68	RFI	
968.	C.H. Majumdar	5.4.39	-do-		AFK	
969.	A.M. Daruwala	10.5.42	-do-		GCF	

contd...51

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1	2	3	4	5	6
S/Shri					
1006.	Sarabjit Singh	1.7.47	23.6.80		FGK
1007.	Debaprasad Deb	15.8.47	-do-		RFI
1008.	A.K. Talwar	14.10.47	-do-		VFJ
1009.	V.S. Saxena	24.10.47	-do-		SAF
1010.	Laxmi Shankar	10.3.48	-do-		OFC
1011.	M.K. Roy	1.1.49	-do-		OFC
1012.	P.K. Mitra	6.1.44	-do-		GCF
1013.	R.B. Shivhary	31.12.45	-do-	Sup'A'1.4.74	OFC
1014.	K.K. Banerjee	13.2.46	-do-	Sup'A'15.7.70	RFI
1015.	D.P. Sharma	15.10.46	-do-		VFJ
1016.	P. Bhattacharya	6.1.47	-do-	Sup'A'10.4.70	GCF
1017.	Sunil Kumar	1.7.47	-do-		OFM
1018.	P.S. Tewari	26.10.47	-do-		SAF
1019.	P.K. Chattopadhyay	1.12.47	-do-		GCF
1020.	D.S. Bist	1.1.44	-do-	Sup'A'1.7.76	OFC

ukb/486.

contd...54.

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1	2	3	4	5	6	7
S/Shri						
1021.	N. Bhaduri	15.10.47	23.6.80		OFAj	
1022.	J.L. Arora	4.12.48	-do-	QP, Sup'A'16.7.70	OFC	
1023.	C.K. Roy	25.1.46	-do-	Pt. I E	GSF	
1024.	M.N. Giri	1.7.47	-do-		GCF	
1025.	K. SreKumaran	11.7.47	-do-		CFA	
1026.	Rup Singh	1.10.30	-do-	R/E-1.4.64	OFDun	
1027.	H.C. Nautiyal	5.8.36	-do-	Planner-1.6.66	OFDun	
1028.	C.M.U. Koya	17.1.40	-do-		OFT	
1029.	S.S. Sharma	20.4.46	-do-		OFM	
1030.	P.K. Bhattacharjee	3.6.43	-do-	Sup'B'	RFI	
1031.	A.K. Banerjee	30.7.30	-do-	Sr.D'man-1.4.74	OFKat	
1032.	S.N. Chatterjee	6.6.35	1.8.80	-do-	OFKat	
1033.	S.A. Jadav	10.6.30	23.6.80	R/F Sr. D'man-1.4.66	AFK	
1034.	J.C. Chattopadhyay	20.11.35	-do-		OFKat	
1035.	P.K. Bhattacharjee	27.8.45	-do-		OEFC	
1036.	Snehamoy Bhadury	9.6.46	-do-	QP, Sup'A'22.8.80	GSF	
1037.	S.R. Ghosh	22.1.48	-do-	QP, Sup'A'25.8.80	MSF	
1038.	S.P. Gupta	10.6.46	-do-		OFM	
1039.	N.K. Mukherjee	16.3.47	1.7.80	Sup'B'1.4.68	RFI	

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1	2	3	4	5	6	7
	<u>S/Shri</u>					
1077.	S.P. Pillai	27.8.46	25.6.80		AFK	
1078.	R.K. Khurana	24.9.40	23.6.80	R/Fix.-1.4.71	OFC	
1079.	S.L. Trivedi	1.6.41	-25.6.80	-do-	OFC	
1080.	S.P. Mangal	1.7.39	-do-	Sup'A'1.4.74	OFC	
1081.	M.N. Roychoudhury	10.6.39	25.6.80	S/D'man -1.4.74	VFJ	
1082.	P. Majumder	1.6.44	-do-	D'man-1.4.71	OFC	
1083.	D.N. Chakravorty	21.7.41	-do-	R/F - 1.4.71	OFC	
1084.	D. Singh	17.8.44	-do-	Sr.R/F-1.4.74	OFC	
1085.	N. Mukherjee	28.1.43	-do-	Sr.R/F-1.4.74	OFC	
1086.	N.K. Katawar	23.10.41	-do-	D'man-1.4.71	OFC	
1087.	J.K. Jain	20.10.39	-do-	Sr.D'man-1.4.74	OFC	
1088.	S.B. Choudhury	25.7.42	25.6.80	Sr.D'man-1.4.74	OFC	
1089.	V.S. Singh	2.7.43	-do-		OFC	
1090.	H.L. Halder	1.2.46	-do-	Sr.D'man-1.4.74	OFAJ	
1091.	B. Joghee	5.1.42	-do-		MPF	
1092.	H.R. Das	16.8.42	22.6.80		RFI	
1093.	D.J. Subramaniam	13.4.44	25.6.80	Sr.D'man-1.4.74	OFT	
1094.	F.L. Sarathe	15.10.38	-do-	Planner-1.4.68	OFC	

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1	2	3	4	5	6	7
	<u>S/Shri</u>					
1095.	P.K. Mitra	25.12.37	25.6.80	Planner-1.4.71	OFC	
1096.	A.K. Paul	10.9.42	-do-		OFC	
1097.	S.K. Dutta	20.5.38	-do-	Planner-1.4.71	OFC	
1098.	S.L. Biswas	2.10.43	-do-	Sr.D'man-1.4.74	OFAJ	
1099.	Haldayal Singh	13.8.28	-do-		OFC	
1100.	G.P. Malhotra	21.12.40	-do-		OFC	
1101.	U.P.S. Koiri	4.7.44	-do-	D'man-20.6.69	RFI	
1102.	S.K. Gupta	5.5.41	-do-	D'man-1.4.70	OFC	
1103.	S.C. Chakraborty	29.1.43	-do-	D'man -1.4.70	OFC	
1104.	K. Bhakthavalsala Kurup	1.11.35	-do-	Planner-1.4.71	OFAJ	
1105.	A.K. Banerjee	1.2.41	-do-	R/F-1.4.68	OFC	
1106.	Mohd. Aktar Khan	12.12.40	-do-	Sup'A'1.4.74	CRS	
1107.	C.C. Daware	18.12.32	-do-	Sup'A'1.4.71	OFC	
1108.	B.N. Sahoo	28.9.34	-do-	Sup'A'1.4.68	MSF	
1109.	S.C. Debey	15.3.47	-do-		GCF	
1110.	C.P. Adhlakha	11.9.35	-do-	R/F-2.4.68	OFC	
1111.	L.P. Tiwari	25.12.30	-do-		GCF	
1112.	J.S. Nandra	1.1.35	-do-		GCF	

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1	2	3	4	5	6	7
	<u>S/Shri</u>					
1151.	M. Kathappan	11.10.38	14.7.80		CFA	SC
1152.	M.L. Eswari	1.8.39	16.6.80		VFJ	SC
1153.	Dwarka Singh	1.2.44	21.2.83		VFJ	SC
1154.	S.N. Mishra	03.01.42	5.7.80	Ch.II,1.4.72	OFC	DGI
1155.	M.B. Mirza	5.9.37	5.7.80	Sup.II,1.4.66	OFC	DGI
1156.	L. Gopalakrishnan	16.7.41	21.7.80		HVF	SC
1157.	A. Krishnadoss	4.7.44	-do-		HVF	SC
1158.	A.K. Jose	17.5.41	-do-		HVF	
1159.	G. Kaliamurthy	12.4.42	-do-		HVF	
1160.	T.V. Ramu	4.7.44	-do-		HVF	
1161.	G. Suryanarayana	1.7.50	-do-		HVF	
1162.	M.R.V. Nath	6.6.41	-do-		HVF	
1163.	P. Srinivasan	11.12.41	-do-		HVF	
1164.	P. Radhakrishnan	17.2.39	-do-		HVF	
1165.	E.S. Nathan	20.6.30	-do-		HVF	
1166.	S.Mani	20.5.43	-do-		HVF	
1167.	V. Rajagopalan	15.7.39	-do-		HVF	
1168.	N. Chandrashakharan Nair	15.3.39	-do-		HVF	
1169.	P.K. Sadanandan	15.5.38	-do-		HVF	

contd...63

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	2	3	4	5	6	7
	<u>S/Shri</u>					
1207	K.K. Roy Choudhury	2.1.40	12.1.81	Sup. II, 1.4.76	OFAJ	DGI
1208.	S.V. Madhavan	22.8.44	-do-	Viewer 'B' 1.4.71	OFC	DGI
1209.	V.V. Joshi	24.8.41	-do-	Ch. II, 1.4.71	AFK	DGI
1210.	V.V. Sanch	16.10.36	-do-	Sup. II, 1.4.67	AFK	DGI
1211.	D.K. Karhade	21.3.46	-do-	Sup. III, 1.4.76	OFM	DGI
1212.	T.R.S. Kuttey	1.6.46	-do-	-do-	OFCh	DGI
1213.	S.K. Akshat	5.1.39	-do-	Ch. II, 1.4.71	GSF	DGI
✓ 1214.	K.S. Ahluwalia	19.5.30	-do-	Sup. II, 1.4.68	OFK	DGI
1215.	P.A. Bhat	4.8.36	-do-	Sup. II, 1.4.67	AFK	DGI
1216.	M. Mohamed Ali				OFK	
1217.	P. Chandran	15.2.37	1.3.81		HVF	
1218.	G. Aravindan	2.11.37	-do-		HVF	
1219.	P.F. Devasay	17.4.42	-do-	Tracer-1.4.69	HVF	
1220.	P.J. George	19.1.47	-do-		HVF	
1221.	D.R. Sheshadri	3.1.41	-do-		HVF	
1222.	T. Dennis	17.5.44	-do-		HVF	
✓ 1223.	S. Manickam	19.3.39	-do-	Sup 'A' 1.4.68	HVF	
1224.	C.N. Menon	19.7.27	-do-	Sup 'A' 16.10.70	HVF	
✓ 1225.	S.N. Krishnanmurthy	5.6.40	-do-		HVF	

	2	3	4	5	6
	<u>S/Shri</u>				
✓ 1226.	K.S. Rajan	20.2.34	1.8.81		HVF
✓ 1227.	K. Achuthan	15.4.37	-do-		HVF
✓ 1228.	T. Radhakrishnan	26.3.39	-do-		HVF
✓ 1229.	Samar Banerjee	1.4.42	-do-	R/F-1.4.69	AFI
✓ 1230.	P. Balan	14.7.35	-do-	Sup 'B' 1.4.69	HVF
✓ 1231.	P. Swamidass	15.5.38	-do-		HVF
✓ 1232.	K.K. Dutta	13.11.38	-do-	Sup 'B' 1.4.69	HVF
✓ 1233.	S.C. Pallai	28.3.40	-do-		HVF
✓ 1234.	A. Ramalingam	30.8.42	-do-	Sup 'A' 17.1.72	HVF
✓ 1235.	R.M. Panicker	7.8.39	-do-	Sup 'A' 11.1.72	HVF
✓ 1236.	V.T. Abraham	28.4.40	-do-	Subs. Sup 'B' 7.11.72	MPF
✓ 1237.	G.C. Sarkar	18.11.40	-do-		HVF
✓ 1238.	H.C. Roy	20.10.43	-do-	Sup 'B' 7.11.72	HVF
✓ 1239.	C.N. Salvaraja	17.1.40	-do-		HVF
✓ 1240.	B.K.R. Naidu	8.1.38	-do-	Sup 'B' 1.4.67	HVF
✓ 1241.	Telyson Edward	27.5.30	-do-	Sup 'A' 24.12.76	HVF
✓ 1242.	K.G. Karunakaran	3.1.37	-do-	Sup 'B' 1.4.67	HVF
✓ 1243.	P.P. Narayanan	7.7.35	-do-	-do-	HVF
✓ 1244.	K.P. Andurangarao	6.5.38	-do-		HVF

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1	2	3	4	5	6	7
	S/Shri					
1283.	S. Roy Chowdhury	15.7.36	26.8.81	Sup'A'1.4.74	OFDR	
1284.	M.K. Chatterjee	15.2.40	27.3.82	RF-1.4.71	RFI	
1285.	Gourishankar	7.3.29	1.8.81		GCF	
1286.	G. V. Pillai	17.6.29	-do-		GCF	
1287.	B.N. Mukherjee	3.12.38	-do-		GCF	
1288.	S.B. Hosur	1.11.37	-do-	Sup'A'1.4.74	AFK	
1289.	U.S. Prasad	2.9.37	-do-		SAF	
1290.	Arjun Singh	1.5.30	-do-	Sr.Planner-1.4.71	VFJ	
1291.	Narain Pratap	6.10.37			OFCh	
1292.	D.P. Ghosh	3.3.40	21.1.84		OFCh	
1293.	S. Stephen	13.5.27	1.8.81		VFJ	
1294.	P.N. Mishra	25.6.30	-do-	Sup'A'1.4.75	OFM	
1295.	Rajendra Jha	20.7.46			GCF	
1296.	Mihir Bhattacharjee	1.3.45	1.8.81		SAF	
1297.	U.K. Naia	6.10.45	6.8.81	Sup'B'1.8.80	OFDun	
1298.	P.K. Mishra	1.7.49	1.8.81		OEFC	
1299.	M.P. Singh Saini	28.3.46	-do-		GCF	
1300.	M.K. Sinha	25.10.47	-do-		RFI	
1301.	L.R. Patil	18.7.41	-do-	Sr.D'man-1.4.76	OFV	

ukb/586

1	2	3	4	5	6	7
	S/Shri					
1302.	S.K. Tandon	5.3.44	1.8.81		GIF	
1303.	M.S. Chaturvedi	13.10.44	-do-	Sup'B'1.4.74	OFCh	
1303.	Smt. Jyoti Dutta	31.12.41	1.9.81		Hqrs.	
1304.	Uma Rani Sen	1.5.35	-do-		Hqrs.	
1305.	Sita Basu	21.8.39	-do-		Hqrs.	
1306.	K.N. Nambiar	10.12.41	1.8.81		OFCh	
1307.	T.N. Gupta	13.1.40	27.11.81	Sr.D'man-1.4.76	OFK	
1308.	Narendra Kumar	11.10.35	1.8.81	Planner-2.4.66	VFJ	
1309.	Y.K. Chandra	8.1.40	-do-	Sup'B'1.4.71	OFCh	
1310.	K.D. Deshpande	30.12.45	-do-	-do-	OFCh	
1311.	H.P. Bhattacharyya	1.2.42	9.9.81		Hqrs.	
1312.	P.C. Banerjee	5.1.41	1.10.81	Estimator.1.4.67	MSF	
1313.	H.K. Toriya	5.12.42	9.9.81	Sr.D'man-1.4.76	OFCh	
1314.	A.I. Mahajan	1.5.42	1.8.81	Sup'B'1.4.69	OFV	
1315.	B.A. Advani	19.11.37	-do-	Sup'B'1.4.85	AFK	
1316.	K.C. Chandra	1.7.33			GSF	
1317.	B.D. Banerjee	4.12.41			GSF	
1318.	Diwari Lal	28.12.30	1.8.81		GCF	
1319.	P. Chakraborty	1.2.31	14.12.81		Hqrs.	

ukb/586.

