

(See rule 114)

OA/TA/RA/CP/MA/PT1747/82 of 20.....

C. P. Verma

Applicant(S)

COF 824.

Respondent(S)

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
1 -	Index sheets.	A1 to A2.
2 -	order sheets.	A3 to A6.
3 -	Mano Copy/Judgement dt. 04/8/92.	A7 to A10.
4 -	Copy of Petition/Annexure	A11 to A87
5 -	Power	A82.
6 -	Counter Reply	A83 to A91
7 -	Rejoinder Reply	A92 to A94.

~~Felt B/C already needed all of that for~~

Signature of S.O.

Signature of Deal. Hand

06/9/12

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

FORM OF INDEX

O.A./T.A./R.A./C.P./ No. 1747-1987
C.P. Verma vs Govt.

PART - I

1. Index Papers :- 1
2. Order Sheet :- 2 to 7
3. Any other orders :- -
4. Judgement :- 8 to 10 dt. 4/10/82
5. S.L.P. :- -

Dy. Registrar

Supervising Officer

Dealing Clerk

Note :- If any original document is on record - Details. KLP

Dealing Clerk

V.K. Mishra

CIVIL
SIDE
CRIMINAL

GENERAL INDEX

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case

Name of parties

Date of institution

Date of decision

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs.	P.		
	1-	with writ Ample and affidavit	71		102.00			
	2-	Power	1-		5.00			
	3-	Notice	3-					
	4-	Inspection App.	1-		2.00			
	5-	Recd. Sheet	1-					
	6-	Back Copy	1-					

I have this day of 198 examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-fee stamps of the aggregate value of Rs. that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date

Munsarim

Clerk

2

MEMO

Impressed

Fire Insurance, R. 1001

Correct the ~~fire report~~ of report
with ~~the~~ ~~fire~~ ~~report~~ ~~of~~ ~~the~~ ~~fire~~ ~~report~~
C. ~~the~~ ~~fire~~ ~~report~~ ~~of~~ ~~the~~ ~~fire~~ ~~report~~

~~the~~ ~~fire~~ ~~report~~ ~~of~~ ~~the~~ ~~fire~~ ~~report~~

Page 3 of 4. Copy of F. O.

Should also be filed.

Sigale-Bench

Lost original business 32

= 28.12.84

Received on 25.1.85 as stated
on page 25 of the R. 1001

Delivered: Lucknow

Byrd 20 days by 19 days.

Indulge
14.5.85

191

Mr. R. N. Mishra, J.

Mr. S. S. Sharma, J.

L.A. for orders as regards
admission in ordinary course
in the month of July, 1905 as
prayed for by the Petitioner
counsel for the petitioner.

Dr. 15-5-85

a/

See

(3)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
15.12.47	No sitting Adj to 20.2.90 20.2.90. This case has been received on transfer. Notice were issued to the counsels by the Office at Allahabad. None present Let notice be issued again to the parties as directed by Hon'ble Mr. D.K. Agarwal, J.M.	Case is not admitted at Stage
28.2.90	<p>Hon. Justice K. Nath, V.C. 15/11/47 Hon. K. J. Raman, A.M.</p> <p>Shri A. Kirtē, brief holder of Shri K.C. John, learned counsel for the applicant, is present. Shri B.K. Shukla files Vakalatnama on behalf of the respondents. The petition is admitted. The respondents may file a counter affidavit within four weeks. Reply or affidavit if any, may be filed within two weeks thereafter. List for further orders on 18.4.90.</p> <p>LOC A.M. V.C.</p>	<p>or notice issued 23/1/90.</p> <p>CR Case is not admitted CH/RA not filed Notice were issued on 23.1.90.</p> <p>with affidavit as per CH/RA etc</p> <p>No CH filed S.F.O</p>
18/4/90	<p>Hon. Mr. D.K. Agarwal, J.M. Hon. Mr. P.S. Habib. Mohammed, A.M.</p> <p>Shri S.K. Mishra, for the applicant and Shri A.K. Shukla, brief holder of Shri B.K. Shukla on behalf of the respondents are present.</p>	

Dinesh

(contd/-)

from. per page.

(5) 8/5

Shri D.K. Shukla, the learned,
Counsel for respondents says that
the delay in filing the counter
has been caused partly by his
inability to communicate to the
respondents. In this situation the
prayer for revoking the order of
payment of costs is allowed.

M. M. L
Am

Dr
VC.

RA filed
L
20/9

12

OR
CA/RA have been
exchanged

12/11/90

Honble Mr. Justice K. Nath, VC.
Honble Mr. M. Y. Prichkar, AM.

S. P. H.
11/11/90
[Redacted]

On the request of both
the parties counsel adj to
10/12/90.

A. M.

~~[Signature]~~
Dr
V.C.

10/12/90

Hon. Mr. Justice K. Nath VC
Hon. Mr. R. Chagga AM.

On the request of counsel
for respondent case is adjourned
to 4.2.91.

Am

Dr
VC

OR
CA/RA have
been exchanged
S. P. H.
L
11/2/91

T.A. 1145/10 T.

②

Handl. Mr. Justice 12 C. Sur. 1/2
Handl. Mr. L. obayye 1/2

On the request of Council
Council to the respondent. Case n.
adjoin to 27.51-92

Am

✓
✓

27.51-92

Case and reaches adjpn
16.7.92

proe

or
CA, RA have
been exchanged
staff
S. P. H.

16.7.92

Handl. Mr. Justice 12 C. Sur. 1/2
Handl. Mr. L. obayye 1/2

On the adjournment slip of

Slip. Sur. B. L. Shide leance
Council to appeal. Case n.
adjoin to 4-8.92 of the respondent.
"Shall not put in his presence
on the next date Mr. Con
shall be heard & disposal of
Expense

Am

✓
✓

O.R.
CA/RA have already
been exchanged. ✓
S. P. O.
3/8/92

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

O.A. NO _____ 199 (L)

T.A. NO _____

Date of Decision _____

PETITIONER..

Advocate for the Petitioner(S)

V E R S U S

RESPONDENT.

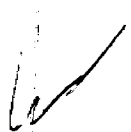
Advocate for the RESPONDENT (S)

CORAM .

The Hon'ble. Mr. _____

The Hon'ble. Mr. _____

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


Vice-Chairman/Member

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Transfer Application No. 1747 of 1987

(Writ Petition No. 2137 of 85)

C.P. Verma Applicant

Versus

Union of India & Others Respondent

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

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.
the applicant

During the pendency of this case ~~filed~~ a writ petition before the High Court in the year 1985 praying that certiorari be issued for quashing the order dated 20.11.1982, 1.3.1984 and order dated 20.11.82, 21.11.1984 and 28.12.1984 and his further prayer was that the respondents be directed to make full salary of the suspension order and the due him increment, seniority and promotions and pay the arrears of salary which was due to him.

2. The applicant was suspended on 2.12.1975 and his suspension order was revoked by the Department itself on 19.5.1976, thereafter he resumed the duties. During this period he was ^{not} paid subsistence allowances, and as he was under suspension, he was ^{also} not given any increment. The applicant, was --- working as Telecommunication Maintainer Grade-I. The main charge against him was tearing of the pages from the diary. Thereafter, the charge-sheet was served on 27.3.1976 and 22.4.1976. The applicant denied the charges. During this period the order of suspension was recalled but no order regarding the payment of salary was made during this period .

:: 2 ::

During the enquiry also the increment was not paid.

3. According to the applicant an enquiry was stopped and only punishment which was given to him was 'Stoppage of Pass' of one set for a year as a punishment which was an exparte decision. The applicant filed representations against the same but the same was not decided, thereafter he filed a writ petition. The respondents have admitted that rather charges were dropped. They have stated that dropping of charges without inflicting punishment/penalty need no redressal. The punishment imposed on the applicant was with a very lenient view, and as such no interference with the same was made. As can be seen above the penalty which was given to the applicant at best could have been a minor penalty. Without entering in to the merit of the enquiry which was rather not carried forward. The suspension order of the applicant was duly unjustified and in view of the fundamental Rule 54(B)(3) the applicant was entitled to full salary for this period which should have been paid. No notice was given to the applicant although his increment was -- withheld and the same could not have been given and no penalty was given to the applicant. The increment of applicant could not have been withheld. As he has already retired from service. No direction regarding promotion can be made though he can claim for promotion on any non-selection post for which he was entitled to.

4. Thus, this application is allowed and the respondents are directed to make full payment of salary to the applicant during his suspension period and also release

(10)

Xo

:: 3 ::

the scale increment which have been given during this period. The payment shall be made to the applicant within a period of two months from the date of communication of this order and consequential benefit shall be given to the applicant within this period.

Member (A)

Vice-Chairman

Lucknow dated 4th August, 1992

(RKA)

2
B
A
A
A

Date.....

Clerk.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH : LUCKNOW

WRIT PETITION NO. 2137/85

1/1

C.P. Verma ... Petitioner

Versus

Union of India & others ... Opp: Parties

I N D E X

Sl.No.	Description of the documents	Page No.
1	Writ petition	1 to 13
2	Annexure No.1 Photostat copy of The Pioneer Newspaper of 19-4-66 for the cash award for meritorious working to Petitioner by DS/LKO published in column No.1 as under	14
3	Annexure No.2 (A) Photostat copy of Duty Diary period from 08 hrs to 16 hrs by the petitioner dt. 29/11/75 as worked without khallasi & (B) The same photostat copy containing the order of CTH/LKO, on Duty Diary of 29/11/75 for Mr. B. Ghose, (T.C.M/I) to work vice petitioner (who was on duty on that time as TCM-I/PCP/LKO	15
4	Annexure No.3 Photostat copy of remarks by the petitioner on duty diary of 29/11/75 period 08 to 16 hrs.	16
5	Annexure No.4 Photostat copy of remarks by Mr. J.K. Chaturvedi TCM/I of 16 to 24 hrs duty diary of 30/11/75 by order of CTH/LKO	17
6	Annexure No.5 Photostat copy of Representation of 1/12/75 by petitioner to DSTE/HR/LKO	18 - 19

7 Annexure 6	Photostat copy of extract dt. 29/11/75 for 00hrs to 8 hrs duty concerning with I/C & O/G TCM/I PCP/LKO	20
8 Annexure 7	Photostat copy of certificate by petitioner of 1-12-75 on duty diary reg: to take over the necessary documents	21
9 Annexure 8	Photostat copy of suspension order dated 1/12/75 by CTI/LKO	22
10 Annexure 9	Photostat copy of application of 16/12/75 to DSTE/NR/LKO by petitioner	23
11 Annexure 10	Photostat copy of suspension order dt. 2/12/75 by ASTE/LKO	24
12 Annexure 11	Photostat copy of representation by petitioner to DS/LKO against unlawful suspension & undue harassment, of 19/4/76	25 - 26
13 Annexure 12	Photostat copy of representation by the petitioner on 23/1/76 to DSTE/LKO regarding the payment of substance allowance	27
14 Annexure 13	Photostat copy of representation dt. 29/4/76 by petitioner to DSTE/LKO for substance allowance	28
15 Annexure 14	Photostat copy of representation of 19/2/76 to CSTE/NR/NDLS Reg: undue harassment	29
16 Annexure 15	Photostat copy of representation of 27/3/76 to DSTE/LKO reg: non-payment of salary	30
17 Annexure 16	Photostat copy of charge sheet dt. 27/3/76 on 22/4/76 by ASTE/LKO	31 - 34
18 Annexure 17	Photostat copy of representation dt. 24/4/76 to DSTE/LKO reg: to inspect the extract of documents by petitioner	35
19 Annexure 18	Photostat copy for reply of charge sheet of 5/5/76 to DSTE/LKO	36

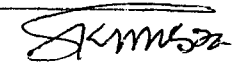
- 20 Annexure 19 Photostat copy of DSTE/LKO
lett-er dt.19/5/76 on
24/5/76 reg: to revoke
suspension order dt.2/12/75 37
- 21 Annexure 20 Photostat copy of represent-
ation of 16/4/77/9-4-77
reg: Denial of legitimate
right and dues 38 - 39
- 22 Annexure 21 Photostat copy reg: the
order for appointment of
DAR/Enquiry vide DSTE/
letter of 19/5/76 40
- 23 Annexure 22 Photostat copy of represent-
ation dt. 22/9/76 reg:
Irregularity of DAR/Enq: to Enq:
officer by the D.C. of P.T. 41
- 24 Annexure 23 Photostat copy of represent-
ation of 7/6/77 reg: to avoid
delay and finalization of
DAR enquiry, to D.S./LKO. 42
- 25 Annexure 24 Photostat copy of represent-
ation dt.12/8/77 reg: non-
accountal of annual increment
/salary and harassment, to D.O/LKO. 43
- 26 Annexure 25 Photostat copy of represent-
ation 3/3/78 reg: early
disposal of case as deprived
from due claims, to D.S./LKO. 44
- 27 Annexure 26 Photostat copy reg: the
statement of B.Ghosh/TCM/I
on DAR enquiry on 10/6/77,
20/6/77 & 13/1/79, total
question No. 170 so. 45 - 51
- 28 Annexure 27 Photostat copy reg: order
of ASTE/LKO letter of 17/11/
81 & 18/11/81^{sup} 20/11/81 for
linient view against the
DAR case 52
- 29 Annexure 28 Photostat copy of petitioner
L of 18/82, reply to Sr DSTE vide DSTE
letter of 1/2/82 on 4/2/82 53
- 30 Annexure 29 Photostat copy of represent-
ation of 28/7/83 to DRM/LKO
reg: finalization of case
and payment of outstanding
dues 54
- 31 Annexure 30 Photostat copy of APO/HR/LKO
letter of March 84 on 3/5/84
to petitioner regarding the
stoppage of one set pass for one
year as a punishment from back
date 55


- 32 Annexure No.31 Photostat copy of representation of 19/9/84 to DRM/LKO against the punishment notice of 20/11/82 vide APO/LKO letter of March 1984 56
- 33 Annexure No.32 Photostat copy for final order of punishment vide APO/LKO letter of 21/11/84, 28/12/84 on 25/1/85 57 & 58
- 34 Annexure No.33 Photostat copy of DSTE/LKO letter of July 1976 on 17/7/76 reg: Hindrance of medical facility for PMR/RMC etc. 59
- 35 Annexure No.34 Photostat copy of ACMO's /MS/NR/LKO letter dt.2/1/85 to DRM/LKO for light duty vide: 60
- 36 Annexure No.35 Photostat copy of fit certificate No.453077/(287) of ADMO NR/HZG/LKO for light duty vide ACMO's letter of 2/1/85 61
- 37 Annexure No.36 Photostat copy of representation of 24/7/76 to DS/LKO reg: the denial of medical facility vide DSTE/LKO letter of July 76 62
- 38 Annexure No.37 Photostat copy of representation of 17/1/85
A) to DRM/LKO reg: deprived from due salary of Dec.84 against RMC - 4 -
B) Deprive from light duty against the medical advice vide ACMO letter of 2/1/85 63
- 39 Annexure No.38 Photostat copy of TCI/Exchange /LKO (NR) letter of 22/2/85 on 26/2/85 reg: fabricated charges under DAR 64
- 40 Annexure No.39 Photostat copy of reply of 27/2/85 against the graphed charges vide TCI/Exchange letter of 22/2/85 65-66
- 41 Annexure No.40 Photostat copy of PMC of 20/2/85 in support of Petitioner's letter of 27/2/85 against TCI Exchange letter of 22/2/85 67
- 42 Annexure No.41 Photostat copy of PMC refer to ADMO/NR/HZG/LKO in support of petitioner's letter of 22/2/85 against TCI/Exchange letter of 22/2/85 68