contd. 71

A 15.9
A 154

1	2	3	4	5	6	7
	S/Shri					
1888	C.K. Sengupta	8.10.44	13.11.84	Tool Maker 'A' 1.4.66	OFAJ	Seniority Provisi
1889	M. Joshi	1.5.36	26.7.84	Planner/1.4.67	OFDUN	-do-
1890	T.R. Chhattani	20.11.38	26.7.84	-	OFK	-do-
1891	K.L. Kapoor	25.2.42	13.9.84	H. Skilled	OFC	-do-
1892	Y.N. Malik	8.6.42			OFV	-do-
1893	K.K. Bose	9.8.42	16.8.84	HS/1.4.72	OFV	-do-
1894	R.K. Chakraborti	28.4.28	5.11.84		RFI	-do-
1895	H.R. Ahuja	26.2.38	26.7.84	Sup 'B' 1.4.74	VFJ	-do-
1896	S.D. Khedkar	1.1.41	8.8.84	-	VFJ	-do-
1897	B.L. Viswakarma	14.4.43	26.7.84	D'man/1.4.84	VFJ	-do-
1898	R.M. Vyas	1.4.43	9.8.84	Tracer/1.4.71	OFK	-do-
1899	H. Dilraj	6.6.35	26.7.84	Sup 'B' 1.4.74	OFK	-do-
1900	H.L. Meghiani	26.6.30	26.7.84	Sup 'B' 1.4.74	OFK	-do-
1901	C.L. Bagga	29.2.35	26.7.84	Sup 'A' 1.4.74	OFK	-do-
1902	B.S. Sandhu	20.5.38	-do-	Sup 'B' 1.4.74	OFK	-do-
1903	Rabindra Biswas	15.6.32	26.7.84	-	OFK	-do-
1904	S.D. Vyas	9.4.34	26.7.84	Fitter 'C' 1.4.60	OFK	-do-

Contd...104

1	2	3	4	5	6	7
	S/Shri					
1905	F. Jeron	1.7.32	26.7.84	Supr. 'B' 1.4.74	OFK	Seniority Provisan
1906	J. A. Siddique	2.1.40	13.5.85	-	OFCh.	-do-
1907	George Vergese	27.11.42	3.9.84	D'man 1.4.74	OFT	-do-
1908	A. A. Kole	6.7.43	30.7.84	D'man 1.4.68	AFK	-do-
1909	A. P. Harne	3.3.40	30.7.84	-do- -do-	AFK	-do-
1910	N. P. Salunke	3.10.41	30.7.84	Planner 1.4.78	AFK	-do-
1911	Lakshman Ram	1.7.39	28.6.85	T.C. 1.4.65	GIF	-do-
1912	J. A. Gayaprasad	5.1.29	17.8.84	Supr. 'B' 1.4.71	OFV	-do-
1913	M. Varkey	1.7.46	3.9.84	D'man 1.4.74	OFT	-do-
1914	Shyamlal	1.7.29	26.7.84	Turner 'A' 1.4.60	OFK	-do-
1915	R.S. Bist	30-11-41	-do-	Tracer 17.7.72	OFDun	-do-
1916	Harsankar Dey	26.7.38	-do-	-do- -do-	OFDun	-do-
1917	S. P. Bhattacharjee	7.2.41	16.6.80	Supr. 'A' 1.4.78	OFK	-do-
1918	P. R. Sarkar	1.3.28	6.8.84	Sup. 'B' 1.4.69	FGK	-do-
1919	M. R. Misra	26.9.39			OFBa	-do-
1920	A. N. Kapoor	1.6.44	2.7.85		OFCh	-do-
1921	Kader Nath	12.4.27	27.7.84	Supr. 'B' 1.4.74	SAE	-do-

Handwritten signature: N. K. Nai
ADVOC
KANPUR

(2)

A 160
150

BY REGISTERED POST

No 323/A/DPC
GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
ORDNANCE FACTORY BOARD
10 AUCKLAND ROAD
CALCUTTA-1

The 11th June 1986

To

The General Manager
All Ordnance & Equipment
Factories.

Sub:- PUBLICATION DPC SELECTION LIST OF ~~Asstt Foreman~~
ASSISTANT FOREMAN/STA (T)

A copy of the combined selection list for the following trades prepared by the appropriate DPC at this Head Quarter is forwarded herewith.

- | | |
|------------------------------------|-------------------------------------|
| (i) Asstt Foreman/STA
(Mech) | (ii) Asstt Foreman /STA
(Elec) |
| (iii) Asstt Foreman/STA
(Civil) | (iv) Asstt Foreman/STA
(Chemist) |
| (v) Asstt Foreman/STA
(Met) | |

This list may please be shown to all concerned.

In may also be noted in this connection that the post of A/F is slection post and the selection to this appointment has been made in accordance with the principal laid down. Therefore, by the Govt. Inclusion of any individual in the list does not itself gaurantee promotion for the individual concerned at promotion will be made in accordance with the actual requirements. While the orders of listing by DPC will be the order of seniority in the appropriate grade on promotion. It may be necessary in the exigency of service to make promotion out of turn. Such promotion will however, be without effect on seniority. SC & ST employees as available have been included in the list in accordance with the existing Govt. orders.

2. The relevent DPC may meet to review the list periodically as necessary. The present list will normally be valid upto 12 months from the date of the meeting and in any case will not be operative after 18 months from the date.

Kindly acknowledge receipt.

Copy to:-

1. The Addl DGOF/OEF
2. Section- A/NG& A/E-1 (NG)
3. Member JCM Level III -VFJ
4. The General Secretary CE AI NGOs
Association - VFJ

Sd/- X X X X X

(BN Ghosh)

SO/DPC

for D.G.O.F.,

Sub:- COMBINED SELECTION LIST OF ASST FOREMAN FOR THE YEAR 1985 & 1986 PREPARED BY THE DEPARTMENTAL PROMOTION COMMITTEE 11 B on 10.6.86.

Mechanical

- | | | | |
|-----------------------|-----------------------|----------------------|---------------------------|
| 1. SK Makhija | 2. S Arungire | 3. BR Shastri | 4. BN Biswas |
| 5. PS Tarafdhar | 6. GC Banerjee | 7. TK Mitra | 8. K Dev Nath |
| 9. Inderjeet Goon | 10. AB Dass | 11. BN Dutta | 12. Manoranjan Rai |
| 13. PN Mehatoo | 14. AK Bakshi | 15. KD JOSHI | 16. JK DEWARE |
| 17. BR Arrora | 18. M Gopinathan | 19. ML Datta | 20. Bhaskar Gupta |
| 21. VB Saxena | 22. SS Guin | 23. GM Badgar | 24. SC Khan |
| 26. SK Rai | 27. SC Rai | 28. GN Banerjee | 29. AK Bhomik |
| 30. SC Banerjee | 31. SN Gangoli | 32. SP Haldar | 33. AK Gangoli |
| 34. TK Chakraborty | 35. GL Rai | 36. SC Khanna | 37. M Pursettam |
| 38. VS Iyer | 39. MP Rai | 40. KS Srivastava | 41. SK Adhay |
| 42. CM Sharma | 43. A Baishya | 44. BL SHARMA | 45. DK RAI |
| 46. MP Gupta | 47. RS Tewari | 48. HP SINGH | 49. JP Saravgi |
| 50. S Ram chandran | 51. ML Sharma | 52. SN Pd | 53. VP Sharma |
| 54. BK Rai | 55. MGheyosudin | 56. NK PAUL | 57. AK Bhattacharjee |
| 58. R Chattopadhaya | 59. VN Verma | 60. PN Sahu | 61. Swaroop Singh |
| 62. SS MALL | 63. NK Khurana | 64. SN Bhattacharjee | 65. PK SAHI |
| 66. MA Shamim | 67. AKJ Nambiar | 68. RR Srivastava | 69. MA Viswanathan |
| 70. KP SHARMA | 71. RAM ROOP | 72. M Sarkar | 73. Thakur Pd |
| 74. LN Subi | 75. R Dharamraj | 76. GC Dass | 77. AC Rai |
| 78. ML DIWAN | 79. KS Magar | 80. AB DASS | 81. K Valapan |
| 82. AK Kutty | 83. SK Basu | 84. AK Chowari | 85. SL Jain |
| 86. G SINGH | 87. SR Bhalla | 88. Chandra Bhan | 89. SC Vij |
| 90. DP Ghosh | 91. A Roy | 92. KK Kar | 93. KN DWIVEDI |
| 94. NK Haldar | 95. M Biswas | 96. GC jain | 97. DK Chatterjee |
| 98. AK Mukerjee | 99. A BARI | 100. VN Pandey | 101. BK PAUL |
| 102. KC Srivastava | 103. CV Govindan | 104. MP Sharma | 105. BN SAHA |
| 106. AM Bandopadhyaya | 107. SM Duggal | 108. Chet Ram Verma | 109. AL Gangoli |
| 110. SM Malhotra | 111. RR Chandran | 112. RN ROY | 113. VK Agarwal |
| 114. K. Mohd. | 115. AK Bardhan | 116. MA Nshari | 117. Subhas Chandra |
| 118. BS Dillon | 119. BN Datta | 120. SN YADAV | 121. SN SAHU |
| 122. Laxmipati | 123. HY Shirder | 124. RS CONI | 125. Chander Shekher |
| 126. MK SEN | 127. DK Bhattacharjee | 128. TK DASS | 129. SH AHMED |
| 130. BS Chaudhri | 131. B Rajappaw | 132. JP DUBEY | 133. DM DAS |
| 134. DC Maghni | 135. SK Chakraborty | 136. Kesar Singh | 137. Subarto basu |
| 138. TK Alaukhdar | 139. SN ROY Choudry | 140. Amabs | 141. GP Misra |
| 142. S Naha | 143. KG Sharma | 144. Damodar Singh | 145. AK Bandopadhyaya |
| 146. DN Trivedi | 147. SK Banerjee | 148. PK BISWAS | 149. SR CHAKRABORTY |
| 150. SC Kundu | 151. SN Biswas | 152. SK PAUL | 153. Bidyut Kr Sarkar |
| 154. SC DEY | 155. A Sudakaran | 156. Radha krishan | 157. Nirmal Kr Srivastava |
| 158. SK Roy Choudry | 159. GK Pisopati | 160. EN Kherkar | 161. OP Khatri |
| 162. OP SINGH | 163. Pritam singh | 164. RK PANDY | 165. SK ROY CHAUDRY |
| 166. KJ Zoacharias | 167. RM Mehta | 168. Arun Kr Ghosh | 169. AK SINHA |
| 170. ML GUPTA | 171. DK SHARMA | 172x | |

True Copy
Attested

N.K. Nair
ADVOCATE,
KANPUR.

A
154

(3)

No 3265/AF/A/NG
Government of India
Ministry of Defence
Ordnance Factory Board
10-A Auckland Road,
CALCUTTA-700001

Dated 18th Jun 1986

Sub:- NG OFFICERS - PROMOTION & TRANSFERS

The DGOB/Chairman, OFB has sanctioned the transfer & promotion as shown in the annexure hereto.

2. The transfers which are of pmt nature have been ordered in public interest.
3. The promotions have been sanctioned without affect on seniority and subject to confirmation that the individuals are not involved in any disciplinary case and that there is no doubt about integrity.
4. Subject to the above, the promotion will take effect from the date shown in col 5 of the annexure are the date of assumption of higher responsibilities at the Fys of posting which ever is later.
5. The individuals should be released from their pmt factories from a date in which a way that they are in position in the factory as shown in col 3 so that they can assume charge of the post to which they are promoted on the date.
6. The individuals should be suitably informed of his transfers and promotion immediately on receipt of this order. Any representation regarding the subject matter here of should be for valid reason and it should be submitted in writing to the General Manager within 7 days from the receipt of by the individuals and it should be forwarded alongwith the comment/recommendation of the GM in the prescribed proforma indicating specifically "Yes" or "No" against col 9 there of (copy enclosed for ready reference so as to reach this office not later 7 days thereafter).
7. In case there is no such representation and/or the individuals do not move as ordered, they will be deemed to have opted to forgo the promotion and are liable for consequences in term of this office letter no 039(6)/A/A dt 22.12.82.
8. Draft DO Pt II/joining report regarding the transfers & promotions may be submitted to this office in due course.
9. The individuals should exercise the option for the pay fixation as provided in DP & AR OM No 7/1/80-Estt(p-1) dt 26.9.8 within one month of their date of promotion.
10. The promotion in respect of individuals who are involve in disciplinary case/court case or whose proceedings are in trail sub judice or against whom disciplinary action have been completed or who are awarded a penalty resulting from any disciplinary case and the penalty period on them is in currency, should not given effect to. In such cases a reference should be made to this office for further order in this regard.

Contd. p/2

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- 2 -

11. It should be noted by the individuals who are promoted in the same station locally that they will be liable to be transferred in the existing grade at a later date in the exigencies of service.
12. The promotions are subject to the decision of the Supreme Court on the writ petition filed against reservation in promotion for SC/ST and also the decision on Nagpur bench of BOMBAY High Court regarding inter-se-seniority of direct recruits and promotees. This condition should be notified to the individuals and also FO Pt II conveying the promotions.
13. The promotion are subject to the decision of the Allahabad High Court on a writ petition and this condition should be brought to the individuals and also notified in the F.O. Pt II conveying the promotion.
14. The promotion being ordered herewith are against overall vacancies.

Sd/- x x x x x x x

(PK Bhawmick)

Dy Director/NG
for DGOF

Copy to:-

GMS All Factories
and all concerned.

SL No	Name/Design & Factory	Transfer to	Promotion to	Effective date of promotion	Remarks
1.	SK MAKHIJA SAF	SAF	Offg A/F(Mech)	30.6.86	Against existing vacancy
2.	S A GIRI SAF	SAF	"	"	"
3.	DR SASTRI AFK	AFK	"	"	"
4.	BN BISWAS GSF	GSF	"	"	"
5.	PS DHAR RFI	RFI	"	"	"
6.	GC BANERJEE RFI	RFI	"	"	"
7.	TK MITRA GSF	GSF	"	"	"
8.	K.DEV NATH HQRS	OF Ambajhari	"	"	"
9.	INDERJEET GAON OFC	OFTO D.D.	"	"	"
10.	AB DAS GSF	GSF	"	"	"
11.	BN DATTA MSF	MSF	"	"	"
12.	Manoranjan Dey GSF	GSF	"	"	"
13.	PH MEHTO GSF	GSF	"	"	"
14.	AK BAKSHI OFDC	OFDC	"	"	"
15.	KD JOSHI HEF	HEF	"	"	"
16.	JK DEVAN A EK	OFB	"	"	"
17.	BR ARORA GCF	OF ITRASI	"	"	"
18.	N GOPI NATHAN HVF	HVF	"	"	"
19.	NL DATTA GSF	GSF	"	"	"
20.	BHASKER GUPTA VFJ	VFJ	"	"	"
21.	VB SAXENA OFAJ	OFAJ	"	"	"
22.	SS GUIN RFI	RFI	"	"	"
23.	SD SHUKLA OFEC	OFEC	"	"	"
24.	GN BANDGAR AFK	AFK	"	"	"
25.	SULEMAN CHKA RFI	RFI	"	"	"
26.	SK ROY MSF	MSF	"	"	"
27.	SC ROY GSF	GSF	"	"	"
28.	GN BANERJEE GSF	GSF	"	"	"
29.	AK BHOMIC RFI	BFPM	"	"	"
30.	SC BANERJEE RFI	RFI	"	"	"
31.	SN GANGOLI MSF	MSF	"	"	"
32.	SP Haldar RFI	RFI	"	"	"
33.	AK GANGOLI RFI	OFPM	"	"	"
34.	TK CHAKRABORTY OFDC	OFDC	"	"	"
35.	GL DEY RFI	RFI	"	"	"
36.	SC KHANNA OFC	OFC	"	"	"
37.	M PURUSOTTAMAN FAJ	FAJ	"	"	"
38.	VS IYER GCI	GCI	"	"	"
39.	NP ROY FGK	FGK	"	"	"
40.	KL SRIVASTAVA FGK	OF TO DUN	"	"	"
41.	SK AELLYAY RFR	RFR	"	"	"
42.	CM SHARMA OFAS	OFAS	"	"	"
43.	AK BAISYA GSF	GSF	"	"	"
44.	BL SHARMA FGK	FGK	"	"	"
45.	DK ROY VFJ	VFJ	"	"	"
46.	MP GUPTA OFK	OFK	"	"	"
47.	RS TEWARI OFI	OFI	"	"	"
48.	HP SINGH VFJ	VFJ	"	"	"
49.	JP SARAVAGI VFJ	OFK	"	"	"

(4)

AUG 5
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GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
ORDNANCE FACTORY BOARD
10-A AUCKLAND ROAD
CALCUTTA-700001

Dated 28 Aug 1986

Sub:- NG OFFICERS- PROMOTION & TRANSFERS

The DGOF/Chairman, OFB has sanctioned the transfer and promotion as shown in the annexure hereto.

2. The transfer which are of pmt nature have been ordered in public interest.
3. The promotions have been sanctioned without affect on seniority and subject to confirmation that the individuals are not involved in any disciplinary case and that there is no doubt about integrity.
4. Subject to the above, the promotion will take effect from 30.9.86 or the date of assumption of higher responsibilities at the Fys of posting which ever is later.
5. The individuals should be suitably informed of his transfers and promotion immediately on receipt of this order. Any representation regarding the subject matter here of should be for valid reason and it should be submitted in writing to the General Manager within 7 days from the receipt by the individuals and it should be forwarded alongwith the comment/recommendation of the GM in the prescribed proforma indicating specifically "Yes" or "No" against col 9 there of (Copy enclosed for ready reference) so as to reach this office not later 7 days thereafter.
6. Draft DO Pt II/joining report regarding the transfers and promotions may be submitted to this effect in due course.
7. The individuals should exercise the option for the pay fixation as provided in DP & AR GM No 7/1/80-Estt (p-1) dt 26.9.81 within one month of their date of promotion.
8. The promotion in respect of individuals who are involved in disciplinary case/court case or whose proceedings are in train sub judice or against whom disciplinary action have been completed or who are awarded a penalty resulting from any disciplinary case and the penalty period on them is in currency, should not given effect to. In such cases & reference should be made to this office for further order in this regard.
9. It should be noted by the individuals who are promoted in the same station locally that they will be liable to be transferred in the existing grade at a later date in the exigencies of service.
10. The promotions are subject to the decision of the Supreme Court on the writ petition filed against reservation in promotion for SC/ST and also the decision on Nagpur bench of Bombay High Court regarding inerse-seniority of direct recruits and promotees. This condition should be notified to the individuals and also FO Pt II conveying the promotion.

Contd...P/2

(A LCC) 162

11. The promotion are subject to the decision of the Allahabad High Court on a writ petition and this condition should be brought to the individuals and also notified in the F.O. Pt II conveying the promotion.

12. The promotion being ordered herewith are against overall vacancies.

Sd/- X X X X X X
(PK BHAWMICK)
BY DIRECTE/ NG
for DGOF

Copy to:-

GMS.....All Factories
and all concerned.

HMS/1/8

ANNEXURE-A

Enclosure to O.F. Board letter No. 3265/AF/NG dated 28.8.86.

MECH

SL. No.	Name	Designation and Factory	Transfer to	Promotion to
1	2	3	4	
1.	Shri U.K. Haldor,	CH-I (Mech) VFJ	OFRM	OFFg. AF (Mech)
2.	M Biswas	CH-I (Mech) O F Dun	OPTO DUN	-do-
3.	G.C. Jain	CH-I (Mech) O F Dun	OPTO Dun	-do-
4.	D.R. Chatterjee	CH-I (Mech) OFAJ	OFAJ	-do-
5.	A.K. Mukherjee	CH-I (Mech) GCF	GCF	-do-
6.	A. Bari	CH-I (Mech) GCF	GCF	-do-
7.	V.N. Pandey	CH-I (Mech) OFC	OPTO Dun	-do-
8.	B.K. Paul	CH-I (Mech) AFK	OFV	-do-
9.	K.C. Srivastava	OF Dun	OPTO Dun	-do-
10.	C.V. Govindan	CH-I (Mech) CFA	CFA	-do-
11.	N.P. Sharma	CH-I (Mech) OFM	OPTO Dun	-do-
12.	B.N. Saha	CH-I (Mech) AFK	AFK	-do-
13.	A.M. Bandopadhyay	CH-I (Mech) OFIT.	OF Itarsi	-do-
14.	S.M. Duggal,	CH-I (Mech) VFJ	OPTO Dun	-do-
15.	Chotram Vorma	CH-I (Mech) GIF	GIF	-do-
16.	A.L. Ganguly	CH-I (Mech) GCF	OF Itarsi	-do-
17.	C.M. Malhotra	CH-I (Mech) OFK	OFK	-do-
18.	R.R. Chandran	CH-I (Mech) HEF	OF Dohu Road	-do-

1.	2.	3.	4.
41.	S/Shri VG Manghani C/MI (Mech)/SAF	SAF	Offg. AF (Mech)
42.	SK Chakraborty -do- /OFB	OFB	-do-
43.	Kashan Singh -do- /SAF	SAF	-do-
44.	Sibabrata Basu. -do- /GSF	OFPM	-do-
45.	Tapas Kr Talukdar -do- /GSF	"	-do-
46.	SN Roy- Chowdhury -do- /GSF	"	-do-
47.	Ambar Bandop- adhyay -do- /OFKat	OFKat	-do-
48.	CP Mishra -do- /GCF	CF It	-do-
49.	S Naha -do- /GSF	GSF	-do-
50.	KG Sharma -do- /SAF	OPTO	-do-
51.	Damodar Singh -do- /OFK	OFK	-do-
52.	AK Bandopadhyay -do- /GCF	OFKat	-do-
✓ 53.	DN Trivedi -do- /OFC	OPTO	-do-
54.	PK Biswas -do- /OFA	OFA	-do-
55.	Santi Ranjan Chakraborty -do- /RFI	RFI	-do-
56.	Subal Chandra Kundu -do- /RFI	RFI	-do-
57.	Sambhu Nath Biswas -do- /RFI	RFI	-do-
58.	SK Paul -do- /RFI	RFI	-do-
59.	Bidyut Kr. Sarkar -do- /RFI	RFI	-do-
60.	Sudhur Ch. Day -do- /RFI	OFT	-do-
61.	A Sudhakaran -do- /VFD	OFPM	-do-
62.	Radha Krishna Saha" /RFI	OFT	-do-
63.	Nirmal Kr. Srivastava -do- /VFD	VFD	-do-

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IN THE CENTRAL ADMINISTRATIVE TRIAL COURT

S. O. (J) [redacted] deposit with file
and put up before Hon'ble
Court for orders
on the date fixed 28/11/91
D. R.

NOTICE OF MOTION

Misc Petition 1906 of 1991
in O.A./P.A. 1188 of 1987
Babu Lal Gothars Applicant/Appellant.
Versus
Union of India & Ors. Respondents/Defendant

Take notice that the court will be moved by the order
signed on 2nd 5 fixed the day of December 1991
at 10.30 O'clock in the forenoon or so soon thereafter after the
noticed on their occasion can be heard.

the object of the motion is hereby indicated by

A copy of the Application is enclosed herewith. The further
notice that meanwhile this court has been pleased to pass
that following orders

Dated this the 28th day of Nov. 1991

Signature [Signature]

Advocate of petitioner
Applicant/Appellant
or
Petitioner/Defendant in not

Received copy
@ My
Chaitosh K. C. Saha
Adv
28/11/91

Advocate on record for the opposite party
Respondent/Defendant.

This case
is pending
Court No II
till 2/12-91
Shri M
3/12/91

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH.

Misc. Amendment Application No. 1906 of 1991.

IN

Registration O.A. No. 1183 of 1987.

Babu Lal and Others Applicants.

Versus

Union of India & Others Respondents.

Before the Honourable Vice Chairman and
his Companion Members of the aforesaid Tribunal.

The humble application of the applicants
most respectfully sheweth.

- (1) That the applicants have filed the present case seeking a direction against the respondents to refix the seniority of the applications in the cadre of Chargeman Grade-I, taking into consideration the seniority positions of the applicants in the Feeder cadre of Chargeman Grade-II and accordingly, to refix/rectify the seniority list published by the Ordnance Factory Board on 12-5-86.

Received Copy
Adv. K.C. Sengupta
28/11/91

[Handwritten signature]

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(2)

The applicants have also sought a direction to the respondents to grant due promotions to the applicants as Assistant Foreman ^{and onwards} taking into consideration the correct seniority of the applicants.

(2) That the applicants were initially appointed under the Organisation of the Director General of Inspections (DGI), now called Director General of Quality Assurance (DGQA) and were promoted from Supervisor Grade-III to Supervisor Grade-II and thereafter as Chargeman Grade-II, during the period 1972 to 1977. They were subsequently promoted as Chargeman Grade-I under the DGI Organisation, vide Orders passed in January, 1981. The applicants were subsequently transferred from the DGI Organisation to the DGOF Organisation in October, 1984, consequent upon the recommendations of the Rajyadhyaksh Committee for transfer of the State/Inter-Stage Inspection responsible from the DGI to the DGOF Organisation. Though there were instructions to the effect that the option of the employees to be transferred should be taken, ~~to~~ the respondents had arbitrarily transferred the persons

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(3)

in a pick and chose manner and the applicants were forced to be transferred to the DGOF Organisation from the DGI Organisation. Under Article 26 C.S.R., the legitimate claims and expectations of the individuals so transferred in public interest ought to have been preserved.

(3) That on account of the wrong policy adopted by the respondents in the matter of reckoning seniority of the cadre of Chargeman Grade-I without taking into consideration the seniority of Chargeman Grade-II, the applicants who were much more seniors and were transferred from the DGI Organisation were condemned to junior positions compared to the junior employees of the DGOF Organisation. Thereby, the legitimate claims and expectations of the applicants were unduly jeopardised on account of the transfer of the applicants from the DGI to the DGOF Organisation and those employees of the DGI who were not subjected to transfer and were much junior to the applicants got further promotions which the applicants could not get in the DGOF Organisation. The applicants have thus been subjected to undue



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(4)

loss in the matter of seniority, promotion etc for no fault on their part and being aggrieved, the applicants have filed the present case.

(4) That the applicants had also taken up the plea in the application that their transfer from the DGI Organisation to the DGOF Organisation was illegal and arbitrary ^{Since} and the applicants having not been asked to give options as was required, the transfer was bad and the same had unduly harmed the applicants for no fault on their part.

(5) That the applicants have also taken up the plea that the juniors of the applicants who were left over in the DGI Organisation, have got further promotions.

(6) That in the cases of certain employees ^{who} were similarly placed as the applicants, a case was filed before the C.A.T. Jabalpur Bench as O.A. No. 436 of 1987, B.L. Patel and others, Applicants Vs. Union of India and others, respondents,



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(5)

wherein the applicants of the said case had sought the relief that they be reverted to their parent Organisation, since they stood to lose their seniority, chances of promotion etc., on account of their transfer and since the transfer was effected without seeking option or written consent, the applicants were entitled to be reverted back to their parent Organisation. The said case was decided by the Jabalpur Bench of the C.A.T. vide judgement dated 11-8-1989. The true copy of the judgment dated 11-8-1989 passed by the C.A.T. Jabalpur Bench, in the case B.L. Patel and others Vs. Union of India and others,

ANNEXURE AA-1

is annexed herewith as Annexure AA-1. The applications/representations submitted by the applicants in the matter, consequent upon the said judgement, are annexed herewith as Annexures AA-2, AA-3, AA-4 and AA-5 respectively.

ANNEXURE AA-2
to AA-5

(7) That after the applicants came to know of the said judgment, they moved applications to the respondents seeking their transfer back to the parent Organisation, just as in the case of applicants of the case B.L. Patel and others Vs.

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(6)

Union of India and Others. The applicants had prayed that the same benefits which were given to similarly placed employees, should be granted to the applicants also.

(8) That even though more than six months have passed since the submission of the representations, the respondents have not passed any orders and hence the applicants are constrained to seek a relief in the matter by way of alternative relief in the present case and since the relevant pleadings have already been taken in the present case and the alternative relief being sought is based on a judgment of a Bench of this Tribunal, it would be proper, expedient and in the interest of justice that the applicants seek the alternative relief by appropriate amendments in the present application under Section 19 of the Administrative Tribunals Act, 1985.

(9) That the proposed amendments will be consistent with the pleadings already made and are not inconsistent with the original stand of the applicants. The amendments have become necessary,

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(7)

in view of the intervening happenings and an alternative relief can be added in the present case, under the circumstances, by way of amendment of the application and hence this application.

P R A Y E R.

It is, therefore, prayed that the original application under section 19 of the Administrative Tribunals Act, 1985, be kindly allowed to be amended as given below.

PROPOSED AMENDMENTS

(1) That in the end of the existing para-5, after sub-para 16 of para 5, it be added as follows:

"(17) That some employees who were similarly placed as the applicants, who were originally employed under the DGI and were subjected to transfer to the DGOF, just as the applicants as a result of the recommendations of the Rajyadhyaksh Committee, without obtaining options just as in the cases of the applicants, had filed a case before the



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(8)

Jabalpur Bench of the Central Administrative Tribunal, stating that consequent upon their transfer from the DGI to the DGOF, their legitimate claims and expectations in the matter of promotions, seniority, etc have not been preserved and that they had to suffer thereby and also, that since options were not taken from them for such transfer, which was effected in a 'pick and chose' manner, the said employees sought their transfer back to their parent Organisation, where their juniors had got further promotions. The said case was decided by the C.A.T., Jabalpur Bench on 11-8-89, directing the respondents to transfer the applicants of the said case to their parent Organisation and the transfer of the said applicants from the DGI Organisation to the DGOF Organisation was struck down. The applicants came to know of the said judgment in the middle of the year 1990 and obtained copy of the same in October, 1990 and thereafter the applicants submitted identical representations dated 10-10-1990, seeking the relief that they be also transferred back to the DGI Organisation.


(9)

ANNEXURE A-8

ANNEXURES A-9
TO A-12

The true copy of the judgment dated 11-8-1989 is annexed herewith as Annexure A-8 and the representations of the applicants No. 1, 2, 3, & 4 are annexed herewith as Annexures A-9, A-10, A-11 & A-12 respectively.

(18) That since the applicants are similarly placed as the applicants of the above mentioned case O.A. No. 436 of 1987, namely, B.L. Patel and Others Vs. Union of India and Others, decided by the Jabalpur Bench of the C.A.T. and since the respondents have duly transferred the applicants of the said case with their original seniority and other benefits of promotion, seniority etc, in the parent Organisation, the applicants are also entitled to the benefits of the said judgment and the respondents are liable to grant such benefits to the applicants also. By not granting such benefits as have been given to similarly placed employees who had filed the case O.A. No. 436 of 1987, B.L. Patel and Others Vs. Union of India and Others, decided by the Jabalpur Bench of this Tribunal, discrimination violative of



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(10)

Articles 14 and 16 of the Constitution of India is being practised against the applicants.

(19) That the transfer of the applicants from the DGI to the DGOF Organisation without seeking options and without ensuring and safeguarding the legitimate claims and expectations of the applicants in the matter of seniority and promotions etc., is liable to be struck down and the respondents are liable to be directed to transfer the applicants back to their parent Organisation of DGI and to restore the original seniority and consequent promotion and other benefits, accruing thereby and the applicants are seeking such relief by way of an alternative relief in the present application."

(20) That in the end of paragraph 9, an additional/alternative relief be added as follows:-

In the alternative,
"(3) The transfers of the applicants from the DGI Organisation to the DGOF


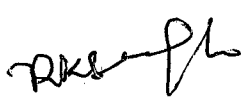

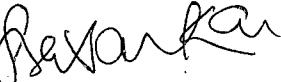
[Signature]

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(11)

Organisation without taking options, as was required and without ensuring and safeguarding the legitimate claims and expectations in the matter of seniority, promotion etc, be struck down and the respondents be directed to transfer the applicants back to the parent Organisation, that is, the DGI (now called DGQA) Organisation, restoring the original seniority and granting the benefits of promotions etc, accruing thereby."

APPLICANTS


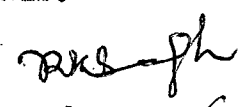


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- 2- 
- 3- 
- 4- 

VERIFICATION:

We, Babu Lal, Ram Kunwar Singh, Narsingh Bahadur Saxena and P.K. Sarkar, applicants, do verify that the contents of the above amendments are partly true to our personal knowledge and partly true on the basis of legal advice received.