- 43 Annexure No.42 Photostat copy of C92= (Sick Memo) of 23/2/85 in favour of petitioner by NR/Control Office in support of above case of 20/2/85 vide petitioner representation of 27/2/85 against the fabricated charges by the TCI/Exchange letter of 22/2/85 69
- 44 Annexure No.43 Photostat copy of sick certificate No.726423/ (23) of 23/2/85 by ADMO/ NR/HZG/LKO in support of above case of 20/2/85 and 22/2/85 & 26/2/85 vide petitioner letter of 27/2/85 70
- 45 Annexure No.44 Photostat copy of Advice report of 23/2/85 of sick report to Sr. DSIE/LKO by petitioner vide his letter of 27/2/85 in support of above case of 20/2/85 against TCI letter of 22/2/85 & 26/2/85 71
- 46 Annexure No.45 Photostat copy of fit certificate No.726423/ (23) of 26-2-85 by ADMO/ NR/HZG/LKO for light duty to petitioner in support of above case of 20/2/ and 22/2/85 and 26/2/85 vide petitioner letter of 27/2/85 to TCI/Exchange Lucknow (NR) 72
- 47 Affidavit 73 & 74
- 48 Vokatnama 75

Dated, Lucknow:

10-5-1985


(S.K. MISRA)
Advocate
Counsel for the petitioner



2. That the petitioner has ever been sincere, honest and hard working throughout the tenure of his employment. He has been given several award and appreciation letters, and picked up and passed to the several courses from the Recognised institutions of Indian Railways and also a Diploma Holder of Radio Engg.Course. One of the cash awards was given to the petitioner by the opp: party No.3 who was then known as Divisional Superintendent at the conclusion of Railway Week Celebrations on April 18, 1966. The same was published in the Pioneer Newspaper dated 19-4-1966 the photostat of the said column is marked as Annexure No.1 to this writ petition.
3. That some Inspectors/officers were made prejudiced against the petitioner so they started harassing and victimising the petitioner for meeting their own interest.
4. That the petitioner was working as Telecommunication Maintainer Gr.I in the year 1975 under the opp: party No.5. On that time he was posted as TCM/PCP at Charbagh Lucknow Station and was due to report for around the clock shift duties, accordingly at 08 Hrs. on 29-11-75 when he turned up for duty at 08 hrs on 29-11-75 he was told by his relief Sri Choteylal that there was no Khallasi booked for T.C.M./I(PCP) of last night duty (Portable Control Phone) duty from 08 to 16 hrs duty and that he had relieved his own khallasi Sri P.K. Sen Gupta to go off duty without relief who was a daily passenger from Kanpur.
5. That finding it difficult to discharge his official

86

duty for loading and unloading of telephone sets being a train passing duty without khallasi, he asked the said Sri Chotey Lal why did he relieve the khallasi without being relieved by another proper khallasi. (The petitioner herewith submits that under rules and practice no one can be relieved of his duties unless some other incoming person turns up to take over the charge). On this the said (TCM) Sri Choteylal became annoyed and said that the petitioner should refer the matter to the opposite party No.5.

6. That accordingly the petitioner made several attempts on telephone but with great difficulty could contact the opp: party No.5 in Charbagh Telephone Exchange and conveyed him his difficulty in pulling on the work smoothly without khallasi. The ears of the opp: party No.5 had already been poisoned by the said Sri Chotey Lal to the petitioner's aforesaid telephonic talks so he in rage of anger scolded the petitioner and said that the petitioner is headache for him and told that he would put the petitioner in a very difficult position.

7. That the petitioner being sincere and honest in discharging his duties, performed his due work without khallasi on two trains i.e. 51 Up (Sealdah Express) and 10 Dn (Dehradun Express). The extract of facts and figure is appeared by the attached Annexure No.2.

8. That after discharging his aforesaid duties the

petitioner came back to his office and found that the said Sri Choteylal was present there. The said Sri Choteylal then carried the duty diary with him to the opp: party No.5 (in Charbagh Telephone Exchange) without information of Incharge TCM on duty (petitioner), and returned at about 10 O'clock along with Sri B.Ghosh TCM within writing orders; on duty diary by CTI/LKO who booked with Khallasi for P.C.P. duty to work there vice petitioner, the attached photostat copy of Annexure No.2 is proved to the truth, on which the petitioner asked the said Sri Choteylal as to what had been ordered for him, he made it clear that the opp: party No.5 was missing to sack the petitioner for the reasons best known to him. The petitioner then informed Sri L.S. Bajpai the then A.S.T.E. Lucknow about the whole incident. The ~~xx~~ petitioner then remained available in PCP and waiting for further necessary instructions (from the opp: party No.5 but he was not given any instruction by him, yet he remained there. The photostat copy of the remark which the petitioner made on 29-11-75 in duty diary is marked as Annexure No.3 to this writ petition. The photostat copy of the remark by Sri J.K. Chaturvedi by order of C.T.I. Lucknow in his first night P.C.P. duty dated 30-11-75 is marked as Annexure No.4 to this writ-petition.



9. That next day was the periodical link rest of the petitioner (on account of change the shifting of duty and he was turn up again due for duty at 00.00 hrs of 01-12-75 as per duty Roster according the standard Greak Time to Indian Railways. But out of the

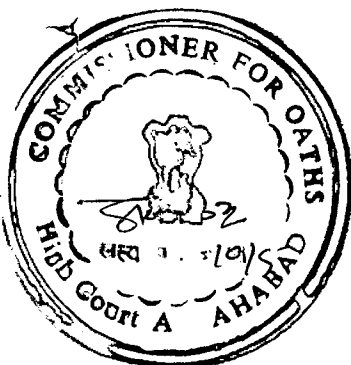
contd..5

[Handwritten signature]

malice and prejudices which the opp: party No.5 had for the petitioner, the charge was directed to be made over to Sri B. Ghosh before the due time and there were no instructions for the petitioner to work at any point. Sri B. Ghosh also made the petition clear that the opp: party No.5 was messing to sack the petitioner. The petitioner then made representation to D.S.T.E(M)N.R/LKO on 01-12-1976, the photostat copy of which is marked as Annexure No.5 to this writ petition.

10. That the petitioner then found in the relief diary fictitious entries appeared to have been made by the said Sri Choteylal after the remarks which the petitioner had made. The fictitious remark were as follows :-

"Sri C.P. Verma T.C.M. came late at 09.00 hrs and refused to take charge and informed C.T.I. (the opp: party No.5) and the petitioner further found that the pages pertaining to the duties of the petitioner concerning 29-11-75 carrying orders by Chief Telecommunication Inspector Lucknow as having been ~~xxxx~~ mutilated and tempered with over figuring the actual facts and partly torne away in the duty diary." The photostat copy of the extract of 29-11-75 for 00.00 to 08.00 hrs duty period which is marked as Annexure No.6 to this writ petition.



11. That the petitioner then suspecting something bad being messed again him out of the malice and prejudices had no other alternative except to take the aforesaid pages in safe custody took them

after making a clear remark that these pages would be produced before the enquiry at the appropriate time to establish the truth and harassment etc. of which the petitioner had been made victim. The photostat copy of the remarks made by the petitioner of 01-12-1975 in same duty diary (at night from 00.00 to 08.00 hrs.) is marked as Annexure No.7 to this writ petition.

12. That the petitioner after performing his last night duty (from 00.00 to 08.00 hrs) of 01-12-75 for no reasons suspended unauthorisedly by Sri Trilok Singh/C.T.I./N.Rly/LKO the then opp: party No.5 but out of malice and prejudices vide his order dated 01-12-75 the photostat copy of which is marked as Annexure No.8 to this writ petition.

13. That the petitioner then made an application to D.S.T.E. (M) N.Railway Lucknow dt.16-12-75 requesting him to take suitable action and also reminded that he moved application on 01-12-75 and 03-12-75 but with no effects. The photostat copy of the said letter is marked as Annexure No.9 to this writ petition.



14. That thereafter the petitioner received the suspension order of 02-12-75 signed by the then A.S.T.E. (Sri L.S. Bajpai) on 30-12-75 for 17-30 hrs., the photostat copy of which is marked as Annexure No.10 to this writ petition.

15. That thereafter the petitioner was neither paid his due salary nor subsistence allowances, against

1/12 ✓

which the petitioner made several representations and letters dated 19-4-1976, 23-1-76, 29-1-76, 19-2-76 and 27-3-76 and the photostat copies of which are marked as Annexures Nos. 11, 12, 13, 14 and 15 respectively to this writ petition.

16. That thereafter the petitioner was served with the charge sheet dated 27-3-76 and 22-4-76, the photostat copy of which is marked as Annexure No.16 to this writ petition.

17. That the petitioner vide his letter dated 24-4-76 wanted to inspect the document and take extracts therefrom, the photostat copy of which is marked as Annexure No.17 to this writ petition.

18. That the petitioner vide his letter dated 05-5-76 made reply to D.S.T.E./Lucknow the photostat copy of which is marked as Annexure No.18 to this Writ petition.

19. That thereafter the D.S.T.E. vide his office letter dated 19-5-76 revoked the aforesaid suspension order of 02-12-76 after 5 months without making any order regarding the payment of salary, the photostat copy of which is marked as Annexure No.19 to this writ petition. The petitioner has so far not been paid the said salary, inspite of several requests and reminders along with other outstanding dues as still withheld by the opp: party No.5.

20. That the petitioner then made several representations within time and so on; as he was not paid his salary



and dues etc. the photostat copies of the representations dated 16/4/1977 is marked as Annexure No. 20 to this writ petition.

21. That the opp: party No.4 then appointed Shri Sarjoo Prasad (Signal Inspector(I) as Enquiry Officer of D.A.R. Enquiry to inquire into the matter vide his office order dated 19-5-76, the photostat copy of which is marked as Annexure No.21 to this writ petition. The petitioner then made the request to permit to engage Sri M.P. Sharma to work as his defence counsel who was permitted but he was not given facilities against which he made representations dated 22-9-76, the photostat copy of which is marked as Annexure No.22 to this writ petition.
22. That during the pendency of the enquiry the petitioner was not paid his due increments which became due on 1st Dec.1975 of calendar date of every year to the maximum point of scale to Rs 560/- and since that back to 11 months and vice versa 07 months from the due date without attention against which he made representations to the DS/NR/LKO on 07-6-77 and requested that the matter/the case of DAR enquiry be finalise earlier.
23. The petitioner then again moved a representation on 12-8-77 and 03-3-78 with the request that he be paid full salary and increments and its arrears the photostat copy of the said representation is marked as Annexure No.24 and 25 to this writ petition respectively.
24. That thereafter the enquiry was held and the



statement of witnesses were recorded Sri B. Ghosh also made his statement, the photostat copy of which is marked as Annexure No.26 to this writ petition.

25. That thereafter the enquiry was again stopped, so the petitioner made a representation on which the petitioner was informed vide the letter dated 08-7-81, that a lenient view was to be taken, the photostat copy of the order dated 17-11-81, 18-11-81 is marked as Annexure No.27 to this writ petition.
26. That the petitioner vide his letter dated 18-2-82 replied, the photostat copy of which is marked as Annexure No.28 to this writ petition.
27. That thereafter again the same challenge from the Railway Administration so the petitioner vide his letter dated 18-7-83 requested that some orders be passed, the photostat copy of which is marked as Annexure No.29 to this writ petition.
28. That after more than a year the petitioner received a letter of Assistant Personnel Officer on 03-5-84 for 'stoppage of Pass' of one set for a year as a punishment on exparte decision, the photostat copy of which is marked as Annexure No.30 to this writ petition.
29. That the petitioner made reply of aforesaid APO's letter of punishment on 19-9-84, the photostat copy of which is marked as Annexure No.31 to this writ petition.



1/15

30. That the petitioner finally received order for punishment of stoppage of pass (one set) for a year on 25-1-85, the photostat copy of which is marked as Annexure No.32 to this writ petition.
31. That the petitioner by the impugned order has been visited with evil consequences. Further the order was passed at the back of the petitioner.
32. That the opp: party No.4 created the hindrances for the medical facilities and also ignored to PMC/RMC and the period of sickness on same ground is treated in L.W.P. against the standing orders of Board's, in ESTT Code Para 908, of 1971-addition vide his letter of 11-7-76, the photostat copy of which is marked as Annexure No. 33 to this writ petition.
33. That the opp: party No.5 did not allow the petitioner for light duty against the Medical advice vide A.C.M.O. N.R./LKO letter of 02-1-85 to the D.R.M./NR/LKO and also in respect of that the Fit Certificate No. 453077/(287) of 02-1-85 of ADMO/NR/HZJ/LKO the photostat copy of which is marked as annexure 34 and 35 respectively to this writ petition.
34. That the petitioner then again moved a representation on 24-7-76 and 17-1-85 with the interest of his legitimate due right the photostat copy of which is marked as annexure No.36 & 37 respectively with this writ petition.
35. That the opp: party No.4 deliberately alleged to



Graphed charges on petitioner vide T.C.I./Exchange/
LKO/(N.R)letter of 22-2-85 served on 26-2-85 the
photostat copy of same is marked as annexure No.38.
to this writ petition. Then the petitioner made
reply of above said letter with the essential document-
ary prove on 27-2-85, as required within a certain
time bar by the Issuing Authority, the photostat copy
of which is marked as Annexure Nos.39,40,41, 42, 43
44, & 45 respectively to this writ petition.



36. That the petitioner being aggrieved of the aforesaid order and there being no other alternative remedy left, prefers this writ petition on the following amongst other grounds.

GROUNDS

- (A) Because the opp: parties committed an illegality in passing the order at the back of the petitioner and as such violated the principles of natural justice.
- (B) Because the opp: parties acted illegally in conducting the inquiry without adopting the procedure prescribed by the statutory rules.
- (C) Because the opp: parties acted illegally in not making the payments of dues and salary i.e. of the suspension period which was revoked by themselves vide the letter dated 19-5-76 and then no order for non-payment of full salary and dues was passed.

- (D) Because the opp: parties acted illegally in withholding the increments without affording an opportunity which was due to him and also not making the overtime, night duty allowance, T.A. bills, Kumbh Mela allowance and respectively other dues etc. for which he was entitled.
- (E) Because opp: parties acted illegally in punishing the petitioner in stopping one set of pass which is a stigma on the conduct of the petitioner.
- (F) Because the opp: parties is colourable exercise of the power passed the impugned order which has visited the petitioner with evil consequences.