Verified on 26th day of November, 1991, at Kanpur.

APPLICANTS.

- 1- 
- 2- 
- 3- 
- 4- 

N.K. Nair

ADVOCATE, 3-
KANPUR.


Advocate

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ANNEXURE AA1 ^A/₁₇

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH JABALPUR

CGA 436 OF 1987

B.L.Patal & others	...	APPLICANTS
Versus		
Union of India & others	...	RESPONDENTS
<u>COUNSEL:</u>		
Shri P.S.Nair	...	FOR THE APPLICANT
Shri B.K.Rawat	...	FOR THE RESPONDENTS
<u>COMMISSION:</u>		
Hon'ble Shri S.K.S.Chib	Vice Chairman
Hon'ble Shri K.D. Khare	...	Member (J)

J U D G M E N T

(Delivered on this the 11th day of August, 1989)

The applicants who were originally working as Chargehand Grade II under the Director General of Inspection in the Gun Carriage Factory, Jabalpur have filed this petition against the order dated 20.7.1987 of the General Manager, G.C.F. Jabalpur transferring them to the Ordnance Factory. They contend that as a result of this their promotion prospects have been affected which they would have availed in their parent organisation and this change has been detrimental to their service condition and this has been done contrary to the instructions contained in letter No.1(321)82/D (Inspection) dated 28.11.1983 (Annexure-A) according to which it was necessary to take the options from the staff to be transferred.



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-2-

2. In their return dated 10.4.1983 the respondents have taken the plea that no departmental appeal had been filed against the impugned order and the petition should be dismissed on that ground besides that of limitation as the impugned orders are of 20.11.1983 and 18.10.1984. The respondents have stated that this transfer is in pursuance of an Expert Committee's recommendation and made in the public interest and, therefore, cannot be challenged. The respondents have not raised any other points.

3. In their rejoinder dated 12.7.1988 the petitioners have stated that they were serving with the Director General of Inspection Organisation as Chargeman Grade II and were transferred to Director General Ordnance Factories organisation without obtaining their consent on a pick and choose policy. In their parent establishment they were due for promotion as Chargeman Grade-I which promotional chances they have lost. In the DGOF organisation they have also become junior in the grade although in the matter of overall seniority they are senior to the serving Chargeman Grade I in DGOF organisation. There were also vacancies in the DGOF organisation. On the one hand the Director General of Inspection is transferring his employees to DGOF and at the same time indirecting new hands.



[Handwritten signature]

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On the question of delays and laches and failure to file departmental appeal they contend that they had filed representations which were finally decided only on 20.7.1937 and the present application has been filed before this Tribunal on 17.9.1937 which is therefore, within limitation.

4. We have considered the contention of the parties. It appears from circular of the Ministry of Defence, Department of Defence Production dated 23.11.33 (Annexure-A) that certain reorganisations between the Director General of Inspection and the Director General of Ordnance Factories was contemplated and consequent to the Rajadhyaksha Committee's recommendations certain responsibilities and functions were transferred from the Director General of Inspection to the DGOF organisation in respect of the Ordnance Factories. The transfer of staff and functions were considered by a working group under the Chairmanship of an Additional Secretary Defence Supplies. In pursuance of various discussions, the government then issued the aforesaid circular the operative part of which is paragraph 2 which is reproduced as follows:-

"2. Government are anxious to see that the transfer of personnel is effected not later than 1.4.34 and with this and in view, it will be necessary to take the following action:-

(1) In respect of the factories indicated in the statements attached in this letter the factory Managers and Inspectors should immediately prepared a list of names of all categories of



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employees who will be transferred to the DCOF. The basic principle to be observed in deciding the personnel to be transferred is "MAN ON THE JOB".

(ii) The deployment of personnel in the factories as on 1.12.83 will be frozen until further orders.

(iii) On the basis of the list prepared as per para (i) above in respect of the Industrial employees where seniority lists are maintained to prepare a combined seniority lists with the staff of the Ordnance Factory concerned keeping in mind the principle of fixation of inter-seniority detailed in COB-41 article 26. In respect of other staff and officers lists of names will be forwarded to the OF Board and DCI Hqrs. So that inter-stage seniority could be worked in this respect as well.

(iv) In respect of the service officer, they will be sent to DCOF where the present movement only on deputation.

(v) In deciding on transfer of the officers, apart from the principle of "MAN ON THE JOB" the levels may be so worked out as to maintain a proper balance in the distribution of officers and the proportionate relationship between the various levels is more or less than now available in the DCI.

(vi) In respect of all the staff proposed to be transferred, they may be asked to exercise an option to be transferred to the DCOF. The format in this regard may be finalised by the DCOF in consultation with the DCI.

(vii) Consultation where required with concerned with concerned representative bodies of the employees may also be taken up immediately."



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It will be seen from the above circular that two essential ingredients of the implementation of the policy are Clauses (i) and (vi) of the above para of instructions. In fact it has been emphasised by Clause (vi) that in respect of the persons proposed to be transferred they may be asked ^{to} exercise option to be transferred to the D.P. It was also envisaged that a format in this regard should be finalised by the OFB in consultation with the DCI.

The short point for determination in this case, therefore, is whether such options were asked. The applicants have clearly stated that options were not asked for from them. This has not been rebutted by the respondents either. Any such inter organisation transfer without asking the options would therefore, be liable to be struck down as this has a material bearing on the conditions of service of the personnel involved.

On the question of limitation and delay and laches the applicants have clearly stated that they had filed a representation on which the decision was taken by the respondents on 20.7.1987. There was no averment to the contrary. We, therefore hold that the petition is within limitation. Moreover, this is a matter which effects the continuous rights of Staff and their service conditions and it cannot be held that the petition suffers from delay and laches. We therefore rule out this objection of the respondents.



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Lastly we may observe that a similar point had arisen before the High Court of Madhya Pradesh in letters Patent Appeal No. 37 of 1985 in which the Division Bench of the High Court comprising of the Hon'ble Sri Chief Justice N.D. Jha and Hon'ble Late Sri Justice K.K. Adhikari had upheld Single Bench's decision holding such transfers without asking for option as illegal and unjustified. We are of the same view.

5. In the net result in the light of the facts and circumstances of the case the transfer of the applicants from the DGI Organisation to the DGOF organisation is struck down and they may be reverted to their parent organisation unless they give a clear option of opting for the DGOF Organisation.



sdl -
(K.B. Khare)
Member (a)

sdl -
(S.K.S. Chib)
Vice Chairman

Lakshmi

TRUE COPY

[Signature]
Deputy Registrar
Central Administrative Tribunal
Jabalpur Bench, Jabalpur

[Signature]
True Copy
Attested

[Signature]
N.G. Nair
ADVOCATE,
KANPUR.

To

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

ANNEXTURE AA2

A
183

Through :- The General Manager,
Ordnance Factory, KANPUR - 208 009.

Sub :- TRANSFER FROM DGI TO DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your
kind consideration :-

(i) That I was transferred from I of A, Kanpur to Ordnance Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of Stage/Interstage Inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.

(ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter No.1(321)82/D/Inspection dated 28-11-83 that option will be taken from the individuals employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.

(iii) That I joined OFC on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 of CSR 41 extract of which is given below :

"That while public interest is served legitimate claims and expectstions of individual employees should not be ignored. It is also necessary to make sure not only that there is no less of pay but also that the employee's resonable expectation in the original service or department are proserved or equal prospects are provided in the service or department to which the employees is transferred".

(iv) That, it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion where as I am still rotting in the same grade which is clear violation of CSR-41 article 26.

(v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career propects and I have been left far behind to my contemporaries in DGI for no fault of mine.

Contd....P/2....

...2...

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court - CAT Jabalpur in writ petition No. DA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & other Vs Union of India and others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief, so that I may not be forced to go to Court of law for justice.

Thanking you.

Encl : C.A.T., Jabalpur
Judgement in Writ No.
OA436/1987.

Dated : 2 Oct '90
to

Copy to :

The Director General,
Directorate of Quality Assurance, HQRS,
Dept. of Defence Production,
DHQ Post Office,
NEW DELHI - 110 011.

Through :- The Senior Quality Assurance Officer,
.SQAE, KANPUR - 208 009.

Yours faithfully

(BABU LAL)

CHARGEMAN - I (Mech)
ORDNANCE FACTORY, KANPUR-09.

True Copy
Attended
N.K. Nair
ADVOCATE,
KANPUR.

No. 1703/F L/E/NG

Estt./O.F.C.

Dated: 22.10.90

~~ANNEXURE~~

To, Babu (all)

Cm-1 / sec (W)

SUB: NG Staff - Application Forwarding of.

Ref: Your application dated 10.10.90.

The application quoted under reference has been forwarded to the The Secretary, Ordnance Factory Board (A/NG), Calcutta for necessary action.

BA/

(SURESH K KULSHRESHTHA)
WORKS MANAGER (ADMIN)
for GENERAL MANAGER

No. 1703/P.5/E/NG
Estt./O.F.C.

Dated: 25-10-90.

To,
Shri

R. K. Singh

EM-I (T) / CC (NA)

SUB: NG Staff - Application Forwarding of.

Ref: Your application dated 10.10.90.

The application quoted under reference has been forwarded to the The Secretary, Ordnance Factory Board (A/NG), Calcutta for necessary action.

BA/

(SURESH K KULSHRESHTHA)
WORKS MANAGER (ADMIN)
for GENERAL MANAGER

[Signature]

[Signature]

*Recd on 26/10/90
25/10/90*

TO

The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

Through :- The General Manager,
Ordnance Factory, KANPUR - 208 009.

Sub :- TRANSFER FROM DGI TO DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration :-

(i) That I was transferred from I of A, Kanpur to Ordnance Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of Stage/Interstage Inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.

(ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter No.1(321)82/D/Inspection dated 28-11-83 that option will be taken from the individuals employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.

(iii) That I joined OFC on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 of CSR 41 extract of which is given below :

"That while public interest is served legitimate claims and expectstions of individual employees should not be ignored. It is also necessary to make sure not only that there is no less of pay but also that the employee's resonable expectation in the original service or department are proserved or equal prospects are provided in the service or department to which the employees is transferred".

(iv) That, it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion where as I am still rotting in the same grade which is clear violation of CSR-41 article 26.

(v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career propects and I have been left far behind to my contemporaries in DGI for no fault of mine.

Contd....P/2...

...2...

In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court - CAT Jabalpur in writ petition No. DA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & other Vs Union of India and others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief, so that I may not be forced to go to Court of law for justice.

Thanking you.

Encl : C.A.T., Jabalpur
Judgement in Writ No.
OA436/1987.

Dated : 10 Oct '90

Copy to :

The Director General,
Directorate of Quality Assurance, HQRS,
Dept. of Defence Production,
DHQ Post Office,
NEW DELHI - 110 011.

Through :- The Senior Quality Assurance Officer,
.SQAE, KANPUR - 208 009.

Yours faithfully

R.K. Singh
(R.K. SINGH)

CHARGEMAN - I (Mech)
ORDNANCE FACTORY, KANPUR-09.

True copy
Attested
M.K. Nair
ADVOCATE,
KANPUR.

A 188

To,
The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

ANNEXURE B AAZ

Through:— The General Manager,
Small Arms Factory, KANPUR - 208 009.

Sub:— TRANSFER FROM DGI TO DGOF - ORGANISATION.

Sir,

Respectfully I beg to submit the following few lines for your kind consideration:—

- (i) That I was transferred from I of SA, Kanpur to Small Arms Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of stage/inter-stage inspection responsibilities from DGI to DGOF as per recommendation of RAJADHYAKSHA COMMITTEE.
- (ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter NO 1(32)82/D/Inspection Dt 28.11.83 that option will be taken from the individuals employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.
- (iii) That I joined SAF on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer I was assured that my promotional prospects and other benefits will be maintained in my new department as laid down in article 26 of CSR 41 extract of which is given below:
"That while public interest is served legitimate claims and expectations of individuals employees should not be ignored. It is also necessary to make sure that not only there is no loss of pay but also that the employees reasonable expectation in the original service or department are preserved or equal prospects are provided in the service or department to which the employees is transfer".
- (iv) That it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have even already received second promotion whereas I am still sitting in the same grade which is clear violation of CSR-41 article 26.
- (v) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

In view of the foregoing, I have no other option but to request your goodness, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court - CAT Jabalpur in writ petition No DA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & others Vs Union of India & others.

Under the circumstances, I pray your honour to kindly look into my genuine grievances and order immediate redressal/relief so that I may not be forced to go to court of law for justice.

Thanking you.

Encls-

C.A.T. Jabalpur
Judgement in writ no
DA 436/1987

Dt. 10th Oct 1990

Yours faithfully

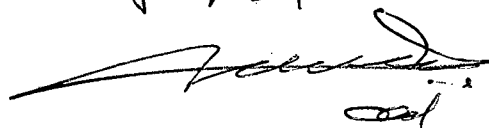
Saxena

(N. B. SAXENA)
Changeman I (Mech)
Small Arms Factory
Kanpur - 9.

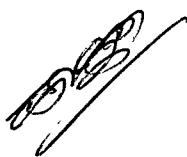
Copy to

The Director General
Directorate of Quality Assurance, HQRS.
Dept. of Defence Production
D.H.Q. Post office
New-Delhi - 110011

True copy
Attested



N.K. Nair
ADVOCATE,
KANPUR.



AN 911
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To,
The Chairman,
Ordnance Factory Board,
10-A, Auckland Road,
CALCUTTA - 700 001.

SIGNATURE

Through :- The General Manager
Small Arms Factory, Kanpur - 208 009.

Sub:- TRANSFER FROM DGI TO DGOF. ORGANISATION

Sir,

Respectfully, I beg to submit the following few lines for your kind consideration:-

- (i) That I was transferred from I of SA, Kanpur to Small Arms Factory, Kanpur forcibly under pick and choose policy adopted by DGI/DGOF at the time of transfer of stage/Inter stage inspection responsibilities from DGI to DGOF as per recommendation of RAJADHIVAKSHA COMMITTEE.
- (ii) That as per policy decisions taken at the time of transfer it was clearly laid down vide letter no. 1(321)82/D/Inspection dt 28.11.83 that option will be taken from the individual employees who are proposed for transfer, but no such option was taken from me and I was made struck of strength from 18th October 1984.
- (iii) That I joined SAF on 19th Oct 1984 as there was no other alternative before me. However, at the time of transfer, I was assured that my promotional prospects and other benefits will be maintained in my new Department as laid down in article 26 of CSR 41 extract of which is given below:
"That while public interest is served legitimate claims and expectations of individual employees should not be ignored. It is also necessary to make sure not only that there is no loss of pay but also that the employee's ~~respons~~ reasonable expectation in the original service or department are preserved or equal prospects are provided in the services or department to which the employee is transferred."
- (iii) That it is now seen that my contemporaries who were much junior to me at the time of transfer have either got one promotion and heading for the second one or some of them have been already received second promotion where as I am still rotting in the same grade which is clear violation of CSR-41 article 26.
- (iv) That I have been so long waiting/hoping that my promotional prospects and other legitimate claims will be fulfilled in my new department but I do not foresee any future here since this transfer has practically ruined my career prospects and I have been left far behind to my contemporaries in DGI for no fault of mine.

(2)

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In view of the foregoing, I have no other option but to request your goodself, to either provide me the prospects equal to my contemporaries in DGI (now DGQA) or arrange for my transfer back to my parent establishment. Further it is also brought to your kind notice that this transfer has already been declared illegal/unjustified by honourable court - CAT Jabalpur in writ petition No. DA 436/87. Judgement delivered on 5.9.89 in case of Shri B.L. Patel & other Vs Union of India and others.

Under the circumstances, I pray your honour to kindly look into this matter & my genuine grievances and order immediately redressal/relief so that I may not be forced to go to court of law for justice.

Thanking you.

Yours faithfully
S. K. Sarker

Encls.

C.A.T. Jabalpur
Judgement in writ no
OA 436/1987.

Dt. 10 Oct. 90

Copy to:-

The Director General
Directorate of Quality Assurance HQRS
Dept. of Defence Production
DHA Post office
New Delhi - 110 011

(P. K. SARKAR)
Chargeman I (Mech)
Small Arms Factory - Kanpur - 9

True Copy

Attested

N.K. Nair

ADVOCATE,
KANPUR.

Arav

Fixed on 6/8/92
at court house
dull now for
final hearing

~~IN THE NAME OF XXXXXXXXXX XXXXXXXXXX~~

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH AT ALLAHABAD

CIVIL MISC. APPLICATION NO. OF 1992

On behalf of

Union of India ----- Applicant

IN

REGISTRATION NO. 1186 of 1987

Babu Lal and others ----- Petitioners

Versus

Union of India and others ----- Respondents

To,

The Hon'ble the ~~Q~~ Vice Chairman
and his companion Members of the
aforesaid Tribunal.

The humble application of the
abovenamed applicant Most Respectfully Showeth
as under :

Received by
Manoj Kumar
22/7/92

Dated: 29/7/92

(K.C. SINHA)
Additional Standing Counsel
Central Government.

[Signature]

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to reject the amendment application, by means of the amendment application the petitioner introducing a new facts and new pleas which is not permissible in the eye of law.

-P_R_A_Y_E_R-

rejected.

1. That for the facts and circumstances stated in the accompanying supplementary counter affidavit it is expedient in the interest of justice that by means of the amendment application the petitioner introducing a new facts and new pleas which is not permissible in the eye of law and the amendment application is liable to be

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH AT ALLAHABAD

SUPPLEMENTARY COUNTER AFFIDAVIT

TO THE

AMENDMENT APPLICATION

IN
DA
REGISTRATION NO. 1188 OF 1987

Babu Lal and others ----- Petitioners

Versus

Union of India & others ----- Respondents

AFFIDAVIT of A. K. NAYAK

aged about 30 years, son of

SRI SATYA NARAYAN NAYAK

at present posted as WORKS

MANAGER / ADMIN IN

ORDNANCE FACTORY

KANPUR.

(Deponent)

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

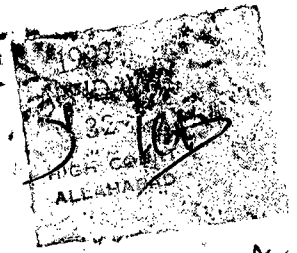
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Keep on record.
29/7/92
DRJ
CP
29/7

S.O. 15

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asked to exercise option for their being transferred to DGOF. The photostat copy of the letter dated 28th November, 1983 is enclosed herewith and the same is marked as ANNEXURE 'SCA-1' to this affidavit. In this connection a letter issued by the Director General Quality Assurance i.e. 6th August, 1991 may also be referred. The photostat copy of the same is enclosed herewith as ANNEXURE 'SCA-2' to this affidavit.

5. That the post of Supervisor 'A' (Technical) and Charge Man-II (Technical) was merged in the scale of Rs.425-700 w.e.f. 1.1.1980 and Supervisor 'A' (T) were redesignated as Charge Man II w.e.f. 1.1.1980. In the D.G.O.F. organisation

Supervisor 'A' (T) were awarded the pay scale of Rs.425-700 w.e.f. 1.3.1977 which is equivalent to Charge Man II (T). On the merger of both the grades w.e.f. 1.1.1980 the seniority of the erstwhile Supervisor 'A' (T) now redesignated Charge-II(T), were taken into account for considering them for promotion to Charge Man I(T) through regular DPC held during April and May 1980 and May and July 1980. There is no deviation from the decisions/ instructions issued by the Government for making promotion from Charge Man II (T) to Charge Man I (T).

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6. That as per the Ministry of Defence letter dated 30th April, 1985 the individuals of DGI including the petitioners were assigned seniority in their respective grades held by them on transfer to Ordnance Factory Organisation on merger of DGI with Ordnance Factory organisation with reference to their holding the existing post on merger. The petitioners were ordered for promotion to Chargeman I (T) under D.O. Part II No.10 dated 14.1.1981 of Inspectorate of Armaments Kanpur w.e.f. 10.1.1981. The photostat copy of the said D.O. Part II No.10 dated 14.1.81 is enclosed herewith and the same is marked as ANNEXURE 'SCA-2' to this affidavit.

7. That the transfer of certain areas of work in DGI with DGOF Organisation and the transfer of related personnel took place with effect from 1.10.1984. Since the petitioners belong to the non gazetted cadre of DGOF organisation within the meaning of Fundamental Right 9(4) from that date. ~~The photostat copy of the extract of the Fundamental Rule 9(4) is enclosed herewith and the same is marked as ANNEXURE 'CSA-4' to this affidavit.~~ The DGOF being the cadre controlling authority has intergraded the seniority of the DGI employees so transferred

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-5-

including the petitioners in the respective grades on merger with reference to their holding the existing post as per the provisions of Ministry of Defence letter dated 30th April, 1985 read with Clause 7(iv) of the General Principles of Seniority contained in the Ministry of Defence letter dated 11th March, 1965. The photostat copies of the Ministry of Defence letter dated ~~30th April, 1985~~ ¹⁵ and 11th March, 1965 are enclosed herewith and the same are marked as ANNEXURES 'SCA-5' & 'SCA-3' to this affidavit.

8. That the promotion order was issued by DGI much earlier to the date of merger of DGI with DGOF cadre. Their seniority has to be governed by the terms of the Government letter which specifies the principles of their fixation of seniority as required in Clause 7(1) of the Government letter mentioned above.

9. That in view of the aforesaid fact the seniority of the petitioner as Chargeman I (T) has been assigned with reference to their holding the post of Chargeman I (T) in terms of the letter dated 30th April, 1985 which is valid binding and subsisting in the eye of law. There is no necessity of granting notional promotion and seniority.

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10. That the petitioner has referred a decision of Madras Bench alleging therein that in similar circumstances the employees of heavy vehicle factory were merged with DGO organisation but the said case is quite different to the present case as the heavy vehicle factory Abadi was merged with Ordnance Factories on different considerations the heavy vehicle factory is production organisation and its activities are identical with any other Ordnance Factories. The employees of the Heavy vehicle factory were governed by some Rules and regulation and the same service condition viz., SRO relating to the service condition in the cadre of Industrial employees, non industrial employees and non gazetted officer as that of the employees of Ordnance Factories. There have always been transfers of personnel between the heavy vehicle factory and Ordnance Factories.



11. That in fact officers in the grade of Class-I (Group-A) who are directly appointed in heavy vehicle factory were so appointed to IOFS where the Class-I/Group-A Central Service post of Ordnance Factories and HVF. The other officers in the grade in HVF had been functioning only on deputation and they invariably reverted back to this parent departments on completion of their tenure in HVF.

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12. That in view of the aforesaid circumstances, judgment of the Madras Bench of this Hon'ble Tribunal has got no relevancy in the said case the respondent agreed to convey the review D.P.C. of 1983 to consider the said case for promotion to the post of Assistant Foreman (T).

13. That in the similar circumstances Jabalpur Bench of this Tribunal has dismissed the claim of the petitioner where the similar relief was sought. ~~The photostat copy of the said judgment is enclosed herewith and the same is marked as ANNEXURE 'SCA-7' to this affidavit.~~

14. That in reply to the contents of paragraph 1 of the amendment application it is submitted that the petitioner no.1 and 2 were ordered for promotion to Chaggeman Grade I (Mech) vide order dated 14.1.81 w.e.f. 10.1.81, and in the said order it has been indicated that the order of their seniority on promotion will be as shown in the select list. It is submitted that the petitioners relied upon the above promotion order for assignment of their seniority in the grade of Chaggemen Grade I (Mech). The respondents submit that the merger of DGI & DGOF Cadre took place with effect from 1.10.84

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1972-73 and subsequently were promoted to Chargeman-I thereafter as Chargeman-II(I) during the year promoted from Supervisor III to Supervisor II and that the petitioner initially appointed under DGI were amendment application are admitted to the extent

15. That the contents of paragraph 2 of the
 fixation of seniority as ~~xxxx~~ per Clause 7(1).
 letter which specifies the principles of their
 to be governed by the terms of the Government
 merger of DGI with DGOF. Their seniority has
 and others after their transfer consequent on the
 bearing upon fixing seniority of the petitioners
 with DGOF organisation. The said order has got no
 issued much earlier to the date of merger of DGI
 order of Inspectorate of Armaments, Kanpur was
 seniority contained in Annexure above. The above
 with Clause 7(iv) of the General Principles of
 Ministry of Defence letter dated 30.4.1985 read
 with reference to their holding the post as per
 respective grades on merger in DGOF organisation
 transferred including the petitioners in the
 integrated the seniority of the DGI employees
 DGOF being the cadre Controlling authority has
 the meaning of Fundamental Right 9(4) and the
 non gazetted cadre of DGOF Organisation within
 13.9.84. As such the petitioners belong to the
 in terms of Ministry of Defence letter dated

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in January, 1981. Consequent upon the recommendation

of Rajyadhaksh committee they were transferred

from DGI to DGOF organisation with their jobs

w.e.f. 19.10.84. Rest of the contents are not

correct and as such are denied. The individuals

were transferred to Ordnance Factory on the

principle of man on the job alongwith the

job. The pros and cons of the transfer were

examined in great detail in a number of meetings

held with the joint Consultative Machinery of

both the Director General Quality Assurance

and the Director General of Factories and later

on with the leaders of the two recognised

federations. After considerable deliberations it was

decided in May 1984 that the list of employees

who were performing the job relating to Quality

Assurance / Control to be transferred to the

Ordnance Factories be displayed on the notice

Board of the establishment concerned for

intimations to the concerned individuals, calling

for objection, if any, within 10 days. Representations

received on such were examined jointly by

the General Manager of the Ordnance Factory

and the Inspector of the then Inspectorate

concerned and decision taken. Non receipt of any

representation from any employee was considered

on the option having been given by the employee

indirectly. As per ~~xxxxxx~~ Para 4 of the

-10-

Ministry of Defence letter dated 13.9.1984 specific provide that the transfer of the personnel will be as per the agreed list jointly signed by the General Manager and Head of the DGI establishment concerned. As per the letter dated April 1984 it is not necessary to obtain options from the individuals for the transfer. The photostat copy of the letters dated ~~13.9.1984~~ and April 1984 ^{is} ~~are~~ enclosed herewith and the same are marked as ANNEXURES ~~SCA-4~~ SCA-4 to this affidavit.

As per minutes of joint meeting of JCM-II level of DGOF and DGI held on 21.6.84 at Delhi the issue of obtaining option from the employees was not insisted.

16. That in reply to the contents of paragraphs 3 and 4 of the amendment application it is submitted that as per recommendation of Rajadhakshya Committee relating to the transfer of stage/inter stage responsibilities from DGI to the DGOF, persons belonging to Ammunition Group etc. were shifted to DGOF organisation in various Ordnance Factories. The employees working on ~~final inspection were~~ the stage/inter-stage inspection were, therefore, transferred

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-11-

to the Director General Ordnance Factory, while those working on final inspection were retained in the Director General, Inspection. Additionally, all those persons who were due to retire before 31st July, 1987 were also to be retained in the DGI. In addition some representations received from the individuals against the transfers were considered by the DGI and DGOF jointly and a decision taken. In the similar circumstances another petition was filed from the DGI personnel before the Principal Bench of this Hon'ble Tribunal and the same was decided on 30th September, 1990 which the claim of the petitioner of the said case were rejected. A photostat copy of the said judgment is enclosed herewith and the same is marked as ANNEXURE 'SCA-50' to this affidavit.

17. That the contents of paragraphs 5 and 6 of the amendment application are not at all relevant for the purpose of the present petition. It is submitted that the directive of Jabalpur of this Hon'ble Tribunal in O.A. No.436 of 1987 - B.L. Patel and others dated 11th August, 1989 is not binding to other transferees from D.G.I. Before Nagpur Bench of this Tribunal the matter again came up in O.A. No.208 of 1990 K.K. Roychoudhury

[Signature]

and while ~~xx~~ dismissing the petition of Nagpur Bench has referred the judgment of the Jabalpur Bench. A photostat copy of the judgment of Nagpur Bench is enclosed herewith and the same is marked as ANNEXURE 'SCA-6' to this affidavit. The representation referred in paragraph under reply is still under consideration. The respondent is seeking illegal advise in view of the judgment of Nagpur Bench and Principle Bench of this Tribunal where the contrary stand has been taken to the judgment of Jabalpur Bench.

18. That in reply to the contents of paragraph 7 of the amendment application it is submitted that since the contrary judgment has come and is latest one and as such as per precedent the latest judicial pronouncement prevails over the earlier one. No relief can be granted to the petitioner on the basis of the judgment of Jabalpur Bench dated 11th August, 1989.

19. That in reply to the contents of paragraphs 8 and 9 of the amendment application it is submitted that in view of the ~~xx~~ aforesaid fact the petitioner is not entitled for any relief neither the amendment which is being sought is tenable in the eye of law.

12-5

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-13-

20. That in reply to the contents of paragraphs 17, 18 and 19 of the proposed amendment application it is submitted that the judgment delivered by the Jabalpur Bench in B.L. Patel and others versus Union of India & others case, cannot be held to be a good law in view of the latest pronouncement of this Tribunal given in the year 1989 by Principal Bench "whether the contrary view has been taken". However, the seniority and promotions were maintained strictly on the basis of Ministry of Defence letter dated 30th April, 1985. The detailed reply of other allegations made in proposed amendment have already been replied in foregoing paragraphs hence need not be repeated again.

21. That in reply to the contents of paragraph 20 of the proposed amendment it is submitted that in view of the facts and circumstances stated above the petitioner is not ~~entitled~~ entitled for the relief which has sought to be amended in the petition.

22. That by means of the amendment application the petitioner introducing a new facts and new pleas which is not permissible in the eye of law and the as well as petition amendment application is liable to be rejected.

[Handwritten signature]

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I, the abovenamed deponent do hereby
verify that the contents of paragraphs 1, 2 and 7)

of this affidavit are true to my personal knowledge;
those of paragraphs 4 to 22

of this affidavit are based on perusal of record
and those of paragraphs

of this affidavit are based on legal advice which
all I believe to be true, no part of it is false
and nothing material has been concealed.

SO HELP ME GOD.

Deponent

I, D.S. Chaubey, Clerk to Sri K.C. Sinha,
Additional Standing Counsel, Central Government,
High Court Allahabad do hereby declare that the
person making this affidavit and alleging himself
to be the same person who is known to me from the
perusal of record which was produced before me
by the deponent.

Clerk

A209

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213

-15-

Solemnly affirmed before me on this ¹⁹⁹th
day of July 1992 at 10:30 a.m./~~p.m.~~ by
the deponent who has been identified by the
aforesaid person.

I have satisfied myself by examining the
deponent that he understands the contents of this
affidavit.

AL-5

OATH COMMISSIONER

So
20/600
19/142

No.1 (32)/82/D(Inspection)
Government of India
Ministry of Defence
(Department of Defence Production)
New Delhi, the 28th November, 1983

To

1. The Member (TS&MF)
Ordnance Factory Board,
6, Esplanade East,
Calcutta.
2. The Director General of Inspection,
(Deptt. of Defence Production)
Govt. of India,
NEW DELHI.

Sub : Transfer of stage/interstage inspection
responsibilities from the DGI to DGOF -
Recommendations of the Rajadhyaksha
Committee on Ordnance Factories

Sir,

As you are aware, Government have already accepted the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/interstage inspection responsibilities from the DGI to the DGOF, in respect of the Ordnance Factories. The modalities of transfer have been under consideration by a Working Group under the Chairmanship of Additional Secretary (Defence Supplies). In pursuance of the discussions held by the Working Group, the personnel to be transferred from the DGI to the DGOF in respect of the Factories belonging to the Ammunition group etc., has now been decided upon and the enclosed statement indicate the personnel to be transferred at various levels in respect of the factories indicated in the statements.