P R A Y E R

Wherefore the petitioner prays for the following reliefs :-

- i. That a writ, order or command in the nature of certiorari be issued directing the opp: parties to produce the record in original quashing the order of 20-11-82, 1-3-84 Annexure No:30 and order of 20-11-82, 21-11-84 and 28-12-84 Annexure No. 32.
- ii. that a writ, order or command in the nature of mandamus be issued directing the opp: parties to make full salary of the suspension order to the petitioner and also to give him the due


increment, seniority and promotions and pay the arrears of salary respectively which is due to him and not paid so far;

iii. Any other relief which the Hon'ble Court deems just and proper in the circumstances of the case for further harrassment risk of life and service etc.

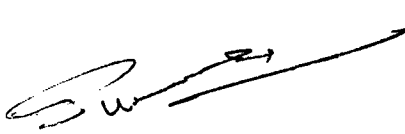
iv. Entire cost of the writ petition be awarded to the petitioner.

Dated, Lucknow:

10-5-1985


(S.K. Misra)
Advocate

Counsel for the Petitioner.



C. P. Karma
Union of India

Retention
-app Party

Annex 2

Annexure No 2

NORTH INDIA RAILWAY STATION MASTER INCHARGE FOR				
Sl. No.	Particulars	Remarks	Signature	Date
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.



Signature

Annex 3.

c. P. Verma —
union of mde^{vs}

— Petitioner
— opp. Party

1/21

Annexure No III

Office order of 28.11.73 (Request on duty
diary on very
evening)

G. T. In/Lko

It is quite difficult to perform my duty w/o
Sh. (Due to T/Possing) kindly arrange to book the Sh. as soon
as possible as per the phone request to you which is hardly
required w/o is badly suffering. But the result is negative as
yet = (2.15 Hrs) after several request this is for your kind
consideration pl. for the interest of the administration with the
most serving.

Because the L.R. Sh. left his duty w/o follow up
A per statement of IN TCM Mr. Q. Lal and the regular Sh. is also not
turn up as yet.

H/ order pl.

illegible
by c. P. Verma
29.11.73

2.20 Hrs



[Handwritten signature]

Annex 4.

C. P. Verma _____ vs _____ Petitioner
Union of India _____ appn Party

/copy Annexure No 4

Extract of instructions of CTI/LKO on PCF Duty Diary through
TCM on duty first night = Mr. J.K. Chaturvedi.

" As per orders of CTI/LKO Shri Trilok Singh: Mr. C.P. Verma will not perform any duty till further orders and Sh. B. Ghosh has been deputed to work vice him 00.00 to 8.00 hrs. duty. As such I am giving charge to Shri B. Ghosh at 00.00 hrs. of 01.12.75.

This is as per telephonic orders of C.T.I./LKO at 21.00 hrs.

Sd/-
(J.K. Chaturvedi)
TCM-I/PCF.
30.11.75 "

N.B. Remarks on 30.11.75, written by
Mr. J.K. Chaturvedi.

Received at 00.10 hrs. on 30.11.75 when I turned up
for last night duty of 1.12.75 as per grip time = 01.12.75.



[Handwritten signature]

U.P.C.

Annex: No. 5/11

No. CE/1/75(A)

C. P. Verma — Petitioner.

To

Union of India — Opp Party

The D.S.T.E.(M)
Northern Railway, Lucknow.Reg:- Complaint against the unruly and insulting behaviour of
CTI/LKO Mr. Trilok Singh in the duty hours.

.....

Sir,

With reference to above subject, I beg to state as follows:

1. Mr. Trilok Singh (CTI/LKO) carries some prejudice against me since a long time and he has been trying all-along to harass me and to create the circumstances in which I may be provided on 29th 11.75 in the office; there was no Khalsi in my duty hours. (for the loading and unloading of the PCP sets on trains) and when the matter was brought to the knowledge of above named CTI/LKO he not only turned deaf ears, but also took in a very insulting tone and used abusing language. When I requested him to refrain from using such language, he threatened to see me as the very moment the matter was brought into the knowledge of ASST(M) LKO Mr. Bajpai through phone on his residence.

2. Again on the night of 30.11.75, when I reached to attend last night duty, for 1.12.75 (from 0/- to 8/ hrs shift). I was informed that above said CTI/LKO has issued instructions that I should not be allowed to perform my duties without any reasons. Whatsoever (by Mr. Ghosh who was deputed to work vice me).

3. When I was shown in PCP occasionally, I saw that two off its pages containing the matter of 29.11.75 were torned by somebody, and they were in a condition to be removed, by anybody comprehended some conspiracy against me and thought it proper to take those torned pages to be kept in safe custody; so that they may be handed over to some responsible higher authority as no such authority was present in the office at that time.

I tried to report the matter to CTI/ & ASST(M) LKO ; on telephone, but none of them was available due to mid-night time.

4. In the early morning of 01.12.75 I met the above said CTI on platform No.1 in this connection. He at once broke upon me in fury and ask me to get away at once. So I return.

5. I am inform you by this letter that I am being made to victim of the wrath of the above said CTI who is bent upon ruining my career in a preplanned manner, with the help of his associates, this is also to inform you that those pages of PCP Diary referred to above are safe with me and they may be handed over as and when asked by your kind office in a certain 'condition'.

6. Due to this rough behaviour, I am a chronic patient of blood pressure so which pained me more and any way return back to home due to severe trouble and had to report sick to Private Doctor which more convenient to me and I am still running under his treatment as per medical advice.

p.t.o.



[Handwritten signature]

C.P. Verma _____ Petitioner
Union of India _____ vs _____
app. Parties

ANNEXURE No 7

(Notings by C.P. Verma on same PCP Duty Diary on same date as the very movement in the takeover the pages under his possession (at the time))

CTI/LEO

When I came on duty of 00.00 hrs. to 8.00 hrs. on date 01.12.75 and noted your telephonic instructions as written by last night TCM-I Mr. J.K. Chaturvedi in presence of TCM I Mr. B. Chokh who was deputed to work vice me.

Caution of non-performing duty by me as per your instructions (on PCP's Diary) is not given to me. Hence I am remain on duty.

This could have been informed me on yesterday date 29.11.75 till 16.00 hrs. and although I have phoned you, repeatedly on No. A/288 from 10.50 hrs. from No. C/320 in presence of TCM Mr. B. Chokh Nathur to receive your further necessary orders. But you have not talked with me. Though you attended and lifted the R.H.F.

If I could contact you, I may through some light regarding to you with facts and figures."

...

Since the matter is serious to be turned into serious stage, I have removed the both duty pages of 28.11.75 to 29.11.75 (duty period 16.00 hrs. to 24.00 hrs. & 29.11.75 from 00.00 to 8.00 hrs. and then 8.00 hrs. to 16.00 hrs.) where your's instructions are issued there in writing on precautionary measures and kept with me, which may be produced in case of Emergency to avoid the fraud."

N.B. ASST(M) Mr. Bajpai, has been informed regarding all that position, (on that day) by phone through trunk.

Sd/-
(C.P. Verma)
01.12.75



C.P. Verma vs Union of India

Page : 2

Annexure No 8

N.B.: (This CTI's Letter could not be received) on official
letter pad

(Scall).

Tele./R/75

Dated 1.12.78.

CTI/LKO.

To

Sh. C.P. Verma,
(TCM I/LKO)

You are suspended from duty with immediate effect.

Please intimate your residential address to my office
immediately.

Sd/-

(Trilok Singh)

CTI/LKO

N.Rly.

C/- DTE(A)/LKO for information. The detailed report
is being submitted please.



C.P. Verma vs Union of India

Annex 19

No. CP/2/75

Annexure N 19

Reminder

(U.P.C.)

To

The D.S.T.E.(M)
N.Kly., Lucknow.

Sir,

Please refer to my application of 01.12.75 and 03.12.75 and request you; further to take suitable action in the matter, as a great injustice has been inflicted upon me and the behaviour noted out to me is not only against the law and rule; but also against humanity, which does not suite to a boss against a subordinate.

Thanking you,

Yours faithfully,

Sd/-

(C.P. Verma)

16.12.75

(C.P. Verma) TCM-I

C/o Aps Bawa Praga Cycle
works, Naka Hindola,
Lucknow, U.P.



e. P. Verma — Petitioner
union of India — VS — opp. Parties

Annexure No 10

STANDARD FORM NO. 10

Standard form of order of suspension (Rule 5 (1) of the
RS (D & A) Rules 1968).

No. 512/20) 271/100

(Name of Railway Administration Lko)

Place of issue Lko dt. 2-12-75

O R D E R

Whereas a disciplinary
proceeding against Shri
e. P. Verma rem I / Lko
(Name and designation of
the Railway servant) is
contemplated/pending.

Whereas a case against
Shri e. P. Verma rem I / Lko
in respect of a criminal offence
is under investigation/Enquiry/
trial.

Now, therefore, the undersigned in exercise of the powers
conferred by rule 4/proviso to rule 5(1) of the RS (D & A)
Rules, 1968, hereby places the said Shri e. P. Verma rem I / Lko
under suspension with immediate effect/with effect from 1-12-75.

It is further ordered that during the period of this order
shall remain in force, the said Shri e. P. Verma rem I / Lko
shall not leave the headquarters without obtaining the previous
permission of the competent authority.

Signature: L. S. Dey

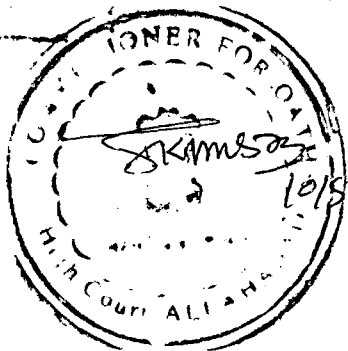
Name: (L. S. Dey)

Designation of suspending
authority 157 E (2) / Lko

Copy to: e. P. Verma rem I / Lko
Surf 10/100
Orders reg. subsistence allowance admissible to him during the
period of suspension will issue separately.

Copy to 'E' Branch for information, & necessary action.

Copy to 271/100 for information & necessary action.



Sh

C. P. Verma vs U.O. 9.
No. CP/3/76.

Annexure No 12

The Divl. Signal & Telecom Engr.,
A.H.V., Lucknow.

Dated 23.1.76.

Through proper channel.

Sir,

Re: Non payment of my subsistence allowance.

Respectfully I beg to submit the following few lines for your kind and sympathetic consideration.

1. That I remained on sick list, under the treatment of my neighbouring physician, Dr.V.K.Khanna of Ghorey Chowk, Lucknow w.e.f. 1 to 29.12.75.

2. That I after being declared fit by A.D. H&C I reported for duty in CTI's office H&C in the forenoon on 30.12.75.

3. That I was kept waiting in CTI's office and was later on, served with SF(1) suspension order No. Sig/CS/CTI/LKO dt.2.12.75 by Shri Banerjee, Tel.Operator at 17.30 hrs. on 30.12.75.

4. That I was last paid my salary for 10 days only, pertaining to Nov. 75 in Dec. 75.

5. That thus, my 20 days pay for Nov.75 full month of Dec. 75 and subsistence allowance thereafter, are due to me, but nothing has been paid as yet.

6. That owing to my non-payment and uncalled for suspension I have been put to unnecessary harassment and am facing acute financial hardship.

I would, therefore, most respectfully, request your Honour to very kindly arrange early payment of my outstanding dues and also put me back to duty forthwith.

In case you are pleased to issue me some charge sheet, the enquiry proceedings can be launched more effectively while I am on duty in comparison to my keeping under suspension.

Thanking you. With respects.

Yours faithfully,

(Sd/-) (Signature)
IC-1 Gr.1,
c/o M/s Dawa Praga Cycle Works,
Naka Pindole, Lucknow.



To C.P. Verma ^{U.O. 91}
-28-

he D.C.T.E. (M) Annexure No 13 ^{Ann: 13.}
N. Rly LKO.

Dt/ 29-1-76

Sir, Reg: My presence in Hd Qr. during suspension period.

Most respectfully I beg to state submit that I have remained physically present at LKO. and have not left my Hd Qr. throughout my suspension period from 30-12-75 to date.

I would therefore request you to very kindly draw my suspension allowance upto date as the same has not yet been paid to me and I am badly suffering due to non-payment.

Thanking you,

Yours faithfully,

sd.

NB RECD. BY CTI /Hd. Clerk
on 29-1-76.

29-1-76
C.P. VERMA TCM I LKO
CTI LKO.



No. 4/76 C.P. Verma Vs Union of India

(ADVANCE COPY SENT DIRECT)

Ann: 14

To

Annexure No 14
To Chief Signal & Telecom. Engineer,
Northorn Railway,
Baroda House,
New Delhi.

Through Proper Channel.

Respected Sir,

Re: Undue harassment to me.

....

Most respectfully I beg to submit the following few lines for your sympathetic consideration:-

1. That due to reasons, best known to him, S.T.I./LKO, Shri Trilok Singh has developed unnecessary animosity against me and is harassing me for the last 2 - 3 years.

2. That in order to oblige Shri J.K. Jasturvedi, then T.C.S./BSB, the CTI got me transferred to RSB in his place in Aug.-Sept. last year, but fortunately for me, the mischief could not materialize owing to the rule-based interference by the then D.P.O./LKO.

3. That on my legitimate demand of a Khallasi on 2.11.75, he flared up, and put me off duty and deputed another T.C.S. Shri B. Ghosh along with a Khallasi, instead of providing a Khallasi to me and permitting me to perform duty, which was the correct and reasonable course.

4. That since then, he has got me suspended and to-date, no charges of this nature have yet been framed against me.

5. That he is in the habit of suspending his subordinates on flimsy pretext and suspended Shri S.K. Das, T.C.S./LKO, for his failure to supply a telephone instrument, when actually he had none in his custody.

6. That owing to his personal animosity with me, since the CTI did not pay even my suspension allowance for Dec.'75 & Jan.'76 and very belatedly arranged payment for Jan.'76 only this month, after illegally making deductions from my subsistence allowance against the extant rules.

7. My 20 days pay for Nov.'75, as also my subsistence allowance for Jan.'76, still remains unpaid.

I would therefore most respectfully request your honour to very kindly dispense even justice in my case and save me from the CTI's persistent harassment.

1 copy of my application dated 23.1.76 submitted to respected S.P.O./Lucknow is also enclosed for your kind information.

With prayers for your honour's long life and prosperity.

Yours faithfully,

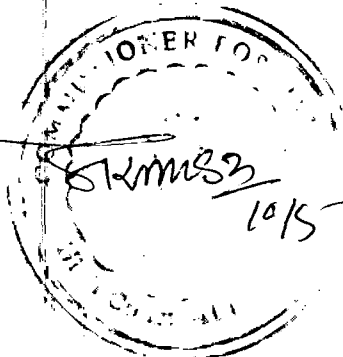
Dated: 18.2.1976.

C.P. VERMA

(Under Suspension)

Office)

Lucknow Division.



Signature

No. CP/5/76

C.P. Verma ————— Petitioner
VS.
Union of India ————— Opp. Party

To,

Annexure No 15
The Divl. ~~High~~ ~~Commission~~ Engineer,
D.R. Lucknow.

Dated 27.3.76.

THROUGH ROPE CHANNEL.

Sir,

Re: NON PAYMENT OF MY SALARY FROM 11 to 30/11/75 AND CURRENT
TWO MONTHS' ATTENDANCE.

Most respectfully I beg to thank you for payment of my monthly subsistence allowance and to draw your kind attention to my application dt. 23.1.76 on the above subject.

It may kindly be appreciated that my aforesaid salary for 20 days of Nov. 75 has still not been paid to me, owing to which, I am under severe financial strain. I have to subsist on my meagre subsistence allowance owing to my suspension and am unable to discharge my liabilities incurred in Nov. 75, due to lack of funds.

I would, therefore, once again request your honour to very kindly arrange early payment of my long outstanding salary for 20 days of Nov. 75.

Further it is certified that I remained present at my Hd. Qrs. in LKO during the current month and my subsistence allowance for the month of 15.3.76 to 14.4.76 may kindly be drawn as usual.

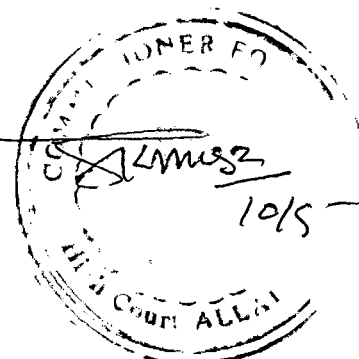
Thanking you. With respects.

Yours faithfully,

(C.P. VERMA)
P.C.M. 8
(UNDER SUSPENSION)

Advanced copy sent direct.

- Submitted with
Attendance Certificate.
Form MIE No. 3/76.
Recd by H.O. on 27/3/76.
M. M. Sharma



e. B. Verma vs u.o. 9

Annexure No 16

STANDARD FORM NO. 5.

STANDARD FORM OF CHARGE SHEET.

Rule 9 of the Railway Servants Discipline and Appeal Rules, 1968

No. 516/68/CTI/LesDivil. Supdt's Office,
Lucknow: Dt. 27.5.76

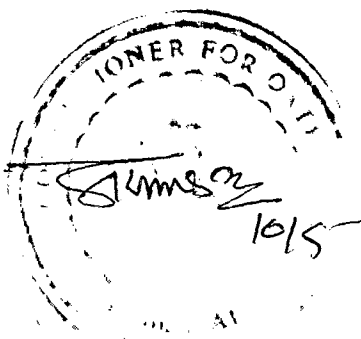
MEMORANDUM

The undersigned proposes to hold an inquiry against Shri e. B. Verma TCM/Dep/Sec under Rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968. The substance of the imputations of mis-conduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of mis-conduct or mis-behaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are enclosed (Annexure III & IV).

2. Shri e. B. Verma TCM is hereby informed that if he so desired, he can inspect and take extracts from the documents mentioned in the enclosed list of documents (Annexure III) at any time during office hours within five days of receipt of this memorandum. If he desires to be given access to any other documents which are in the possession of railway administration but not mentioned in the enclosed list of documents (Annexure III), he should give a notice to that effect to the undersigned within 10 days of the receipt of this Memorandum, indicating the relevance of the documents required by him for inspection. The disciplinary authority may refuse permission to inspect all or any such documents as are, in its opinion, not relevant to the case or it would be against the public interest or security of the State to allow access thereto. He should complete inspection of additional documents within five days of their being made available. He will be permitted to take extracts from such of the additional documents as he is permitted to inspect.

3. Shri e. B. Verma TCM is informed that request for access to documents made at later stages of the inquiry will not be entertained unless sufficient cause is shown for the delay in making the request within the time limit specified above and the circumstances shown clearly that the request could not have been made at an earlier stage. No request for access to additional documents will be entertained after the completion of the inquiry unless sufficient cause is shown for not making the request before the completion of the inquiry.

Contd.....Page.....2.....



133

- 3 -

8. The attention of Shri C. P. Varna TCM is invited to Rule 20 of the Railway Service (Conduct) Rules, 1966, under which no railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters relating to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri C. P. Varna TCM is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the Railway Services (Conduct) Rules, 1966.

9. The receipt of this Memorandum may be acknowledged.

C. S. Sanyal

Div. II. / Asstt. Sig. & Telecom. Engineer,
Northern Railway,
Lucknow.

Encls.

To

Shri C. P. Varna TCM / TCM

Lko

(Designation)

Through CTI / uo

Copy to CTI / uo for information.

C. S. Sanyal

Amor
10/5

Statement of articles of charges against Sri C.P.Verma TCM(I)/PCP/LKO under CTI/LKO.

Annexure-I

Charge No.1.

That on 29.11.75 at about 9/-Hrs. the said Sri C.P.Verma TCM/I PCP/LKO under CTI/LKO showed in subordination to CTI/LKO and used unparliamentary language to him as well as to Sri Chhotey Lal TCM/PCP on being asked for his late arrival on duty.

Charge No.2

That on 29.11.75 the said Sri C.P.Verma TCM PCP/LKO forcibly taken the PCP diary from the TCM/PCP on duty and made entries there in to prove his attendance and torn away those papers from the diary without obtaining prior permission from the competent authority.

Thus Sri C.P.Verma TCM/PCP is responsible for violation of Para 3(ii & iii) of Railway servants conduct rules of 1966.

A.S.T.E.(M)/LKO.

Annexure-II

Statement of Imputation of misconduct or misbehaviour against charge No.I & II above against Sri C.P.Verma TCM(I)/PCP/LKO.

1) On 29.11.75, the said Sri C.P.Verma was due to perform his duty as TCM/PCP/LKO from 8/-Hrs. to 16/- Hrs. but he reported for duty at about 9/- Hrs. On being asked by Sri Chhotey Lal TCM/PCP who was performing his duty from 99/- Hrs. of 29.11.75 for his late arrival, he became furious and exchanged hot, talks with him. Further he was asked by CTI/LKO on phone the reason for his late arrival he again became furious to him. He was asked by CTI/LKO to see him at once but neither he saw him nor joined the duty.

11) On 29.11.75 the said Sri C.P.Verma TCM/PCP/LKO forcibly taken away the PCP diary from Sri B.Ghosh TCM-I on duty who was deputed to work in the absence of Sri C.P.Verma, and made entries to prove his attendance on that day. Not only this he tore out those pages for the diary and taken away with him which was not supposed from him being a railway servant.

Thus Sri C.P.Verma TCM/PCP/LKO is responsible for violation of para 3(ii & iii) of Railway servants conduct rules of 1966.

A.S.T.E.(M)/LKO

Annexure-III

Documents relied upon:-

1. Letter No.Tele/E/75 Dt.29.11.75 & 1/12/75. from CTI/LKO.
2. Statement of Sri Chhotey Lal TCM/PCP/LKO.
3. Statement of Sri B.Ghosh TCM/PCP/LKO.
4. PCP diaries.

Statement of witnesses:-

1. Sri Chhotey Lal TCM/PCP.
2. Sri B.Ghosh TCM/PCP.
3. Shri Tirlok Singh CTI/LKO.

15/3/76.

A.S.T.E.(M)/LKO.

(Annexure-IV)

A.S.T.E.(M)/LKO.

C. P. Verma ———— Petitioner
Union of India ———— vs ———— app. Party
No. CP/7/76

To,

The D. T. E. (M)
N. R. I. : Lucknow.

Ref: Charge sheet No. Sig/CP/CTI/Lko, Dt/ 27-3-76
Recd on 22.4.76.

Sir,

I want to inspect the Documents and take
extract there from. Kindly permit me and oblige.

Thanking you,

Yours faithfully,

sd. Illegible
24.4.76

Recd. copy

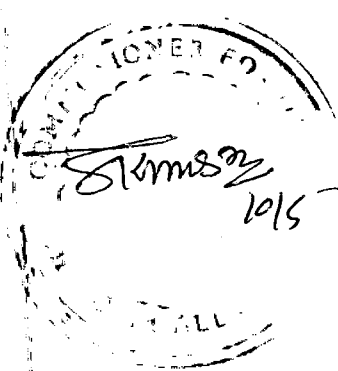
sd. Illegible
24.4.76

C. P. Verma
TCM 2
under Suspension.

Attended office on date.
As AS T. E. (M) was out of station
he is directed to attend office
on 27.4.76 (tomorrow).

sd. Illegible
26.4.76

[Signature]



C. P. Verma Vs U.O.S.

Annexure No. 18

Reply of Charge Sheet

No: C/P/8/76

To

The D.S.T.E. (I)/Lko.

Through A.S.T.E. (II)
N.Dy., Lko.

Ref: Your charge sheet No. Sig/CS/CII/Lko dated 27-3-76

In reply of your Charge-sheet No. Sig/CS/CII/Lko dated 27-3-76, I beg to submit as follows:-

1- That on 29-11-75 I came on duty at my usual working hours but Shri Chotte Lal from whom I has to take over was not available in his office, he came in his office after about 6.45 hrs. It is incorrect that I ~~showed~~ showed in sub-ordination to C.T.I. Lucknow and used unparliamentary Language either to him or to Shri Chotte Lal.

2- That it is further incorrect that I took forcible possession of the P.C.I. Diary from Sri ~~Chotte Lal~~ B. Gosh and made entries therein to prove my attendance or that, I had turned away the papers from the diary. The competent authority was not available in the office and hence the question of taking his permission did not arise.

3- In this connection I would invite your attention on my submission dated 1.12.75 in which I have already explained the circumstances to you. The charges are therefore baseless and wilfully manipulated.

4- I may inform you that this case has been deliberately created to cause harassment in ~~dispre-planned~~ manner. I reserved my right to make further approaches on this subject to any higher authority as deemed fit.

5- The suspension order by your kind office are unwarranted and without due investigation. I may request that this suspension may kindly be revoked, pending investigation into this incident.

6- All payments hitherto withheld may kindly be expedited as already requested in my application of 19-4-1976.

7- I nominate Servshri R.P. Tewari, TTE/Lko and B.D. Tewari Hd. T.C./Lko as my defence helpers in the proposed enquiry.

I shall nominate the Defence witnesses during the course of proposed enquiry.

I have inspected the documents file and have taken extracts. ~~From~~ detail report in this connection shall follow.

Thanking you,

Yours faithfully,

(C.P. Verma)

T.C.I.,
Under Suspension.

Address for Correspondence at

% M/s. Banwari Singh

Chakraborty,

Ward 1, Hadda,

Delhi 110006 (U.P.)

Dated. 5.5.76

I agree to defend him
C.P. Verma in the above case

R.P. Tewari TTE/Lko

B.D. Tewari Hadda/Lko

Su

Read letter on 1st
along with 2nd. enclosed
10/5

N.B.
Submitted to
M/s. M. B. D. Sharma
on 13.2.1976
AM 16.5.76/THS

Annexure No 19

STANDARD FORM NO. 4

Standard Form of order for revocation of suspension
order (Rule 5 (5) (c) of RS (D & A) Rules, 1968.No. 519/CS/CTI/LesOS/Les (Name of Rly. Administration)(Place of issue) LesDated 19.5.76.

ORDER

Whereas an order placing Shri C. P. Verma Tcm I/Les
under suspension was made/was deemed to have been made by
The undersigned on 2/12/75.

Now, therefore, the undersigned in exercise of the powers
conferred by clause (c) of Sub-rule (5) of rule 5 of the
RS (D & A) Rules 1968, hereby revokes the said order of
suspension with immediate effect/with effect from _____.

Signature C. S. B. Bapai

Name and designation of the
suspending authority Asst E (m) / Les

Copy to:-

Shri C. P. Verma Tcm I/Les
Thy h CTI/Les

Copy to 'E' Branch for information.

Copy to CTI/Les for information & necessary action.

24.5.76
24.5.76

KMS
10/5

Sun

C.P. Verma vs Union of India

No. CP/15/77

16-4-77

Annexure No 20

To,

The Divisional Supdt.
Northern Railway
Lucknow.

Subject: Denial of legitimate rights and dues.

Sir,

Having heard much of your kind heartedness I once again approach your goodself with the following few lines for sympathetic consideration and favourable orders :-

That I was placed under suspension by the CTI/LKO on 30-11-76 and was approved by ASTE on 1-12-1976 and the orders were served on me on 30-12-76 in office when I attended office as was directed to see to see the ASTE/LKO. These orders were only revoked in May, 1976 and I was served SF-5 on 22-4-76.

That I replied to charges and had requested for the institution of the DMP enquiry which too was ordered nominating Shree Sarjoo Prasad S.I.(II) Lucknow as enquiry officer vide office No. Sig./CS/CTI/LKO. dated 18-5-76 & 24-5-76. Since then only once the enquiry was fixed ignoring the attendance of my defence counsel who was neither addressed nor spared to attend the same.

That again I started my duties with full devotion and worked to the entire satisfaction of my superiors and seniors and even volunteered myself for the Kumbh Mela which too I managed successfully.

That ever since this case was initiated against me I have not only been deprived of my salary for the periods of my sickness advised through P.M.C.'s under cited order I have not been granted the annual increments so far except the one paid to me in December 1976. whereas, I was due annual increments every year as the same was not withheld for any reason.

That the arrangements of Kumbh Mela were also a problem to the administration and through I was asked to proceed to attend the same I was denied the facilities of pass and staff for the same and I had to proceed on my own expenses through purchase of ticket no. 0035 ex. LKO to Prayag and 0977 ex Prayag to Lucknow dated 12.1.77 for the return journey.

That the T.A. Bills submitted with CH/LKO office has not been paid to me through submitted in time along with the bill for local purchase for the set installed in Kumbh Mela.

I, therefore, request your benovolent honour to kindly look into the case and see yourself on how this mal-administration of CTI/LKO office is ignoring the legitimate dues of the staff for personal gains and the entire working

closed...p/2

CONF

Annex 2

10/5

e. P. Verma vs Union of India

Standard Form No. 7.

Amendment No. 1
Standard form of order relating to Appointment of Inquiry Officer/
Board of Inquiry Rule 9 (2) of RS. D&A Rules, 1968

SIA/CS/CTI/UCO

Name of Railway Administration.....DS/UCO

Place of Issue.....LKO

Date14-5-1976

ORDER

Whereas an inquiry under rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968 is being held against Shri.....e. P. Verma TCM I/UCO.....(Name and designation of the Railway servant).

AND WHEREAS the ~~Railway Board~~/the undersigned consider(s) that a Board of Inquiry/an Inquiry Officer should be appointed to inquire into the charges framed against him.

NOW, THEREFORE, the ~~Railway Board~~/the undersigned, in exercise of the powers conferred by Sub-rule (2) of the said Rule, hereby appoint(s).—

A Board of Inquiry consisting :—

- 1.
- 2.
- 3.

Here enter names and designation of members of the Board of Inquiry.

Or

Shri Sarjoo Prasad SI (II) LKO.....(Name and designation of the Inquiry Officer) as Inquiry Officer to inquire into the charges framed against the said Shri.....e. P. Verma TCM I/UCO.....