2. Government are anxious to see that the transfer of personnel is effected not later than 1-4-84 and with this end in view, it will be necessary to take the following action :-

- (i) In respect of the Factories indicated in the Statement, attached to this letter, the Factory Managers and Inspectors should immediately prepare a list of names of all categories of employees who will be transferred to the DGOF. The basic principle to be observed in deciding the personnel to be transferred is "man on the job".
- (ii) The employment of personnel in the Factories as on 1.12.83 will be frozen until further orders.
- (iii) On the basis of the list prepared as per (i) above, in respect of the industrial employees and non industrial employees where seniority lists are maintained on a Factory-wise basis, Steps will be initiated to prepare a combined seniority list with the staff of the Ordnance concerned, keeping in mind the principle of fixation of inter-se seniority detailed in CSR-41 - Article 26.

Factory

Annexure - SCA - 2

INSPECTORATE OF ARMAMENTS, ARM. POKE POST, KANPUR, 203009

DAILY ORDER PART II

BY
COLONEL AC BANERJEE, ARTY
SENIOR INSPECTOR OF ARMAMENTS

Dated 14 JAN 81

A/
219

No. 10 PROMOTIONS, SELECTION GRADES

The following promotions are ordered with effect from 10 JAN 81 (F/N) :-

NAME	FROM	TO	REMARKS
1. Shri PN MISHRA	C/M II	Offg C/M I (Sub 3)	Against one of the vacancies of C/M authorised vide Govt. of India, M of D letter No. 97184/DGI (ADM-12(A)/11441 89/D (Prod) dt 6 DEC 80.
2. Shri BABU LAL	C/M II	Offg C/M I (Sub 3)	-do-
3. " SN UPADHYAY	C/M II	Offg C/M I (Sub 3)	-do-
4. " OD TYAGI	C/M II	Offg C/M I (Sub 1)	-do-
5. " ANIL SANTRA (SC)	C/M II	Offg C/M I (Sub 1)	-do-
6. " RK SINGH	C/M II	Offg C/M I (Sub 4)	-do-

2. They will be on probation for a period of two years from the date of assumption of duties of the higher grade to which promoted and if their performance is not found satisfactory they will be liable to be reverted or the period of probation extended any time either before the expiry of the probationary period or thereafter. Ordinarily, the period of probation shall not be extended beyond 4 years i.e. double the period of probation. The order of their seniority on promotion will be as shown in the select list.

3. They will continue to draw the same pay and allowances which they are in receipt of at present, pending fixation of their pay in the higher grade by the CDA (Fys) Calcutta.

4. Certified that the individuals assumed the duties of higher grade with effect from 10 JAN 81 (F/N).

- (Authy : (i) DGI, New Delhi letter No. 87362/C IW/80/DGI (ADM-10) dated 1 JAN 81.
(ii) DGI, New Delhi letter No. 87362/Metals/80/DGI (ADM-10) dated 1 JAN 81.
(iii) DGI, New Delhi letter No. 87362/C IA/80/DGI (ADM-10) dated 2 JAN 81).

Contd P/2.

No. 10(1)60/D(Appts)
Government of India
Ministry of Defence

New Delhi, dated the 11th March, 1965.
20th Phalgun 1886.

MEMORANDUM

Subject:- General principles for determining seniority of various categories of persons employed in Central Services.

The existing orders for regulating seniority contained in A.I.241/50 etc. (and corresponding A.F.I. and N.I.) were issued with a view to safeguarding the interests of displaced Government servants, persons with War service etc., who were appointed in Defence Establishments in civil posts.

2. Displaced Government servants have by and large been absorbed in the various Central Services and their seniority has been fixed with reference to the previous service rendered by them. Similarly, the seniority of ex-employees of the Government of Burma and of Part 'B' States as well as of candidates with War service has already been determined in accordance with the instructions cited above. As the specific objects underlying the instructions referred to above have been achieved, the question of reverting to the normal principles for determining seniority has been under consideration of this Ministry. It has been decided that the seniority of all persons appointed hereafter to Class I and Class II posts in the lower formations under this Ministry will be determined in accordance with the General principles annexed hereto.

(T. S. Sawhney)

Under Secretary to the Government of India.

To

AG/Org.-4 - for action in respect of all Branches of Army HQs.
Naval HQ.
Air HQ.
DGA&MS.
DML&C.
NCC Dte.
AFIO.

Copy to:-

D(Prod/Admin) for action in respect of Def. Prod. Orgn.

CAO, D(Civ.I), D(Civ.II), D(Lab), D(Fy), D(Est.1), D(Est.2).

ANNEXURE

GENERAL PRINCIPLES FOR DETERMINATION OF SENIORITY OF
CIVILIANS IN DEFENCE SERVICES.

1. (i) These principles shall apply for determination of seniority of persons appointed to Class I and Class II posts under the Ministry of Defence.

(ii) Notwithstanding anything contained in these general principles, the seniority of persons belonging to the following categories will, on their appointment to civil posts, continue

5. Departmental Promotees.

(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the Departmental Promotion Committee shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

6. Relative seniority of Direct Recruits and Promotees.

The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively, in the Recruitment Rules.

7. Transferees.

(i) The relative seniority of persons appointed by transfer to a grade/post from other departments of the Central or State Governments shall be determined in accordance with the orders of their selection for such transfer.

(ii) Where such transfers are effected against specific quotas prescribed in the recruitment rules, the relative seniority of such transferees vis-a-vis direct recruits and promotees shall be determined according to the rotation of vacancies which shall be based on the quotas reserved for transfer, direct recruitment and promotion respectively, in the recruitment rules.

(iii) Where a person is appointed by transfer in accordance with a provision in the recruitment rules providing for such transfer in the event of non-availability of a suitable candidate by direct recruitment or promotion, such transferees shall be grouped with direct recruits or promotees, as the case may be, for the purpose of para 6 above. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

(iv) Where a person is transferred with work from one Department to another of Central Govt, his date of seniority will remain unchanged.

8. Persons appointed on ad hoc basis to a grade without consultation with the UISC under Regulation 4 of the UISC (Exemption from Consultation) Regulations, 1958 are to be replaced by persons approved for regular appointment by direct recruitment, promotion or transfer, as the case may be. Until they are replaced, such persons will be shown in the order of their ad hoc appointments and below all persons regularly appointed to the grade.

contd.

3. In the light of the position explained above it is clarified that, after confirmation, the Scheduled Caste/Scheduled Tribes candidates will rank senior to the temporary/officiating officers of the grade and amongst the permanent officers of that grade their seniority will follow the order of their confirmation. It is requested that the above clarification may kindly be brought to the notice of all concerned in the Ministries including their Attached and Subordinate Offices for information and guidance.

EXPLANATORY MEMORANDUM

General Principle 4. The UPSC invariably indicate the order of preference at the time of selection and it will not, therefore, be difficult to determine the relative seniority of persons recruited through the Commission. In order to obviate difficulties in determining the relative seniority of direct recruits recruited otherwise than through the UPSC, the selecting authority should indicate the order of merit at the time of selection.

General Principle 5(i). Promotions to all Class I and Class II posts in the Defence Services being made on the basis of selection by a DPC, the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee.

General Principle 6. A roster should be maintained based on the reservation for direct recruitment and promotion in the Recruitment Rules. Where the reservation for each method is 50%, the roster will run as follows: (1) Promotion, (2) Direct Recruitment, (3) Promotion, (4) Direct Recruitment and so on. Appointment should be made in accordance with this roster and seniority determined accordingly.

Illustration. Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment, each direct recruit shall be ranked in seniority below 3 promotees. Where the quotas are 50% each, every direct recruit shall be ranked below a promotee. If for any reason, a direct recruit or a promotee ceases to hold the appointment in the grade, the seniority list shall not be rearranged merely for the purpose of ensuring the proportion referred to above.

General Principle 7(i). The principle laid down in para 7(i) will not present any difficulty where recruitment by transfer is made singly and at intervals but it will be found wanting in cases where two or more persons are selected from different sources on the same occasion and the selection is spread over a number of days. It will, therefore, be necessary for the authorities responsible for approving appointments by transfer to indicate the inter-se order of merit of the selected persons in such cases and for this purpose the Selecting Authorities concerned should be asked to indicate inter-se order of merit of selected persons in such cases.

General Principle 8. While the seniority of persons appointed on an ad hoc basis will be determined as indicated in para 8 of the Annexure, the seniority list should clearly show that such persons are not eligible for promotion or confirmation.

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CONFIDENTIAL

Annexure - SCA - 4 (137)
(Reference to Para 13)

Tele: 374425

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPT OF DEFENCE PRODUCTION
DTE OF INSPECTION (ARMEMENTS)
DHO PO NEW DELHI - 110 011

A 218
86/10
A/B

No. S/710/RJ/DGI (ARM-1)

APR '84

To

The Senior Inspector
Inspectorate of Armaments
Kanpur

(All Establishments)

TRANSFER OF STAGE/INTERSTAGE INSPECTION FROM
DGI TO DGOF

1. Reference this HQ letter of even No. dated 1 Mar 84.
2. The following decisions have been arrived at the meeting held in the office of AS(DS) on 16 Mar '84.
 - (a) DGI and OFB should hold joint consultations with the JCM of both the Organisations at the earliest possible opportunity.
 - (b) Any change in the deployment of personnel after 1 Dec 83, whose shifting was frozen vide this office letter No. S/710/RJ/VII/DGI/Arm-1 dated 30 Nov 83, would be considered null and void.
 - (c) As the transfer of staff is being made on the principle of man on the job, it is not necessary to obtain options from individuals for the transfer.
 - (d) Existing vacancies will be shared in the same proportion as the transfer of manpower bears to the total PE.
 - (e) A sub-Committee consisting of Director of Admin DGI and DDG Personnel OFB and Dy Secy personnel would go into the question of fixation of inter-se-seniority identifying grades for certain non-existent categories like JSOs and JSAs in the DGOF and other allied matters and a report will be submitted by mid May 84.
 - (f) DGI should implement cadre review proposals before transfer.
 - (g) It was agreed that the proposed merger will now be effected by 1 Sep 84.

Please acknowledge.

PC PU to SIA/24/1 SIA
on return 224/4

(IR IYENGAR)
COL
IDI (P&C T)

FOR DIRECTOR OF INSPECTION (ARMES)

Copy to:

All Establishments - for info & action

227 Geo
Kumar

~~THE CENTRAL ADMINISTRATIVE TRIBUNAL~~

PRINCIPAL BENCH: NEW DELHI

DA NO 925/29

DATE OF DECISION: 30/9/90

SOHAN LAL

APPLICANT

R.L. SETHI

ADVOCATE FOR THE APPLICANTS

VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

MRS. RAJ KUMARI CHOPRA

ADVOCATE FOR THE RESPONDENTS

CORAM:

THE HON'BLE MR. T.S. OBEROI, MEMBER (J)

THE HON'BLE MR. I.K. DASGOTRA, MEMBER (A)

JUDGEMENT

(Delivered by the Hon'ble Mr. I.K. Dasgotra, Member (A))

This is an application filed by SRI Sohan Lal under Section 19 of the Administrative Tribunals Act, 1985 on 20.4.1989. The gravamen of the plaint of the applicant is that he was transferred without his consent from Director General Inspection (DGI), to the Murudnagar Factory under Director General Ordnance Factory (DGEF), and that this transfer has affected his promotional prospects adversely.

2. The applicant belongs to Scheduled Caste Community. He was appointed to the post of Examiner on 28.1.1963 in the Inspectorate of Metals, Director General of Inspection,

IE. No.107 IE dated 20.10.1984. It has been affirmed that 29 employees engaged on final stage inspection alone were retained in DGI.

2.2. The transfers were ordered in accordance with the policy laid down by the Government and in consultation with the Staff Side of the Joint Consultative Machinery (JCM). It has been contended that the Scheduled Caste / Scheduled Tribe reservations are applicable only in case of recruitment and promotion and not in the case of transfers.

3. We heard the learned Counsel of both the parties when it was felt that the matter can be decided at the admission stage itself. The respondents were therefore directed to produce the relevant record regarding the policy followed to identify the personnel to be retained in the DGI, and the personnel to be transferred to the DGOF. These records were produced by the respondents on 17.4.1990. On perusal of the records furnished, we find that the basic principle observed in deciding the personnel to be transferred was "men on the job" as laid down in the Ministry of Defence letter No. S/710/RJ/VIII/DGI/Arm I dated March 1, 1984. The employees working on the stage/inter-stage inspection were, therefore, transferred to the Director General Ordnance Factory, while those working on final inspection were retained in the Director General, Inspection. Additionally, all those persons who were due to retire before 31st July, 1987 were also to be retained in the DGI. In addition some representations received from the individuals against the transfers were

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We have considered the rival contentions and the record before us carefully. We find that the transfers made were in accordance with the policy decision of the Government based on the Rajadhyaksha Committee's recommendations. Further no one junior to the applicant has been retained in the DGI. All the six persons who were retained in the parent organisation are senior to him. The applicant also did not object to his transfer in 1984 when the transfer orders were issued. Having regard to the facts of the case we do not find any merit in the application, and accordingly dismissed.

There will be no orders as to the costs.

(I.R. R. (ra)
Member (ad) 20/3/90

(T.S. Oberoi)
Member (J)

20/3/90

Principal Bench: New Delhi

Seema
20/3/90
14/04/90

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
CAMP AT NAGPUR

(A219)

Annexure 1
SCA-B

CA No.293/90

Shri K.K.Roychaudhury
s/o Subodh Ch.
Raychaudhury r/o 1/62/4,
Defence Project, Nagpur.

.... Applicant

Vs.

Union of India and
others.

.... Respondents

CORAM : 1. Hon'ble Member Shri P.S.Chaudhuri, M(A)
2. Hon'ble Member Shri S.K.Jain, M(J)

Appearance:

Mr.J.L.Bhoot,
Advocate for the
Applicant

Mr.Ramesh Darda
Advocate for the
Respondents.

ORAL JUDGMENT

DATED: 11.10.90

(PER : P.S.Chaudhuri, M/A)

This application under Section 19 of the
Administrative Tribunals Act, 1985 was filed on 7.5.1990.

In it the applicant who is a Chargeman in the Ordnance
Factory, Ambajhari, Nagpur is challenging the order dated
15.10.1984 by which he is transferred to Ordnance Factory,
Ambajhari, Nagpur and the order dated 8.5.1987 by which
the 5th Respondent is promoted to the post of Asstt.Foreman.

2. We have heard Mr.J.L.Bhoot, learned advocate for
the applicant and Mr. Ramesh Darda, learned advocate for
respondents No.1 to 4. None appeared for respondent No.5
who does not appear to have been served.

3. After hearing the learned counsel for both sides
and going through the record we have no doubt in our minds

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A220
Annexure
SCA-6
A/228

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY
CASE AT NAGPUR

Original Application No. 830/88

Chandrakant Arundrao Bapat,
R/o. Cr. No. G Type 21/1,
Jawaharnagar Ordnance Estate,
Bhandara 441 906.

... Applicant

V/s

1. Director General of Inspection,
Deptt. of Licence Production,
South Block/2nd Loh Chai,
New Delhi 110 011.

2. Director General of Ordnance
Factories, Oro. Factory Board,
6, Esplanade, Calcutta 700 069,
through its Chairman.

3. Quality Assurance Establishment
Inspector IML Bhandara
Inspector (CAO/Quality
Assurance Officer, IML,
Bhandara (CAI-IM)
Bhandara 441 906.

4. The General Manager,
Ordnance Factory, Bhandara
Pin Code : 441 906.

5. Union of India, through
Secretary, Ministry of
Defence, New Delhi.

... Respondents

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C. Srivastava
Hon'ble Member (A), Shri M.Y. Priolkar.

Appearances:

Mr. Mohan Sudame, Advocate
for the applicant and
Mr. Ramesh Darda, Counsel
for the respondents.