Signature.....S. S. Bapna

Name.....S. S. Bapna

Secretary, Railway Board

or 14372 (m) LKO

Designation of the Disciplinary Authority.

Copy to—

to Shri e. P. Verma TCM I/UCO Tinsukia CTI/UCO.....(Name and designation of the Railway Servant).

Copy to—

Shri Sarjoo Prasad SI (II) LKO.....(Name and designation of the Members of the Board of Inquiry/Inquiry Officer).

Copy to—

.....CTI/UCO.....(Name and designation of the lending authority) for information.

10/5

Signature

C. P. Verma vs Union of India

Annexure No 2

D. 6/12-1/73

The Enquiry Officer,
SI 11/LKO.

Subj: Irregular firing of UP of DC Enquiry
causing unavoidable delay in finalization of
the case.

SIR,

The enquiry filed by you in the case of SI C. P.
Verma TCM Gr. I/LKO. does not cover the provisions laid in
DAF provisions para 1712(3) as no efforts were made to
get the defence counsel appointed for the said enquiry. The
question of furnishing first consent at this stage does
not arise as the same has already been given in time.

Will you kindly intimate CHG/LKO in time to spare
for the enquiry as and when it is asked by you most so
that the case be finalized early.

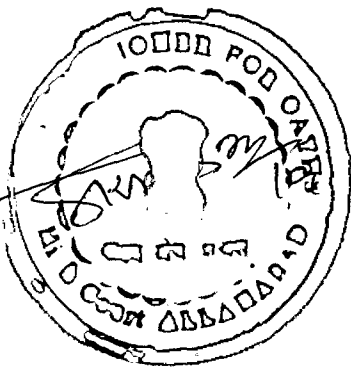
Thanking you,

Yours faithfully,

100 Refused to accept it.
as posted by the inland
letter no. 67/12-1/73 under
postal certificate of
23-9-1973 to Mr. Sarjoo P. A.
Enquiry officer to SI 11
Office R. R. L. Munawar Bugh,
Lucknow.

22-9-73

(M. P. SHARMA)
CHG/LKO Dva. (MB)
Defence Council.



No. CP/16/1977.

To, C. P. Verma Vs. u.o.s.

The Divil. Superintendent
Northern Railway,
Lucknow.

Annexure No 23

Sub: Denial of legitimate rights ?
-.-.-.-.-

Sir,

In continuation to my representation submitted earlier I have to add further the following few lines for sympathetic consideration and favourable orders.

That the period of my suspension and the action of serving SF-5 have not so far been justified by the authorities concerned and undoubtedly it was abuse of powers by the OTI/LKO supported by the then A.S.T.E./LKO.

That it is learnt that I have been deprived of my annual increments (elicuabily) as a result of treating a few months period as L.T.R. In this regard I submit that the PMCs on certain occasions were duly acknowledged by the Medical authorities and finally I have been under the treatment of DMO/Lucknow and still I am continuing his continuing his treatment. The periods of my sickness were not regularised deliberately and I was made to stand heavy financial losses.

That my working in Kumbh Mela was not considered worth payment and I have not so far been paid the due allowances whereas all others have since been paid.

That under the circumstances I have been put in I feel am if I am being extended stop motherly treatment by the OTI/LKO who failed to pay up the dues, increments in time and regularisation of the sick period as leave due and that I am forced to go un-cared, un-aided and un-halved by the administration.

In the end I once again request your goodself to kindly arrange the DAR Enquiry proposed in my case and lend me a chance to prove myself not guilty of the charges levelled against me. Also please regularise the period to avoid further loss.

Thanking you,

Yours faithfully,

sd-
(C.P. VERMA)
TCM-GR.I

Address for correspondence

UNDER C.P.I./LUCKNOW.

C. P. VERMA C/O M/s. Bawa Prasad,
Cycle Works, Wala Hindola, Lucknow.

Copy to:-

1. Hon'ble Prime Minister of India, New Delhi.
2. Hon'ble Mly. Minister New Delhi
3. The General Manager, N.Rly. New Delhi.
4. Chief Sig. & Telegram Engineer N.Rly New Delhi.
5. Labour Commissioner, Kanpur.
6. Civil Sig. & Telegram Engineer (M) N.Rly Lucknow.



10/11/77

[Handwritten signature]

4/18
C.P. Verma vs. 43-9

ANN 24

To Annexure No 24

The Divisional Personnel Officer,
Northern Railway,
Lucknow.

Sub: Non accountal of annual increment in time and non payment of arrears thereto.

Sir,

In continuation to my representations made earlier I have to submit the following few lines for sympathetic consideration and favourable orders.

That I was due my annual increment in Dec. '76 which was paid to me in Dec. '76 and no arrears were paid. Again the increment due in Dec. '76 was paid in July '77. Thus causing me a loss of 19 months arrears and the change in the date of increment which is not changeable under the Rules.

That I have never been on unauthorized absence during the period except that I was kept under suspension for about 6 months which too has nothing to do with the annual increment.

I therefore once again request your goodness to kindly review my case and see that I am not deprived of my legitimate right and claim.

Hope you will kindly let the feeling of justice under your prevail on the division.

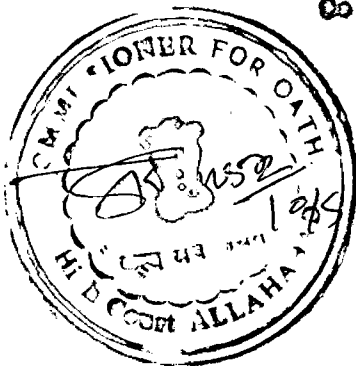
Thanking you,

Yours faithfully,

Dated: Aug. 11, 1977.

(C.P. Verma)
TOM Gr. I,
Under C.T.I./Lko.

Copy to the Divisional Superintendent,
Northern Railway, Lucknow.



Signature

C. P. Verma vs UOI

ANN. 25-

Annexure No 25

NO 25/11/75

To

The Divisional Superintendent,
Northern Railway,
Lucknow.

Subj: DENIAL OF LEGITIMATE RIGHTS ?

Sir,

Having heard much of your kind helpfulness I
now dare approach your goodness with the following
few lines for sympathetic consideration and favourable
orders :

That I was placed under suspension in December 1973
and was kept unattended for about 6 months on account of
administrative delay and was put back to duty in July 74
and a DAR Enquiry was ordered to be held by SI-511 LKO
which is still in progress.

That while granting me the annual increment the
period of this suspension was taken as having deprived
me of my rightful claim of increment on due date 1.0.
1.12.75, thereby putting me to heavy financial loss
whereas the increment due on 1/12/75 had kept relation
to official suspension and till such time any of the
penalty imposed on me.

That I requested repeatedly to correct the records
and grant me the due increments with arrears but nothing
has so far been done in my case.

I, therefore, once again request your goodness
to kindly order early disposal of the case granting
me the due increment. I had earned with all its arrears
so as to save me of the heavy financial losses.

Thanking you,

Yours faithfully,

(C. P. VERMA)
JUN GR. I / LKO

Dated : 25/11/75

Copy to the Labour Commissioner, Lucknow.



[Handwritten signature]

C.P. Verma vs Union of India

Report of Sh. B. Ghosh, TCM Gr. I/LKO.

Date of appointment: 5.7.1958
Date of pay: 2.6.76/-
Age: 38 years.

Annexure No 26/11

Annexure No 26

G.M's warning given.

I was on duty at Auto Exchange CE from 8/- to 16/-hrs. on 29.11.75. At about 9.30 hrs. I was ordered by CFI/LKO to relieve Shri Chotey Lal TCM/PCP/LKO who was on duty from 0/- to 8/- hrs on 29.11.75. I reached in PCP Office at Aly. Station/LKO at 10/-hrs. sharp and performed duty of TCM/PCP from 10/- to 16/-hrs. I may mention here that I took over charge from Sh. Chotey Lal TCM and relieved him at 10/-hrs.. I made necessary entries in the PCP diary from 10/- to 16/- hrs. I also reconnect that Shri C.P. Verma, TCM Gr. I had also signed the diary after I had taken over. On my objecting Sh. Verma for signing on the diary, he used unparliamentary language to CFI/LKO and other JF Officers, for not allowing him duty.

On 30.11.75 I availed my rest as per duty roster of PCP/LKO and turned up on duty at 0/-hrs. on 1.12.75. At 0/20 hrs. on 1/12/75 Sh. C.P. Verma TCM also turned up for duty. Finding me on duty, he got angry and again used unparliamentary words for CFI and others and torn away two pages from the PCP diary pertaining to duties of PCP of 29/11 and 30/11/75. I requested him not to tear the pages from the diary to which he replied that there should be no objection in the fact of the remarks, he was putting in the diary. I informed accordingly to CFI/LKO in the morning.

I hereby close my statement at my own accord and nothing to add more.

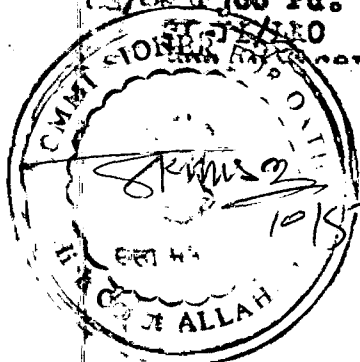
S/-
(B. Ghosh)
TCM/LKO
10.6.77

QUESTIONS BY DEFENCE COUNSEL.

- Q.1 Who were the persons present in PCP Office when you reached for duty at 10/ hrs on 29.11.75?
- Ans.1 Shri Chotey Lal TCM on duty, Sh. C.P. Verma TCM, a Khulani on duty 8/- to 16/- hrs. 29.11.75, name I do not recollect at this did not onto and myself.
- Q.2 What conversation you had with CFI/LKO before you left for PCP duty?
- Ans. The only conversation which I had with CFI/LKO was that I was to go for PCP to relieve Sh. Chotey Lal.
- Q.3 What conversation you had with Sh. CP Verma when you found him in PCP Office?
- Ans. I had no conversation with him.
- Q.4 You were fully aware of the fact that Sh. CP Verma had been working on PCP duty and you also found him present in PCP Office. When you reached there, how is it that you had not asked Sh. Verma, the circumstances, you were called for PCP duty, when he was available there?
- Ans. I did ask the TCM on duty Sh. Chotey Lal as to why I was called for duty. Sh. Chotey Lal told me that Sh. Verma was not willing to accept the khulani booked to work with him for 8/- to 16/-hrs.

Sd/- A.P. Sharma Sd/- B. Ghosh
D/G

Sd/- A.P. Sharma Sd/- CP Verma
10.6.77



[Handwritten signature]

Statement of Sh. Ghosh, J. Secy.

Q.5 Can you recollect and say if the person booked as Khalasi 8/- to 16/-hrs on 29.11.75 was a regular Khalasi and was fully aware and consent with the duties of LCI working?

Ans. Since I am not in a position to recollect the name of the person at this stage, I can say nothing about his working and ability in the LCI duty.

Q.6 The claim maintained by you against Sh. CP Verma for his having used unparliamentary language towards CTI and other S&T Officers is not acceptable till such time, you kindly unhold it in the narrations uttered by Sh. Verma towards them?

Ans. So far I recollect Sh. Verma had said, "BAE SAME SARDAR EK HO JATE HAIN. ANT-SANT DUTY KARATE HAIN, IN CASHE SADA BAKAH BAJE RAHTE HAIN, GALAT KADAMI KO DUTY PAR BHEJ DEKE HAIN, BEKAR PAROSHAN KARTE HAIN, AADI, AADI." (Written in Hindi)

Q.7 Can you say under what circumstances S. Verma had lost his temper to an extent given by you?

Ans. Since Sh. Verma was already available for duty, and on the other hand I was ordered by CTI and Sh. Chotey Lal TOM handed over charge to me instead of Sh. CP Verma. This might have made him annoyed.

Q.8 Did you leave any remark in your belief diary about the misbehaviour, unparliamentary language and indignant utterances of Sh. CP Verma on record.

Ans. I did not mention this in the diary.

Q.9 Did you inform the CTI/LKO of this occurrence on the day in question immediately?

Ans. Yes. I informed to CTI about this after about an hour.

Q.10 What the CTI/LKO had asked you to do in the matter?

Ans. He asked to continue my duty.

Q.11 Were you asked by the CTI to give anything in writing about this?

Ans. On 2.12.75, he called me in office at 10/-hrs. and asked me to give in writing the occurrence of 29.11.75.

Q.12 From the statement given by you and in the facts of record available it appears that the CTI/LKO had taken advantage of your simplicity, in submitting a special report against Shri Verma whereas you as per your statement, had only given in writing on 2.12.75. Does it not go to prove that you were personally interested to get Sh. Verma, victimised and connived with CTI/LKO for signing the statement in the back date?

Ans. Since I had informed to CTI/LKO verbally on phone reg. the removal of pages from diary by Sh. Verma on 1.12.75. This must have pointed to CTI/LKO for necessary action.

Q.13 Is it expected of a medically fit man start abusing, using unparliamentary language or extending insubordination to his seniors and superiors without being provoked or sufficient reasons?

Ans. As already answered, transferring of the charge by Shri Chotey Lal to me, in face of Sh. Verma, must have infuriated me for the utterances committed by him.

Q.14 Since how long you know Sh. CP Verma? Sd/-P. Ghosh, TOM
Sd/-Sa. Joo Pd. Sd/-CP Verma Sd/-MP Sharma 10.6.77
Sd/-JL (E.O.) 10.6.77 10.6.77



Sur

Notes of Shri B. Ghosh contd.

Ans. to Q. no. 14 - I know Sh. Verma since my appointment.

Q.15 Is it a matter of routine for Sh. Verma to speak ill of his seniors and superiors?

Ans. I don't know.

Q.16 What are your assessment about Sh. Verma's day to day working, stature and calibre, and his general behaviour?

Ans. So far his behaviour is concerned with me, is quite good as well as with others. Working etc. can be checked and verified from confidentials.

Q.17 Can you produce any other witness to support your contention of Sh. Verma having used unparliamentary language towards CJI/LKO and other JAT officers to establish your claim?

Ans. Sh. Chotey Lal TCM and the khalasi who was on duty are the witness.

Q.18 The PCP Office is very close to the battery room, A's Store Issuer Office and the Telegraph Office. Can you name any of the staff on duty there to stand as a witness.

Ans. No.

Q.19 It is said that Sh. Verma was late on duty by about an hour on 29.11.75 and the CJI/- wanted him to take charge either without a khalasi or with a khalasi not suitable for PCP duty, and on his refusal, he was replaced by you. Do you agree as a senior JCM with the action taken by CJI/LKO?

Ans. No I don't agree for disallowing him from duty on this ground.

Q.20 It is given by you that Sh. Verma took in possession the two pages from relief diary, after putting the remark in the diary of the fact that he was taking them away for further production in the enquiry to establish the truth which had been deviated from its original course. Do you think that this action of Shri Verma was questionable even when he was not involving the facts?

Ans. In my opinion it was not proper to take out the pages from the relief diary because it was a official record pertaining to others duty also.

Q.21 Do you admit that the CJI/LKO reported the case of misbehaviour and use of unparliamentary language to him and other JAT Officers only what you claimed supported by Sh. Chotey Lal, TCM.

Ans. Since I was directed for PCP duty by CJI/LKO, and not allowing Shri Verma to perform duty on 29.11.75, clearly proves that the CJI had already taken a decision to disallow duty to Sh. Verma, the reasons better known to him.

Q.22 If it is said that Sh. Chotey Lal who is reportedly attending his duties daily from Malihabad and had allowed his khalasi off duty a little earlier than 9/-hrs. the time he was due to be relieved by the khalasi being also attending his duties from near by town and the incoming khalasi due for 8/- to 16/- hrs had not turned up for duty with Sh. Verma resulted in all this dissatisfactory exchanges between Sh. Verma and CJI/LKO. Will you agree that Sh. Chotey Lal was actually responsible for there arrangement to go out of gear?

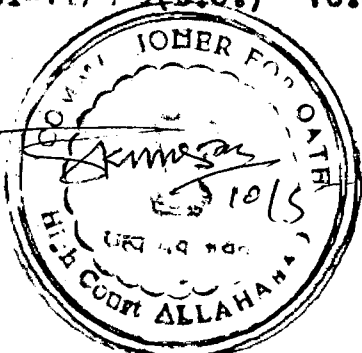
Ans. In this regard I am perhaps a layman as I am not a hand of PCP working. This may be asked from the staff concerned.

Q.23 Can you say if Sh. Verma was of any use to the Admin. in

21/-Sgt. 199 P.S. (S.O.) 10.6.77

21/-Sgt. 199 P.S. (S.O.) 10.6.77

21/-Sgt. 199 P.S. (S.O.) 10.6.77



[Handwritten signature]

- 0 -

Statement of Shri S. Ghosh contd.

Q.23 contd. Kumbh Mela 75-77, in so, where and how he was utilised?

Ans. It is better known to JRI/LMO. So far my knowledge is concerned he was attached with 1-32 BA 70 line bound with TCI Kumbh Mela.

Q.24 Can you say if Shri CP Verma KCH had any dispute with any other JRI or previous CRI/LMO?

Ans. I don't know.

Q.25 If it is established that Sh. Verma had taken over charge from Sh. Chotey Lal on 29.11.75 and had started working. Will you agree that your taking over as per JRI/LMO orders at 10/-hrs. was irregular.

Ans. Since Sh. Verma did not resist of my taking over from Sh. Chotey Lal KCH, in my opinion it was regular and proper.

Sd/- Surjoob K. Sd/- C. Verma Sd/- M.P. Sharma Sd/- S. Ghosh
SI-II/LMO 10.6.77 D/O 10.6.77 10.6.77
(Enq. Officer) 10.6.77

Statement of Sh. S. Ghosh contd.

Q.26 Did you find any remark of Sh. Chotey Lal or Sh. Verma or that of CRI/LMO in the relief diary when you tookover at 10/-hrs. on 29.11.75?

Ans. Yes. There were a few remarks on the diary and also the signatures of Sh. Verma were there so far I remember.

Q.27 Please refer your answer and statement you have given on 10.6.77. You claimed that Sh. Verma had forcibly put a remark in the relief diary as having taken over only after you had takenover the charge. Would it be presumed that your statement on 10.6.77 was not correct and it is only this date that you could recollect the facts.

Ans. It is not a fact that Sh. Verma signed the diary forcibly, his signature was already there and this statement should be taken as correct.

Q.28 Can I place your experiences about the arrangements of staff during JRI/LMO. Do they speak of proper arrangements to proper man or do you feel then as not in order and not in order and not acceptable to the staff?

Ans. Mostly staff are allowed to continue in the respective units. However in cases of emergency there are shifts to other units.

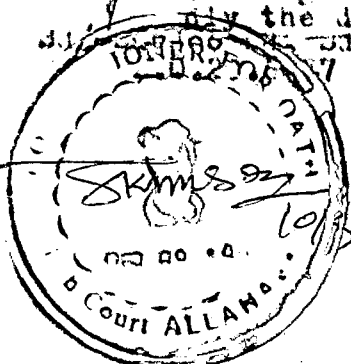
Q.29 Do you feel difficulties with the job you are assigned from time to time and say if you feel to have been properly placed according to your service?

Ans. As far as concerned I think it is better for me to get various experiences.

Q.30 It is learnt that Sh. Verma is an experienced man and is well conversant in the duty of exchange where he had been working for the last many years and his shifting to JRI is the only cause of his feeling dissatisfied. Do you agree that Sh. Verma was not correctly placed in his duties as a senior JCH with 27 years of service to his credit?

Ans. As regards the shifting it is well known to the JRI/LMO reasons for that but as regards Sh. Verma's experience, exchange and so on - it is commendable and the duties of JRI are not fit for such an ex-

Sd/- Surjoob K. Sd/- C. Verma Sd/- M.P. Sharma Sd/- S. Ghosh
SI-II/LMO 20.6.77 D/O 20.6.77



- 5 -

Statement of Shri E. Chosh contd.

Q.31 What is exception of a man residing about five miles away from the Mty. Hospital to go for medical attendance. In case he gets sick?

Ans. He will certainly go for the nearest medical aid available.

Q.32 Will it be in order to reject the claim of such a staff when submitted?

Ans. It will not be in order if his claim is supported by a proper document by the medical authority.

Q.33 Once again it is put to you that the action taken against Shri Verma by CTI/LKO was one sided and was not in order because of the documentary proofs submitted by Sh. Verma. Do you agree that Sh. Verma was not treated well by depriving him of his salary?

Ans. So far I understand the regular PMC's should be accepted by Administration and in the case of Sh. Verma I cannot say reasons for depriving of his salary this may be referred to proper authority.

Q.34 What are your comments about the general behaviour of CTI/LKO?

Ans. Since I am understood that his behaviour is good.

Q.35 Did the CTI/LKO ask Sh. Verma in your presence on phone to take over the charge and relieve Sh. Chotey Lal?

Ans. No. CTI/LKO did not ask Sh. Verma to take over charge instead he directed me to relieve Sh. Chotey Lal in my presence.

Q.36 What arrangements were finalised by the CTI/LKO as regards to the PCP duties after you had taken over at 10/- hrs. of 20.11.75?

Ans. I asked him 16/-hrs. about the arrangements and I was asked to continue.

Q.37 Did you refer the matter to CTI/LKO at 0/-hrs when you found Shri Verma had also turned up for duty at 0/- to 24/-hrs. of 1.12.75?

Ans. No. I did not refer the matter to CTI/LKO as I was already given to continue as given answer to my question No. 36.

Q.38 Did the CTI/LKO leave any orders for Sh. Verma in the relief diary or through letter when directed you for duty in PCP on 29.11.75?

Ans. No. The CTI/LKO did not leave any instructions for Sh. Verma either in the relief diary or through letter.

Q.39 Do you agree that the CTI/LKO had failed to take proper action as an incharge and only this negligence on his part led to all this trouble that Sh. Verma had a clause to re-appear at 0/-hrs. of 1.12.75 and insisted for duty?

Ans. So far negligence on the part of CTI/LKO I cannot say anything. However it is admitted fact that had Sh. Verma been given some instructions this would have had not happened.

Sd/-Jirjoo Ti.

Sd/-CP Verma

Sd/-M.P. Sharma

Sd/-S. Chosh

SI-II/LKO

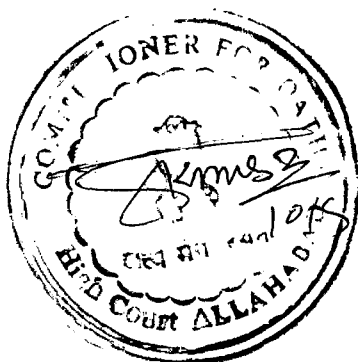
D/O 20.6.77

20.6.77

(B.O.) 20.6.77

20.6.77

.....6.



Sumar

1/49

Statement of Shri B. Ghosh, contd.

QUESTION BY THE EXAMINING OFFICER

Q.40 When you turned up on duty 0/-hrs. did you enquire anything for about the disposal of Sh. Verma who was also due at 0/-hrs of 1.12.75 from your relief?

Ans. I did ask my relief about it but he was not in a position to say anything in the matter, nor there was any reference in the relief diary.

Q.41 Is it not a fact that the in action on the part of CTI/LKO and your continuing the duty actually to be performed by Shri Verma had infuriated Sh. Verma and he acted in a way unbecoming of a M.L.A. servant?

Ans. Yes it is so.

Q.42 In the absence of any documentary proof regarding the utterances of Sh. Verma as given by you upto 2.12.75 and also a simple statement of Sh. Verma being very hot intemperant while on phone. It is presumed that all these claims are just with the intention to implicate Sh. Verma for the charges levelled against him. Can you say if this is not a fact, if so why?

Ans. It is fact that there is no documentary proof on record about the utterances of Sh. Verma and his hot talk with CTI/LKO is also not in my knowledge. So far I am concerned I am not interested to harm Sh. Verma in any case. The intention of CTI/LKO may hardly be asked from me.

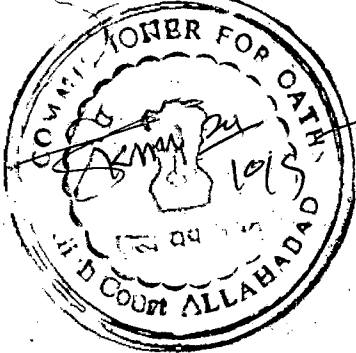
Sd/- Sarjoo Pd. SI-II/LKO (S.O.) 20.6.77

Sd/- CP Verma 20.6.77

Sd/- H.P. Sharma 20.6.77 J.C.

Sd/- B. Ghosh 20.6.77

[Handwritten signature]



Statement of Shri B. Ghosh, TCM/PCP, LKO, Dated 13.1.79, Co. 11.

Q.43 Are you supposed to intimate your seniors and incharge of the special occurrences coming to your notice in the course of your duty?

Ans. Yes. I am supposed to inform them and leave a reference in the relief diary.

Q.44 In your statement you had given that Sh. CP Verma had also turned up for duty at 00.00 hrs. on 1.12.75 and finding you on duty he got angry and had torn away two diary pages from the relief diary. Can you state if you had to resist his action or had ~~known~~ to use any force to check Shri Verma from doing so.

Ans. Neither any force was used by me nor by Shri CP Verma, while he wanted the record of dated 29.11.75 under his clear remarks and signature.

Q.46 If it is said that Sh. CP Verma had deposited both these pages in the enquiry committee at the very beginning of Dm enquiry and this proved beneficial to finalise this case. Will you take it a case of un-lawful attempt to destroy the official record and evade the evidence on the part of Sh. Verma.

Ans. It was certainly not a case of unlawful attempt to official record as Sh. Verma had acknowledged its receipt in writing.

Q.47 You have accepted in your answer in Q. no. 43 that you are required to intimate your incharge and also leave a reference in the diary of special references. Can you state as to why you failed to apprise CII/LKO of your remark of the loss of old PCP diaries while taking over at 16.00 hrs. You also did not leave any reference in this connection in your duty diary.

Ans. Since it was an old record I had not attached it much importance to it but on 14.9.78 I had just left a reference in the margin of the diary but I had not intimated CII/LKO taking it not so important.

Q.48 It is given by you that Sh. Verma had used unparliamentary language both on 29.11.75 and 01.12.75. Can you say if he used any filthy language to you also.

Ans. No.

Q.49 On 19.9.78 Sh. Verma had made an entry against 100Dn as W/O PCP set. and you on 20.9.78 made a counter remark against this entry as the set 411 having been recovered from washing line. Can you say what made you write in back diary of Shri Verma and avoid mentioning the fact in your diary of 20.9.78 and also why no such intimation was given to you incharge CII or CII/LKO.

Ans. I had written it only in reference to set in question and had also mention in my diary also. I forgotten to inform this matter to CII/LKO.

Q.50 Did you check up the correctness of the pages which Sh. Verma wanted to take into custody on 1.12.75 before he took possession of the same?

Ans. Yes. I checked their correctness before Sh. Verma parted with them.

Read & accepted as correct.

Sd/- B. Ghosh
TCM/PCP
13.1.79

Sd/- MP Sharma
D.C. 13.1.79

Sd/- JP Verma Sd/- B. Ghosh
TCM/PCP TCM/PCP
13.1.79 13.1.79



ANR 27

82

8
10⁰

C. P. Verma _____ Petitioner
Union of India ^{V/S} _____ app- Party

Annexure No 27

1/51

No. 89/81

Dated 17.11.81

Shri C. P. Verma, T. C. M. T. Kato

Through C. T. Kato

Subj: S.F.S. No. 89/81/81/Kato
dt. 27.3.76

Ref: your letter no. C.P./81/81 dt. 15.10.81

The information asked by you
are as under:

- (1) No charge is charged already
levelled against you.
- (2) Administration has taken a
lenient view instead of serious
action against you.

You should submit your
defence in view of the administration
pending with the action will be
taken as per rule.

Per _____
Date 10/11/81



C. P. Verma ————— Petitioner
VS
unions of india ————— app. Parties

Annexure No 28

1/52

No. CP/23/82.
Dated 18-2-82.

The Sr. D.S.T.E.,
Northern Railway,
Lucknow.

Through:- Proper channel.

Sub:- S.F.5 - No. Sig/CS/CTI/IKO dated 27.3.76.

Ref:- Your letter No. Sig/CS/81 dated 1.2.82 received on 4.2.82.

.....

With reference to above I had to state that the reply in question has already been submitted by me vide my letter No. CP/22/81 dated 18.12.81 duly acknowledged by CTI Office on 22.12.81.

I have nothing to state further in this matter at this stage unless typed true copy of the E.O.'s findings notes with the my defence note (since my Defence Council has expired) under the signature of competent authority are sent to me.

Yours faithfully,

[Signature]
10.2.82

(C.P. Verma)
TDM/I-AMV
under CTI/IKO.



[Signature]

C.P. Verma vs U.O. 9

Annexure No 29

No. 25/83

The Divisional Railway Manager,
Northern Railway, Hazratganj,
Lucknow.

Most Respected Sir,

With due respects I beg to lay the following for your consideration and final orders :-

- 1) That I was illegally put under suspension w.e.f. 1.12.1975, the order was served on 30.12.75 at 17.30 hrs. under Rule 5(i) of the R.A. (D.A.R.) Rules 1948 and S.F. No. 1.
- 2) That orders for enquiry were issued dated 19.3.76 whereas SF 5 (Chargesheet was served on 27.3.76.) Subsequently I was put back to duty July '76.

- 3) That few important facts for quick reference are given as under :-

(i) That lastly on 20.11.81 I have been informed that the Adm. has taken a lenient view of the whole matter & some ex-parte decision is contemplated.

(ii) That I have already submitted my defence under reply dated 18.12.81, 18.2.82 & 4.2.82 to the various queries of the Adm.