ORAL JUDGEMENT:

Dated : 14.11.1991

(Per. U.C. Srivastava, Vice-Chairman)

The grievance of the applicant is that he has been
transferred from Director General of Inspection (DGI) to
which he belongs to Director General of Ordnance Factories
(DGO) illegally and arbitrarily as DGO is an entirely
different organization functioning under the control of
Ordnance Factory Board. Various Ordnance Factories

..... 2/-

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Product
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Finance
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A handwritten note on a piece of paper. The text is written in cursive and includes a date stamp. The date stamp is "JUN 16 1967". The handwritten text is "80-1600" and "1967 142". There is a large, stylized "80" at the top left, and "1600" and "1967 142" below it. The paper is slightly crumpled and has a date stamp in the upper right corner.

A223

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

CIVIL MISC. APPLICATION NO. _____/1992

ON BEHALF OF

UNION OF INDIA & OTHERS.

.APPLICANTS/
RESPONDENTS

IN

REGISTRATION NO. 1188 of 1987

Babu Lal

.applicant

Versus

Union of India & others.

.Respondents.

To

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

The humble applicants abovenamed Most

Respectfully states :

- 1- That the petitioner moved an amendment application introducing certain new facts and the answering respondent had filed a supplementary counter affidavit in response of said amendment application.

Received copy
7/8/92
Advocate
for Applicants

(10)

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2.

2- That in paragraph No. 4 of the Supplementary Counter Affidavit there is a reference of the letter dated 6th August 1991 issued by the Director General Quality Assurance, but the said document since was not available with the answering respondent at the time of filing of said Supplementary Counter Affidavit and as such it could not be filed along with the said affidavit. The copy of said document dated 6th August 1991 is being filed as Annexure SCA-1 to the accompanying affidavit and the same may kindly be accepted as part of the record.

3- That in paragraph no. 7 of the Supplementary Counter Affidavit the extract of Fundamental Rule 9(4) has been referred but the said document could not be annexed along with the said affidavit. The same is being annexed as Annexure SCA-2 to the accompanying affidavit, which may kindly be accepted as part of the record.

4- That in the same paragraph, i.e. paragraph 7 of the Supplementary Counter Affidavit the letter dated 13th April 1985 has been referred on page 5 of the affidavit but the same could not be filed and the copy of said letter dated 13.4.1985 is annexed

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3.

as Annexure SCA-3 to the accompanying affidavit, which may kindly be accepted as part of the record.

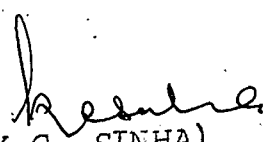
5- That in paragraph No. 15 of the Supplementary Counter Affidavit, there is a reference of letter dated 13th September, 1984, the copy of said document is being annexed as Annexure SCA-4 to the accompanying affidavit, which may kindly be accepted as part of the record.

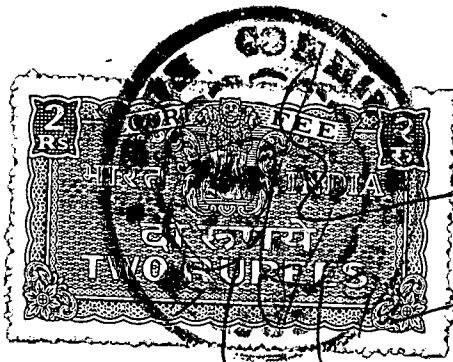
6- That in view of facts and circumstances stated above, the documents annexed as Annexure SCA-1, SCA-2, SCA-3 and SCA-4 to the accompanying affidavit may kindly be accepted as part of the record, otherwise respondents would suffer irreparable loss.

P_R_A_Y_E_R

WHEREFORE, this Hon'ble Tribunal may kindly be pleased to accept the documents annexed as SCA-1, SCA-2, SCA-3 and SCA-4 to the accompanying affidavit as part of the record, otherwise respondents would suffer irreparable loss.

Dt/- 7.8.92


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



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH : ALLAHABAD.

.....

A F F I D A V I T

IN

O ORIGINAL APPLICATION NO . 1188 of 1987

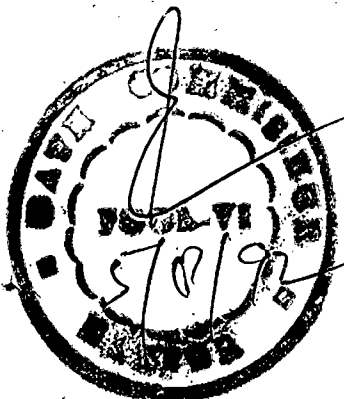
Babu Lal

.Applicant

Versus

Union of India & others .

.Respondents.



Affidavit of A. K. NAYAK

aged about 30 years, s/o SHRI
SATYA NARAYAN NAYAK
POSTED AS WORKS MANAGER, ORDNANCE
FACTORY, KANPUR

(Deponent)

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

1- That the deponent is works Manager (Admin),
Office of the General Manager, Ordnance Factory, Kanpur
and has been deputed to file this affidavit on behalf
of respondents and is well acquainted with the facts
deposed to below.

(A 226)
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2.

2- That the petitioner moved an amendment application introducing certain new facts and the answering respondent had filed a supplementary ~~to this~~ ^{to this} ~~counter/affidavit~~ in response of said amendment application.



3- That in paragraph No. 4 of the Supplementary Counter affidavit there is a reference of the letter dated 6th August 1991 issued by the Director General Quality Assurance, but the said document since was not available with answering respondent at the time of filling of said Supplementary Counter Affidavit and as such it could not be filed alongwith the said affidavit. The copy of said document dated 6th August 1991 is being filed as Annexure SCA-1 to the accompanying affidavit and the same may kindly be accepted as part of the record.

4- That in paragraph no. 7 of the Supplementary Counter affidavit the extract of Fundamental Rule 9(4) has been referred but the said document could not be annexed alongwith the said affidavit. The same is being annexed as Annexure SCA-2 to the accompanying

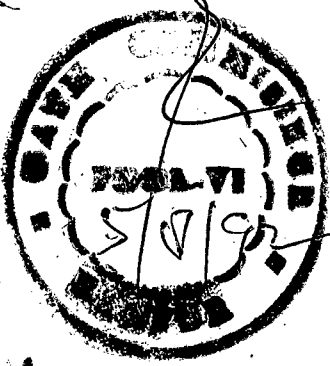
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3.

affidavit, which may kindly be accepted as part of the record.

5- That in the same paragraph i.e. paragraph 7 of the Supplementary Counter affidavit the letter dated 13th April 1985 has been referred on page 5 of the affidavit but the same could not be filed and the copy of said letter dated 13.4.1985 is annexed as Annexure SCA-3 to the accompanying affidavit, which may kindly be accepted as part of the record.



6- That in paragraph No.15 of the Supplementary Counter Affidavit, there is a reference of letter dated 13th September, 1984, the copy of said document is being annexed as Annexure SCA-4 to the accompanying affidavit, which may kindly be accepted as part of the record.

7- That in view of facts and circumstances stated above, the documents annexed as Annexure SCA-1, SCA-2, SCA-3 and SCA-4 to the accompanying affidavit may kindly be accepted as part of the record, otherwise respondents would suffer irreparable loss.

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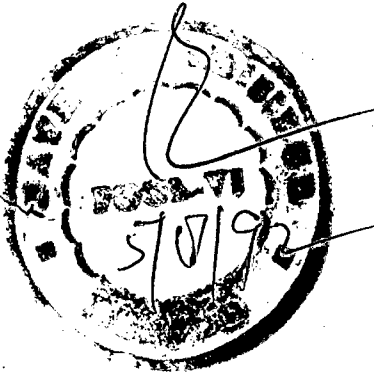
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That the contents of paragraph 1 of this affidavit are true to my personal knowledge; those of paragraphs 2, 3, 4, 5 and 6 are based on perusal of records and those of paragraph 7 are based on legal advice, which all I believe to be true. No part of it is false and nothing material has been concealed in it.



SO HELP ME GOD.

Ne-5

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(DEPONENT).

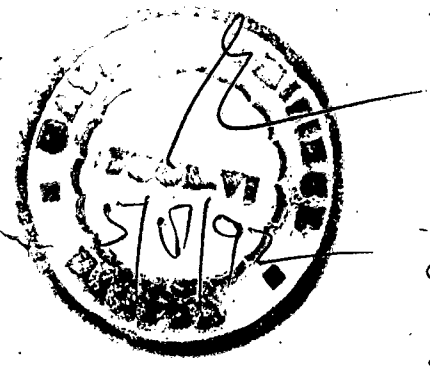
I, D.S. Chaubey, clerk to Shri KC Sinha Advocate declare that the person making this affidavit and alleging himself to be the deponent is known to me personally and I identify him to be the same.

Witness
Deputy
IDENTIFIER.

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5.

Solemnly affirmed before me on this 5th day
of August 1992 at 4.52 am/pm by the deponent, who is
identified by aforesaid clerk.



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.

[Handwritten signature]

OATH COMMISSIONER

Identified by A.K. Nayak
who has signed before me

At of
C/o Dec civil

Serial No. 52
Verified that the foregoing Statement
was sworn before me this day at 4.52
by Shree *[Signature]*
to whom the contents of this Affidavit
have been read out & explained & who is
identified by Shree *[Signature]*
and the Fee of Rs. 2/-

[Signature]
5/8/92

REGISTERED/MOST IMMEDIATE

Tele: 3016439

BHARAT SAKAR
RAKSHA MANTRALAYA
Raksha Utpadan Vibhag
Directorate General, Quality Assurance
DHQ DAKGHAR, NEW DELHI-110011

No. A99353/CC/CKB/DGQA/Admin-7(A)

06 Aug 91

The Quality Assurance Officer
QAE(MY)
Ordnance Factory
Bhandara Nagpur

Sub: OA 830/88 - CK Bapat & Ors
-Vs- DGQA & Ors.

Reference Ordnance Factory Bhandara letter No. AE/OA830/88/CKB/BF dated 15th July '91 addressed to the Secy., Ordnance Factory Board, Calcutta with copies to this Hq and your Establishment.

2. You are requested to reiterate the following to the Govt. Counsel immediately:-

(a) Individuals were transferred to Ordnance Factory on the principle "man on the job alongwith the job".

(b) The pros and cons of the transfer were examined in great details in a number of Meetings held with the JCM Members of both DGQA and the DGOF and later with the leaders of the two recognised Federations. After considerable deliberation it was decided in May 84 that the List of Employees who were performing the job relating to Quality Assurance/Control to be transferred to the Ordnance Factories be displaced on the Notice Board of the Estt concerned for intimations to the concerned individuals, calling for objections, if any, within 10 days. Representations received on such were examined jointly by the General Manager of the Ordnance Factory and the Inspector of the then Inspectorate concerned and decision taken. Non-receipt of any representation from any employee was considered as the option having been given by the employee indirectly.

(c) As per para 4 of M of D letter No. 1(32)/12/D(Insp) dated 13.9.84 the transfer of personnel will be as per the agreed list jointly signed by the General Manager and Head of the DGI Estt concerned.

(d) As per 2 (c) of Arm-I letter No. S/710/RJ/DGI/Arm-1 of April 1984, it is not necessary to obtain options from the individuals for the transfer.



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6. You are also requested to confirm that the next date of hearing is on 24 Sep 91 at Pigpur.
7. Udy DGQA has been.

Swaminathan

(N) SWAMINATHAN
S.O.S.O.

Deputy Director (P-I)
for Director General Quality Assurance

Copy to:-

1. The Secretary
Ordnance Factory Board,
(Section: A/NG)
10-A Auckland Road
CALCUTTA-700 001
2. Ordnance Factory
Ministry of Defence
BHANDARA 441906
3. US(I), D(Inspection)

For information, please.



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Annexure SCA-7 2
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CIVIL SERVICE REGULATIONS
VOL-I (12th Edition)

PAGE

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DEFINITIONS

Art. 26 Contd.

2. Displaced Government servants have by and large been absorbed in the various Central Services and their seniority has been fixed with reference to the previous service rendered by them. Similarly, the seniority of ex-employees of the Government of Burma and of Part 'B' States as well as of candidates with War service has already been determined in accordance with the instructions cited above. As the specific objects underlying the instructions referred to above have been achieved, the question of reverting to the normal principles for determining seniority has been under consideration of Defence Ministry. It has been decided that the seniority of all persons appointed hereafter to Class I and Class II (Group A & Group B) posts in the lower formations under Defence Ministry will be determined in accordance with the General principles annexed hereto.

[G.I.M.F. Defence Memo No 10(1)/60/D (Appt.) dated the 11th March, 1965]

ANNEXURE

GENERAL PRINCIPLES FOR DETERMINATION OF SENIORITY
OF CIVILIANS IN DEFENCE SERVICES

2. (i) These principles shall apply for determination of seniority of persons appointed to Class I, Class II (Group A, Group B) posts under the Ministry of Defence.

(ii) Notwithstanding anything contained in these general principles, the seniority of persons belonging to the following categories will on their appointment to civil posts, continue to be determined by the instructions noted against each such category :—

(a) Ex. Govt. servant penalised for their patriotic activities.

(b) Central Govt. employees discharged on account of affliction with TB or Pleurisy.

(c) Permanent displaced Govt. servants nominated by the Transfer Bureau/Transfer Office to purely temporary organisations who consequent on their retrenchment, were absorbed in other offices.

MHA OM No. 6/4/52-S & NO dated 29-5-57 reproduced in AI 240/57-

M of D OM No. 8 (1)/54/10313/D (Appts.) dated 19-9-56 extended to (ex-Pleurisy patients vide O.M. No. 8 (1)/56/241/D (Appts) dated 15-1-57 A.I. 241/50.

2. Subject to the provision of para 3 below, persons appointed in a substantive or officiating capacity to a grade prior to the issue of these general principles, shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall *en-bloc* be senior to all others in that grade.

Explanation. For the purpose of these principles (a) persons who are confirmed retrospectively with effect from a date earlier than the issue of these general principles; and (b) persons appointed on probation to a permanent post substantively vacant in a grade prior to the issue of these general principles, shall be considered to be permanent officers of the grade.

3. Subject to the provisions of para 4 below, permanent officers, of each grade shall be ranked senior to persons who are officiating in that grade.

4. *Direct recruits.* Notwithstanding the provisions of para 3 above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendation of the UPSC or other selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection :

Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit. In this connection a

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PAGE

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Art. 26 Contd.

DEFINITIONS

copy of Ministry of Home Affairs OM No. 9/45/60-Estt (D) dated the 20th April, 1961 as also reproduced as decision No. (28) above.

Where persons are selected either by the UPSC or by other selecting authority for appointment to different posts in the same grade with different qualifications (e.g. posts of Assistant Lecturers in History, Economic, Physics etc.) the UPSC/Selecting Authority should be asked to indicate a common order of merit.

5. *Departmental promotees* (i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion :

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the Departmental Promotion Committee shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons promotion to the higher grade.

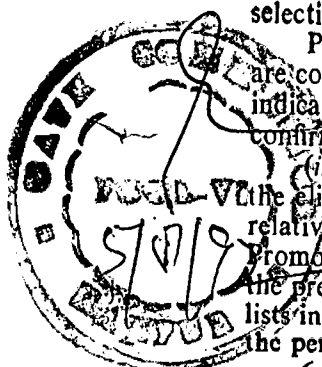
6. *Relative seniority of Direct Recruits and Promotees.* The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively, in the Recruitment Rules.

7. *Transferees.* (i) The relative seniority of persons appointed by transfer to a grade/posts from other departments of the Central or State Government shall be, determined in accordance with the orders of their selection for such transfer.

(ii) Where such transfers are effected against specific quotas prescribed in the recruitment rules, the relative seniority of such transferees vis-a-vis direct recruits and promotees shall be determined according to the rotation of vacancies which shall be used on the quotas reserved for transfer, direct recruitment and promotion respectively, in the Recruitment Rules.