(iii) I was called and attended the D.A. Enquiry on 2.7.79, I am sitting (as far as I know) and up till date, I have not been informed or given or otherwise told, the finding of the enquiry.

Therefore, it is requested to direct the authorities not to take any threatened action until my representation already submitted is disposed of by them on the following grounds :-

- a) The procedure laid down in the D.A. Rules has not been complied with.
- b) The findings of the Enquiry Officer & Disciplinary authority are not warranted by the evidence on records.
- c) The question of IMPOSITION OF ANY PENALTY DOES NOT ARISE.

I have not been paid subsistence allowance for the period from Jan. 79 - 14.4.79, besides other claims which are still outstanding to be paid by the Rly. Adm.

It is prayed that got my case finalised early and payment of all my dues be arranged at the earliest for which I shall be grateful to you.

Yours faithfully,

(C.P. Verma)

10/5/83

Dated 10/5/83.

to be

(C.P. Verma) 10/5/83

C.P.A.



8

Part 3c

- 55 -

C. P. Verma Petitioner

Union of India vs. App. Party

Annexure No 30

MAR 1984

CT 1/11/83

आपका पत्र

आपका पत्र: 8-84/1/11

दिनांक: 12/11/83

C. P. Verma - राज - Union of India

द्वारा CT 1/11/83

विषय: एक सौ बीस हजार ... 12/11/83

निमित्त एक SOP का खर्च पार.

द्वारा: 087E के विस्तृत बापकी प्रतीक

प्रतीक: आपका पत्र 18-7-83 को प्रतीक

रे न नमस्कारी अनुशासन एवं प्रतीक सिगम 38 के सिगम 22(2) के अनुसार प्रतीक

प्रतीक: 087E मन्त्रालय से 087E

द्वारा उपरोक्त: प्रतीक के विस्तृत बापकी, द्वारा की गई प्रतीक पर ध्यानपूर्वक विचार करके निम्नलिखित प्रतीक का प्रतीक है।

(क) अनुशासन प्रतीक के प्रतीक प्रतीकों के साथ के अनुसार प्रमाणित है तथा

(क) प्रतीक के

"I have gone through the core the punishment given stands."

सहायक कार्यालय अधिकारी/ मन्त्रालय



Signature

C. P. Verma vs union of ends

Annexure 11031

REGISTERED A/D.

No. Repd/34/11/84

From C.P. Verma
Lucknow 19.9.1984

To

The Divisional Railway Manager,
Northern Railway,
Lucknow.

Subj- Punishment Notice No. 519/CS/821 dt. 20.11.82 for S.O.P.
to one set of Page for one year.

Ref- A) APO's/NR/LRO letter No. 5/Appeal/Misc/170/83/913, dated
02/9.3.1984, through the TCI/Exch./NR/LRO's letter No.
Tolo/E/Stop/CPV, dated 30.4.1984, received under
Protest on 0.3.5.1984 (F/N).

B) Vidoi- My representation No. CP/25/83 of 18.7.1983.

Respected Sir,

With due respect, I beg to lay that the penalty should not
be deemed imposed, on fabricated charges; unless clear opportunity
is given and charges proved beyond any scope of doubt.

2. In this connection I have to state that the following points
may kindly be got clarified by the undersigned from the Discip-
linary authority, before to issue the penalty; in absence of which
penalty itself is not valid:-

- i) Date and time of acknowledgement of the N.I.P. by the
undersigned.
- ii) A true copy of the findings of the Enquiry Officer; with
the defense memo and the clearance certificate, alongwith
the date and time of finalisation of the Enquiry.
- iii) A true copy of "Penalty Notice" issued by the disciplinary
authority, complete with servicing date and nature.

3. I, therefore, once again benevolently request your honour
to intervene in such improper action against an ex-parte decision,
by the disciplinary authority, who has innocently dealt with
other penalty without completing the fact findings, and procedure
against the "Instructions of Railway Board."

4. Hence, I hope your honour will kindly reconsider it in the
light of 'FAIR JUSTICE' and the inflicted penalty on me, may
kindly be set aside without blot, as the action has not been
developed in favour of proper justice and appears to have been
motivated to deprive me of my 'Legitimate rights and Dues'
against the genuine claim.

5. And also my all the dues of payments hitherto withheld may
kindly be expedited on full flesh of due rights since Dec. 1975
to the point of offended period by your benevolence and kindly
expedited under your kind prevail and to avoid the undue hardship
etc. in future with the interest of the new th servicing
still in progress with every onler.

Thanks for your trouble.



[Handwritten signature]

C. P. Kurma vs U. O. 9

Annexure No 32

CTG/450

1/56

उत्तर देते हैं

महोदय: प्र

सदस्य प्रि. (9) - 1.11.84

पत्र संख्या 4/170/170/85

सी. पी. कर्मा - टेन/प्रवर्तक

सूचना CTG/450

विषय:- वसु मोटोर्स संस्था. लि. 1.82 - विपरीत 20-11-84

निमित्त वसु मोटोर्स संस्था का कार्टा रिटार्ड

सूचना 15.05.75 के विरुद्ध अपील की गयी

कंठ:- अपील निमित्त Revision - 19.9.84 अपील

इस कानूनी अनुष्ठान एवं अपील नियम 1968 के नियम 22(2) के

अनुसार अपील प्रि. (9)

DRM

संज्ञक सं. 15.05.75

सूचना उपरोक्त अपील के विरुद्ध अपील की सूचना की सूचना के अनुसार अपील की गयी

केरके निम्नलिखित विवरण स्पष्ट किया है।

(क) अनुष्ठान प्रि. (9) के निमित्त अपील के समक्ष के अनुसार प्रस्तुत है

तथा

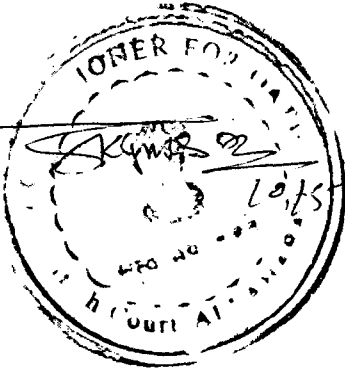
(ख) अतिरिक्त वसु

orders on various

प्रतिनिधि सूचना प्रकाशित एवं जारी है।

1. संशोधित निमित्त अपील प्रि. (9)

महोदय को अपील प्रि. (9)



Handwritten signature and date 1.11.85

-59-
C. P. Verma, u. o. 9

ANX 33.

Amexare No 33

Registered

MBL

Disip Supot
Lucienow
Excl. 7-76

C. P. Verma
M. P. P. P.

C. P. B. B. B. B. B.
Cycle work
Hindola
Lucienow

Through R. T. T. T.

Sub: - Advice report of sick from
10-7-76

Ref: - your inland letter card no.
CP/X/C/76 dt 11-7-76

ANX: 33

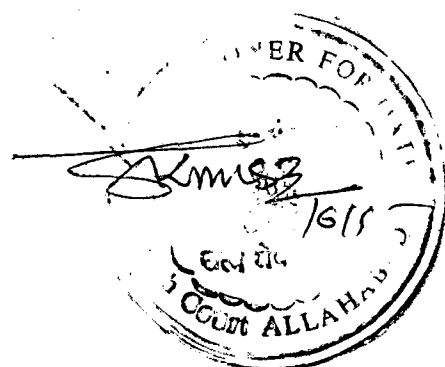
No private medical certificate
for sickness will be accepted. You
must produce medical certificate for
your sickness from the Rly. medical
authority.

Y. S. S. S. S.

Copy to DSTE/UCO
Copy to CFI/UCO for information. Macroe

Recd: 17/7/76
at 13.4.1976
17-7-76

Sub-er



C. P. Verma vs U. O. D

Annexure No 34

अनुरोधित प्रमाणित ११ Small

उत्तर रेलवे NORTHERN RAILWAY

Records office

No. 66-Recd / 10/1


Dt 2-1-05

DRM / 1100

Regd. - Shri C. P. ^{Verma} Singh, Temp / 100

Above named is a case of
(under the provisions of the Government of India, (now amended))
He may be allowed to resume
duty. It is recommended that
he may given light duty for
two months. He should continue
for treatment and periodical
check up every 15 days or
earlier if he gets trouble.

ANX: 14034


Addl. Chief Medical Officer,
Northern Railway, Lucknow.

c/- DRM / ^{HZF} ~~100~~ / 100.





C. P. Verma VS Union of India

Annexure No 35

WA No 453077

मेड सी-12/Med C-12

उत्तर रेलवे चिकित्सा विभाग
Northern Railway Medical Department
"स्वस्थता" प्रमाण पत्र

"FIT" CERTIFICATE

प्राप्ति के हस्ताक्षर या बायें चपूटे का निशान.....

Signature or LTI of Applicant

अस्पताल/HOSPITAL

डिस्पेंसरी/DISPENSARY

मैं यहाँ द्वारा प्रमाण करता हूँ कि मैंने

I do hereby certify that I have carefully examined

नाम/Name.....

पदनाम/Designation.....

शाखा या विभाग/Branch or Department.....

स्थिति का स्टेशन/Station where employed.....

जिसके हस्ताक्षर ऊपर दिए गए हैं और जो बीमार थे तथा

..... से तक उपचार के

अधीन और से तक टायटरी

सिफारिश पर छुट्टी पर रहे हैं, की आवश्यकता पूर्ण परीक्षा कर

ली है और मैं उन्हें अपनी दायिरी सेने के लिए स्वस्थ समझता हूँ।

Whose signature is given above and who was Sick

and under treatment from (date).....

to (date)..... and on leave on medical

recommendation from (date).....

to (date)..... is now fit to attend his duties.

.....

.....

Office Seal

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

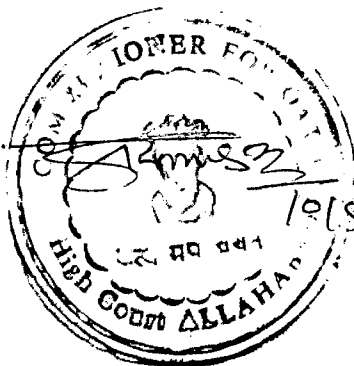
.....

.....

.....

.....

.....



C. P. Verma vs U. O. S

No. CP/11/76

To

Annexure 103436
The Divl. Superintendent,
Northern Railway,
Lucknow.

Sub:- Denial of the medical facilities?

Ref:- DSTE Office No. Sig/E/1/MBL dated 17/76.

Sir,

Having heard and experienced much of your kind heartedness, I submit the following few lines for sympathetic consideration and favourable orders:-

That the sordid tale of my sufferings wailings and lamentations was brought to your kind notice much earlier and it was only because of your kind intervention that I was allowed duty after 6 months suspension. The LAR enquiry instituted into the case again being delayed for one or the other reasons, violating the provisions of this sacred enquiry which has to be completed within 220 days.

That in addition I have been advised to produce certificate of a Rly. Doctor for my sickness for the proper regularisation of the sick period vide their letter cited above.

In this regard I may once again add that I am putting up at a distant place i.e. Chowk, Lucknow where it is not possible to ask for the Railway Doctor's attendance at the time of need and the trouble itself does not spare any time for me to rush to the Railway Hospital for I am a patient of blood pressure and the only medical aid available to me in Chowk is acceptable. Advice of my sickness is sent quite in time to office and this regular P.M.C. is also being questioned for reasons best known to the office. Recently on few occasions I had to be under the treatment of Dr. V.K. Khanna, M.B.B.S. in Chowk and every time the office was informed in time but the periods have not been regularised.

I, therefore, request your good self to kindly look into the matter and order my posting on stationary job in exchange to avoid jumping from platform to platform after PCP sets (Train duty) in the interest of my life as this may cause me some serious set back and irreparable loss. Also please order regularisation of the sick periods from 24.5.76 to 2.6.76, 6.6.76 to 15.6.76 and 23.6.76 to 25.6.76 saving me of the heavy financial losses.

Thanking you in anticipation, Sir,

Yours faithfully,
Sd/-
(C.P. Verma)
T.C.M.Gr.J.

Dated 24.7.76

Copy to the Dy. CSTE(T, & Dy. G.M.(P), N.Rly. Hd. Qrs. Office,
Baroda House, New Delhi.



Signature

C.P. Verma vs Union of India

Annex 37

By Regd. A.D. Post

Annexure No 37

No. Salary/37/II/LKO 84

From C.P. Verma

Lucknow 17 -1-85.

To

The Divisional Railway Manager,
Northern Railway, Lucknow.

Re: Deprived from salary of 27 days for Dec. 1984
(on R.M.C. period under R.S.(P) N.R. LKO).

Re: In sequence of Representation No. RAC 36/II/LKO-84,
of 27-12-84, to Sr.DSTE/NR/LKO (By the Regd. Ad.A.D.
Post No. 1728 of 27.12.84 from Lucknow).

Respected Sir,

With due respect I beg to lay the following for
your consideration and necessary orders :-

1. To expedite the payment of salary for above mentioned period without any interruptions as already expected under your kind prevail.
2. Since financially shattered and medically weak, kindly help me to release my due salary.
3. That is remain still with-held by the concerning authorities according to the Orang practice, due to some mal-intention, inspite of fair and proper servicing.
4. And also I have been not allowed for the "Light Duty" as already recommended by the Medical Supdt.(P)NR/LKO.
5. Accordingly, due to that cause, I am badly suffering with every angles against the medical advice on your risk, and could not get an anxiety relief.
6. The controlling authorities have deliberately dealt to melt my due-grievances.

Hence, I hope your honour, will kindly intervene in such a action of the "Dictatorship" who has victimised me since a long against the Fair Justice.

Thanking you in anticipation.

Yours faithfully,

[Signature]

(C.P. VERMA)

{ T.C.R./I/N.R./LUCKNOW
{ Offs C.I.I./N.R./LUCKNOW

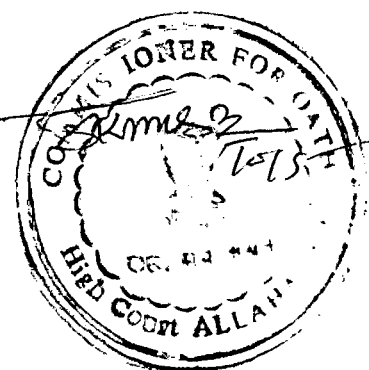
Copy forwarded for information to :-

1. G.M.(S & T)/NR NDLS.
2. Medical Supdt.NR/Lko.(by hand)
3. Sr.D.S.T.E./NR/LKO.

F-ARM/m.v.r. Hyderabad No. 6203

F-CPD/LKO. 0 - 13/1/85

11-4-1985



[Signature]

-64-
e. P. Verma vs Union of Ind

ANN: 38

No Tele/Staff.

Dt. 22-2-85

From.