(iii) Where a person is appointed by transfer in accordance with a provision in the recruitment rules providing for such transfer in the event of non-availability of a suitable candidate by direct recruitment or promotion, such transferees shall be grouped with direct recruits or promotees, as the case may be, for the purpose of para 6 above. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

(iv) Where a person is transferred with work from one Department to another of Central Government, his date of seniority will remain unchanged.



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The DGOF/Chairman,
Ordnance Factory Board,
10A, Auckland Road, Calcutta-700 001

Subject : Fitment of certain categories of personnel
belonging to DGI transferred to DGOF.

Sir,

Consequent upon the transfer of inspection responsibility along with the related personnel from DGI to DGOF, the question of fitment of certain categories of personnel transferred from DGI to DGOF which do not have equivalence in DGOF has been engaging attention of the Government for quite some time. It has now been decided that the fitment of the following categories of personnel shall be done as under:-

(a) Senior Scientific Assistants(SSAS) (Rs.550-900)

The posts of Sr.Scientific Assistants(SSAS) shall be converted to those of Asstt. Foremen in the pay scale of Rs.700-900 and the transferee SSAS shall be placed in the seniority list along with the Asstt. Foremen in the O.F. Organisation; The interse seniority being determined on the basis of the respective date of holding the post of SSA and Asstt. Foreman.

(b) Store-keeping staff (Rs.450-700)

i) The stores superintendents transferred from DGI to DGOF shall be placed in the seniority list along with Chargemen Gr.II/Non-Tech(Rs.425-700). The interse seniority shall be determined on the basis of the respective date of holding the post of stores superintendent and Chargemen Gr.II/Non-Tech.

ii) The store-keepers transferred from DGI to DGOF (Rs.260-400) shall be placed in the seniority list along with the Asstt. Store-keepers in the O.F.Organisation(Rs.260-400), the interse seniority being determined on the basis of the respective date of holding the post of Store-keepers and Asstt. Store-keepers. The Asstt.Store-keepers after integration in the O.F.Organisation shall be redesignated as Store-Keepers.

Contd ... 2..

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(c) Lab. Assistants

As there is no grade existing in the O.F. Organisation in which the Lab. Asstts. transferred from DGI to DGOF can be fitted, it has been decided that the required number of posts shall be transferred from DGI to DGOF to accommodate the transferees and the transferee Lab. Asstts. would continue to be kept as an isolated group till such time the OFB is able to determine avenues of promotion for them by identifying a category with which they can be merged for the purpose of promotion.

(d) The Junior Scientific Asstts. Grade I from DGI will be integrated in the (Tech) grade of Chargemen Grade II in DGOF Organisation the interse seniority being on the basis of holding the specific posts.

(e) The Junior Scientific Asstt. Grade II from DGI will be integrated in the grade of Supervisor B Grade (Tech) in the DGOF Organisation. The interse seniority will be determined on the basis of the respective date of holding the post of Supervisor 'B' Grade and JSA Gr. II.

2. In respect of all other categories transferred from DGI to DGOF for whom equivalent categories exist in the DGOF Organisation, the transferees would be placed in the seniority list along with the equivalent categories, the interse seniority being determined on the basis of the dates of holding respective posts in terms of Article 26 of CSR-41 as already mentioned in the M of D letter of even number dated 28.11.1983.

3. Separate orders will follow in respect of the fitments of Jr. Scientific Officers (JSOs) and Store officers in the pay scale of Rs. 650-1200/-.

Yours faithfully,

Sd/-

(K. G. GUPTA)
UNDER SECRETARY TO THE GOVT. OF
INDIA.

Copy to :-

1. Lt. Gen. T.C. Joseph,
DGI, New Delhi.
 2. JS(F&C)
- R

Annexure SCA- 4

No.1(32)/82/D(Inspection)

Government of India

Ministry of Defence

Department of Defence Production

New Delhi

DT, 13-9-1984

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To

1. The Chairman/DGOF
Ordnance Factory Board
6, Esplanade East, Cal-69
2. The Director General of Inspection
Ministry of Defence
New Delhi-110011

Sub:- Transfer of stage/inter-stage inspection responsibilities from the DGI to DGOF/
OFB -Recommendations of the Rajadhyaksha Committee on Ordnance Factories.

Sir,

Pursuant to the acceptance of the recommendations of the Rajadhyaksha Committee relating to the transfer of stage/inter-stage inspection responsibilities from the DGI to the DGOF, orders detailing the functions, quantum of personnel and facilities to be transferred have been issued vide this Ministry's letters of even numbers dated the 28th November, 1983, 6th January, 1984 and 17th February 1984, subsequently amended vide letters of even number dated 21st May and 2nd July, 1984.

2. It has now been decided that transfer of inspection responsibilities and manpower from the DGI to the DGOF in factories listed in the Annexure should take effect from 1st October 1984. The DGOF will thereafter be responsible for stage/inter-stage and final inspection of all stores and the DGI Inspectorates attached to these factories will be responsible for final acceptance inspection, quality -audit and surveillance, except in the explosive group of factories for which separate instructions have been issued vide this Ministry's letter of even number dated 17th Feb., 1984.
3. In so far as the Clothing Group of factories are concerned status quo will be maintained till further orders.
4. The transfer of personnel will be as per the agreed lists jointly signed by the General Managers and the controllers/senior inspectors/inspectors of the concerned establishments.
5. This issues with the concurrence of the Integrated Finance vide their U.O.No.3428/IF/DP-II dated 13-9-1984.

Yours faithfully

Sd/- (K.G.GUPTA)
UNDER SECRETARY TO THE GOVT OF INDIA

12-6

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

AMENDMENT APPLICATION NO. OF 1988.

(Under Section)

IN

Registration Case No. 1188 of 1988.

Bharda Prasad PandeyPetitioner

Versus

Union of India and others ... Opp. Parties.

To,

The Hon'ble the Vice-Chairman and his companion
Members of the aforesaid Tribunal.

The humble application of the applicant above-
named most respectfully sheweth as under :-

1. That the application was filed challenging the
imposed orders annexed with the original application by
which orders the service of the applicant had been termin-
ated by the Govt. opium and Alkaloid works Gazipur.
2. That the petitioner was sent on deputation
to C.I.S.F. by the Govt. Opium and Alkaloid works Gazipur.

However the order of by which the petitioner was sent on deputation was not given to the petitioner while hearing the petition their lordship wanted a copy of the order by which the petitioner was sent on deputation to C.I.S.F. Apart from this certain important fact which should have been mentioned in the petition was inadvertently was not mentioned and it is necessary to be mentioned therefore this amendment application to the original petition as has become necessary. Hence the instant application has been filed .

3. That the following amendment be made after para 11 of the original petition and it may be added in the original petition as para.

11(a) That the order by which the petitioner was sent on deputation to C.I.S.F. was not given to the petitioner and is not being given even today inspite of the petitioner best efforts to obtain it. In this situation the petitioner puts helpless to produce a copy of the

order aforesaid. It is in the interest of Justice that that the respondents may be asked to produce any order by which his service in the Polium Factory was affected by any order of deputation or by termination dismissal or resignation of his service.

11.(h) That the petitioner amongst others was asked if he and others choose to be sent on deputation to C.I.S.F. and the petitioner alongwith some other employees made an option of being sent on deputation to C.I.S.F. where all such optees were sent for ~~their~~ training by the C.I.S.F. and there they were give certain amount. A true copy of the document aforesaid is being filed as Annexure A to this amendment application.

11.(C) . That the word used in the above document filed as Annexure A to this application is optees . If the petitioner was reinstated in the employment of C.I.S.F. then there was no need of reference of the word optees in the aforesaid document. filed as Annexure -A .The reference is of the word optees is

is dicatlon of the fact that the petitioner and such other optees were employees of the optices factory and had only opted to C.I.S.F. on deputation.

2. That in view of the facts stated about it is expedient in the interest of justice that this Hon'ble Tribunal may be pleased to allow the instant amendment application and be incorporated in the instant petition and be treated as part of the record.

P R A Y E R

wherefore on the facts stated about it is most respectfully prayed that this Hon'ble tribunal may be pleased to allow the aforesaid amendment application and permit the applicant to incorporate the said amendment in the main application and the same be treated as part of the record.

(ABARENDRA NATH SINGH)

Pt./-

COUNSEL FOR THE PETITIONER.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

AFFIDAVIT

IN

AMENDMENT APPLICATION NO. OF 1988.

IN

Registration Case No. 1188 of 1988.

Sharda Prasad Pandey -----App-----Petitioner

Versus

Union of India and others -----Opp. Parties.

Affidavit of Sharda Prasad Pandey
aged about 46 years, S/o late Sri
Mahavir Prasad Pandey R/o Onam
Factory Ghazipur .

(Deponent)

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

1. That the deponent is the petitioner in the instant
case and as such he is fully acquainted with the facts
of the case deposed to below.

2. That the application was filed challenging the impugned orders annexed with the original application by which orders the service of the applicant had been terminated by Govt. Opium and Alkaloid Works Ghazipur.

3. That the petitioner was sent on deputation to C.I.S.F. by the Govt. Opium and Alkaloid Works Ghazipur. However the order of by which the petitioner was sent on deputation was not given to the petitioner while hearing the petition their lordship wanted a copy of of the order by which the petitioner was not on deputation to C.I.S.F. Apart from this certain important fact which should have been mentioned in the petition was inadvertently was not mentioned in it and it is necessary to be mentioned therefore this amendment application to the original petition has become necessary. Hence the instant application to the original petition has become necessary. Hence the instant application has been filed.

4. That the following amendment be made after para 11 of the original petition and it may be added in the original petition as para.

11(A) That the order by which the petitioner was sent on deputation to C.I.B.F. was not given to the petitioner and is not being given even today inspite of the petitioner's best efforts to obtain it. In this situation the petitioner puts himself helpless to produce a copy of the order aforesaid.

It is in the interest of Justice that the respondents may be asked to produce any order by which his service in the Opium Factory was effected by any order of deputation or by termination dismissal or resignation of his service.

11(b) That the petitioner amongst others was asked if he and others choose to be sent on deputation to C.I.B.F. and the petitioner alongwith some other employees made an option of being sent on deputation to C.I.B.F. where all such officers were sent for training by the C.I.B.F. and there they were given certain amount. A true copy of the document aforesaid is being filed as Annexure A to this amendment application.

11(c) That the word used in the above document filed as Annexure A to this application is optees. If the petitioner was reinstated in the employment of C.I.S.F. then there was no need of reference of the word optees in the aforesaid document filed as Annexure-A. this reference is of the word optees is dicative of the fact that the petitioner and such other optees were emplyees of the optices factory and had only opted to C.I.S.F. on deputation.

5. That in view of the facts stated about it is expedient in the interest of Justice that this Hon'ble Tribunal may be pleased to allow the instant amendment application and be incorporated in the instant petition and be treated as part of the record.

I, the deponent abovenamed do hereby declare that the contents of paras 1, 2, 3, 4, of this affidavit are true to my personal knowledge; and those of paras

are based on the perusal of record and those of paras . . .

. are based on legal advice

which all I believe to be to be true and nothing material has
been concealed and no part of it is false. SO Help me God.

(DEPONENT)

I, S.L.Srivastava clerk to Sri Amarendra Nath Singh

Advocate High court Allahabad do hereby declare that the person
making this affidavit and alleging himself to be Sri Sarda
Prasad Pandey is the same person who is known to me from
the perusal of record.

Clerk.

Solemnly affirmed before me on the 27th of October 1988,
at 9-30 a.m./p.m. who has been identified by the aforesaid
clerk.

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

OATH COMMISSIONER.

Annex I

The Inspector General,
Central Industrial Security Force,
183/A-Jor-Dagh,
New Delhi.

Subject:- Grant of TA/DA to the GISF Optees of OPIum Factory, Ghazipur while under going traning at Training +College, Partapur.

With reference to your U.O.No.-5(3)/71/GISF/Ad.I./91 , dated , the 28th August , 1971, on the above subject, I am directed to convey the sanction of the president under ^{S.R.} ~~S.R.~~-164 to the grant of daily allowance to the perosnal of CISF mentioned in the enclosed statement, deputed to the Training College, Paratapur for refresher Training/Course during the periods from 22/2/1971 to 14/8/1971 and 2/6/1971 to 27/11/1971 at half of the following rates :-

- (a) At full rate for the first 10 days.
- (b) At 3/4th rate for next 20 days.
- (c) At 1/2 rate for the rest of the period.

Q. 1. The following are the marks obtained by a student in an examination. Find the mean marks.

Sd/- (V. JAYARAMAN)
UNDER SECRETARY TO THE GOV.
INDIA.

Mo.-5(3)/71/Ad.I.
OFFICE OF THE INSPECTOR GENERAL
CENTRAL INDUSTRIAL SECURITY FORCE
(MINISTRY OF HOME AFFAIRS)

183A-Jor-Bagh, New Delhi,
Dated the October, 1971.

To,

The Inspector Incharge,
C.I.S.F., Contingent,
Govt.-Opium Factory,
Ghazipur (U.P.)

Subject:- Grant of TA/DA to the CISF personnel (Optee of Opium
Factory, Ghazipur) While under-going training, at Training
College, Partapur.)

Please refer to the enclosed copy of sanction letter No.-
5(3)/71/CISF/Ad.I., dated the 28th September, 1971. From the Govt.
of India, Ministry of Home Affairs with the statment of CISF/-
Personel, on the above subjects.

It is, required that the Personnel concerned may please
be asked to submitte bx their DA bills on the proper form,
attested by you and sent to Accounts Officer, Central Industrial
Security Force, 183-A-Jor Bagh, New Delhi, for further necessary
action.

Encls.:- As above/

Sd/-

(R.N.PABWA)
FOR INSPECTOR GENERAL

COPY FORWARDED TO :-

Accounts Office

Bill Group + Accounts Section

For information alongwith,
a copy of the above menti-
oned Govt. sanctioned.

CENTRAL ADMINISTRATIVE TRIBUNAL,

In the High Court of Judicature at Allahabad

REGISTRATION No.....1188.....of 1987.....

Babulal & Ors. ~~xx~~.....

Petitioners

Appellant

Applicant

VERSUS

Union of India & Ors.

Respondent

Opposit Party

in the above matter hereby appoint and retain

SHRI KRISHNA CHANDRA SINHA, Advocate High Court

to appear, act and plead for me/us in the above matter and to conduct/prosecute and defend the same in all interlocutory or miscellaneous proceedings connected with the same or with any decree or orders passed therein, appeals and or other proceedings therefrom and also, in proceedings for review of judgment and for leave to appeal to Supreme Court and to obtain return of any documents filed therein, or receive any money which may be payable to me/us.

2. I/We further authorise him to appoint and Instruct any other legal practitioner authorising him to exercise the powers and authorities hereby conferred upon the Advocate whenever he may think fit to do so.

3. I/We hereby authorise him/them on my/our behalf to enter into a compromise in the above matter, to execute any decree/order therein, to appeal from any decree/order therein and to appeal, to act, and to plead in such appeal or in any appeal preferred by any other party from any decree/order therein.

4. I/we agree that if/we fail to pay the fees agreed upon or to give due instruction at all stages he/they is/are at liberty to retire from the case and recover all amounts due to him/them and retain all my/our monies till such dues are paid.

5. And I/We, the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my own acts, as if done by me/us to all intents and purposes.

Executed by me/us this

day of

19

at



(P.U. BHAVIKATTI)

GENERAL MANAGER

ORDNANCE FACTORY, KANPUR

Executant/s are personally known to me he has/they have signed before me

Satisfied as to the identity of executant/s signature/s.

(where the executant/s is/are illiterate blind or unacquainted with the language of vakalat)

Certified that the contents were explained to the executant/s in my presence in.....the language known to him/them who appear/s perfectly to understand the same and has/have signed in my presence.

Accepted



K.C. SINHA

Advocate

Additional Standing Counsel

Central Government

High Court-Allahabad

Counsel for Petitioner/Respondents

No,.....