9

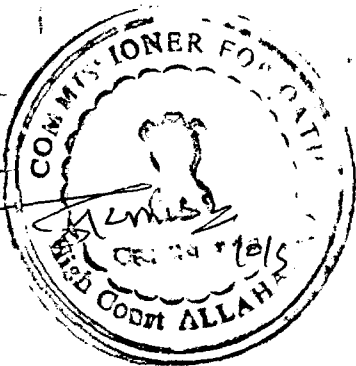
T.C.I.
Exchange
Lucknow

Shri C.P. Verma
T.C.M. Gr I

You were absent from your duty from 11.30 hrs to 14.30 hrs without information. C.T.I-I was trying to contact you but he could not contact you as you were not present. At 14.30 hrs when you came in exchange, you were asked to talk to C.T.I-I/KK but you refused. This amounts to insubordination. Please explain within 3 days why disciplinary action should not be taken against you under

Recd by Mr. Siddique
at 12.2.85
S. S. Siddique
26.2.85

C. S. Siddique
(M.S. Siddique) 22/2



Su-12

C.P. Verma vs Union of India

ANX 39/11

BY REG. NO. 100

Annexure No 39

No. Harass/40/H/BB/Lko.-85

From C.P. Verma,
LKO. 27.2.85

To
The T. C.I./Exchange,
Northern Rly. (CB), Lucknow.

Sub: Reply to your letter no. Tele/staff, dt. 22.2.85; (Recd:
under address on 26.2.85 through T.C.I./BB/Lko)

Regarding: The Disciplinary action against me as alleged.

Sir,

With thanks, I have to inform you that it is absolutely wrong that I was absent as alleged by you; that the allegations made by you are totally wrong and fabricated against the documentary proof. (I was absent on 20/2/85 only, as informed by the PNC to RMC upto 27.2.85).

2. As I have been continuously "HARASSED" and "VICTIMIZED" for the last several years on account of false and concocted allegations and all these actions has shattered my physical condition.

3. That further, as already explicated you in reply (No. Misc.:/33/II/84, (Para no.8) of 10.5.84) to your letter No. Tele/E/staff /CPB dt. 30.4.84 with the interest of direct one man handling to avoid further botheration (as the so many cooks spoil the kitchen) but in reference of that I am so sorry to remind you that such an interference are deliberately challenge to due right of a subordinate and unlawful bother to him; according to the practices of undue malafide intentions under the light of to "MISUSE of the POWERS". "Misuse of the powers" against the humanity, on account of his own interest, is not a crime? And also according to the nature of the case is totally seized under the "Act of Fraud".

4. But in rare case should be in order with the clear signatures of the person in question; with a fair dealing for the smooth servicing with the interest of the administration, to discharge our duties honestly with every respect.

5. That however the charges are inflicted on me are vehemently denied and proper enquiry in the matter is requested, that the letter under reply has been issued and to prove itself on account of prejudices and malafides and therefore it is requested, very kindly to withdraw the same.

Thanks for your kindness please.

Yours faithfully,

NB.

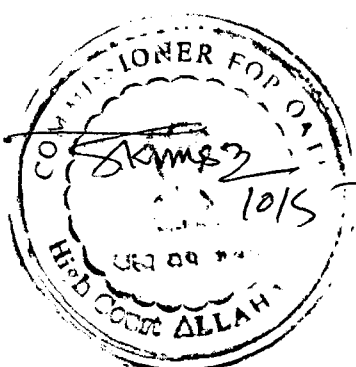
1. Copy to DIM/NR/Lko:- with the essential documents for the best satisfaction and necessary action. Total 06 articles attached herewith. (RMC-1914)

(C.P. Verma)

T.C.M./I(BB)
Offg. CCI/Lko/N.Rly

2. Copy to Sr. D.S. T. E./NR/Lko:- with the 10g photostat copies of TCI's /Exch. letter no. Tele/staff dt. 22.2.85 for information and action, and relevant documents are already provided there. (RMC-1914)

2/(i) ----- (PTO)



Handwritten notes and signatures at the bottom of the page.

C. P. Verma vs C.A. 5

Annexure No 40

INDRANI CLINIC

Dr. V. K. Khanna
O.C., M.D.O.

CLINIC : 22710,
PHONE :
GAS : 22442
80, Usha Usha A Road,
Chowk,
LUCKNOW.

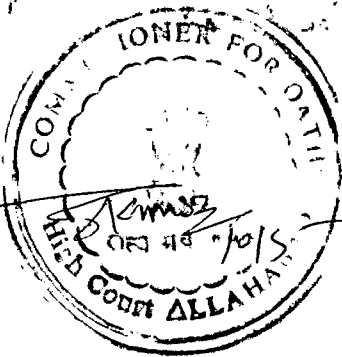
1. The patient is suffering from
is suffering from
Anxiety General debility
40 is under my treatment from
20/2/85 till 4-2-85
I have not seen him since
then.

Ref. No: 401

Undertaken
20/2/85

Signature of
C.P. Verma

Sw. a.



C. P. Verma vs a.o.s

Annexure No 41

INDRANI CLINIC

Dr. V. K. Khanna
D Sc., M.D.C.C.

10, New Market Road,
Calcutta

C. P. Verma

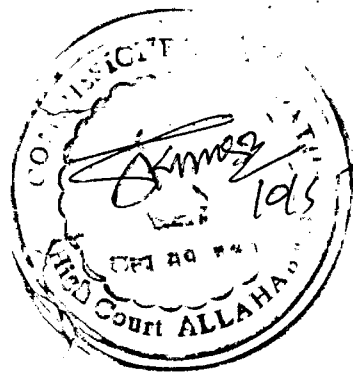
Adm. Secy to Council

Dr. P. C. S. Adm.

Prof. N. R. S. S. S.

23/2/55

ANX: No: 41



[Handwritten signature]

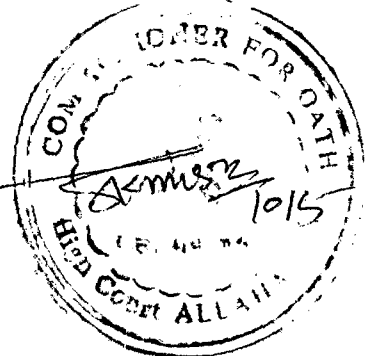
C. P. Kumar VS 40-9

Amezur No 42

0000
N.R.
G.M.-1/(Genl. 92)
SICK MEMO
22/1/85
The Medical Officer
The undermentioned requires treatment, please attend to him and
grant the prescribed certificate.
Name: C. P. Kumar
Designation: T. C. A.
No. of T. No.:
Station: K. S. 9/25
Pay/leave salary:
Signature:
Department:
Shop/Office:
Time Office:
Hospital:
Resur. of duty:

ANX 42

66



Signature

C. P. Verma vs u. o. o.

Annexure No 3

प/अ. सं. 726423 दि. 12/12/54

उत्तर रेलवे चिकित्सा विभाग
Northern Railway Medical Department

"बीमारी" प्रमाण-पत्र

"SICK" CERTIFICATE

मार्गी के हस्ताक्षर या मार्गी के चमूके का विभाग

Signature or LTI of Applicant

हॉस्पिटल/HOSPITAL

डिस्पेंसरी/DISPENSARY

मैं इस प्रकार प्रमाणित करता हूँ कि

I do hereby certify that

नाम/Name ... C. P. Verma ...

पदनाम/Designation ... T. L. ...

काका या विभाग/Branch or Department ...

स्थिति/Station where employed ...

विशेष हस्ताक्षर ठहर दि. 12/12/54 को बीमारी के कारण अक्षम

हो निम्न प्रकार है।

Whose signature is given above and who is sick and

unfit for duty.

यह ... दि. 12/12/54 को ...

उत्तर के निम्न स्वरूप में हो चके हैं।

He is likely to be unfit to perform his duties for ...

Days with effect from (date) ... 12.12.54 ...

कार्यालय मुद्रा ...

Office Seal

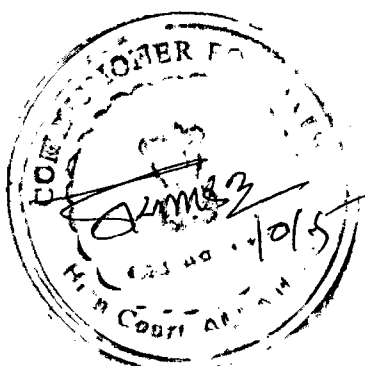
मार्गी के हस्ताक्षर

Signature of Aly. Doctor

दिनांक 12.12.54 1954

Date

Designation



Signature

C.P. Verma vs C.O. 9

Regd. A.D.

Annexure No. 4

No. RMC/39/II/LKO 85

From: C.P. Verma

Lucknow 23-2-1985

To

Th. Sr. D.S.T.E.,
N. Rly. Lucknow.

Sub: Advice report of Sick Report

Sir,

With due respect I beg to submit that I am running on Sick List under the treatment of my Private Doctor, V.K. Khanna since 20th February 1985 (night), thereafter followed by R.M.C. No. 726423/(23) under the treatment of ADMO/NR/HZG/LKO in continuation of my previous application of 18-2-85 for two days leave of 19-2-85 and 20-2-85, in support of that the same PMC of 28-2-85 and above mentioned RMC No. 726423/(23) of 23-2-85 issued by ADMO/HZG/NR/LKO is redirected herewith to you for necessary action and disposal please.

In this connection further request is there that the concerning persons at CTI/LKO is always refused to accept the necessary documents under the clear acknowledge and also not allowed to issue the G-92, due to that there is a much difficulty is being exposed to get the necessary medical aid well in time.

Kindly, suitable instructions may be issued there with the interest of smooth servicing, these facts are brought to your kind notice for necessary arrangement of duties as well as my casualties.

Excuse me for your best trouble, with thanks

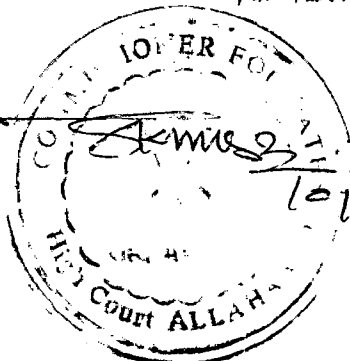
Yours faithfully,

(C.P. VERMA)
TCI/I/LKO (B.B.)
Office CTI/LKO.

Encls:

1. PMC of Dr.V.K. Khanna of 20-2-85 = 01 No.
2. RMC No. 726423/(23) of 23-2-85 = 01 No.

ANX: 384/23-2-85 & 23-2-85
From: C.P. Verma



C. P. Verma - 72 - 4.0.0

Annexure No 45

प/अ N^o 726423 दि. 12/12/54 C-10

उत्तर रेलवे चिकित्सा विभाग
Northern Railway Medical Department

"FIT" CERTIFICATE

आपकी हस्ताक्षर या आपके चमूके का निशान.....

Signature or LTI of Applicant

हॉस्पिटल/HOSPITAL

डिस्पेंसरी/DISPENSARY

मैं द्वारा प्रमाण देता हूँ कि मैंने

I do hereby certify that I have carefully examined

नाम/Name..... C. P. Verma

पदनाम/Designation..... S.E. 1

शाखा या विभाग/Branch or Department S.A.T.

स्थिति का स्थान/Station where employed

जिसके अनुसार उत्तर रेलवे रेलवे की सीमा में

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Note:-

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....



Signature

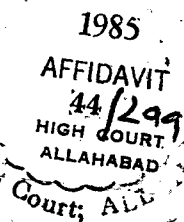
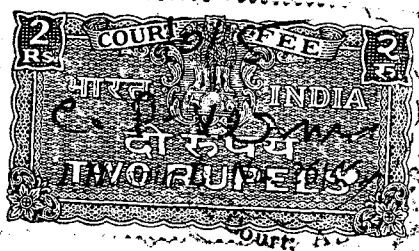
44/299

10-5-85

In the Hon'ble High Court of Judicature at Allahabad
Lucknow Bench, Lucknow

Writ Petition No. /85

1/70



C.P. Verma

...

Petitioner

Versus

Union of India & others ...

Opp: Parties

AFFIDAVIT

I, C.P. Verma aged about 52 years son of
Late Sri A.P. Verma, resident of (Kucha Teeperchand)
Banwali Gali, Chowk, Lucknow do hereby solemnly
affirm and state as under :-

1. That the deponent is the petitioner and is fully
conversant with the facts of the case.

2. That the contents of writ petition paragraphs
1 to 35 are true to my knowledge and that of
para 36 are believed by me to be true. *Annexure -*
No 1 to 45 are compared by original

Dated, Lucknow:

10.5-1985

Deponent

VERIFICATION

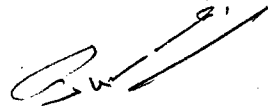
I, the above named deponent do hereby
verify that the contents of paras 1 & 2 of this

contd.. 2



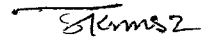
affidavit are true to my own knowledge. No part of it is false and nothing material has been concealed; so help me God.

Signed and verified this 10th day of 1985 in the court compound at Lucknow.



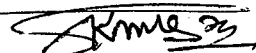
Deponent

I identify the deponent who has signed before me.


Advocate

Solemnly affirm before me on 10-5-85
dt. 9.00 A.M./P.M. by Sri C. P. Verma
the deponent who is identified by
Sri S. K. Mishra
~~Clerk to Sri~~
Advocate, High Court, Allahabad.

I have satisfied myself by examining the deponent that he understands the contents of this Affidavit which I have been read out and explained by me.



MAHARAJA GISS VINDA
High Court, Allahabad
10-5-85
441299
10-5-85

2/1/85

ब अदालत श्रीमान

Monkblauz Court

Lucknow Bench

महोदय

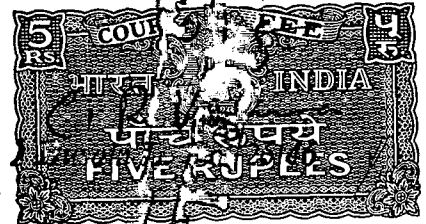
वादी (मुद्दे)

Lucknow

14/5/85

प्रतिवादी (मुद्दाजलेह)

का



वकालतनामा

C. P. Sharma

वादी (मुद्दे)

बनाम

Union of India & others

प्रतिवादी

(मुद्दाजलेह)

सं मुकद्दमा सन १९ पेशी की ता १९ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री S. K. MISRA

Advocate K. C. Jauhan

Advocate

एडवोकेट

महोदय

वकील

नाम वकालत...	...
नाम मुकद्दमा...	...
नाम कीट...	...

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व एग्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हथारी और से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकसानो) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें या कोई वकील महोदय द्वारा की गई वह सब कार्यवाही हमको हर्बतस्वीकार है और होगी इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

[Signature]

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

10

महीना

5

सन

१९८५ ई०

Accepted

[Signature]

13.9.90

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

M.P. No. of 1990(L)

In re:

W.A. No. 1747 of 1987

(W.P. No. 2137 of 1985)

C.P. VermaPetitioner

Vs.

Union of India & OthersOpposite Parties

APPLICATION FOR ACCEPTING THE COUNTER REPLY
ON RECORD WHILE RECALLING THE ORDER, DATED 18-4-90

That for the facts, reasons and circumstances mentioned in the counter reply, it is most humbly prayed that this Hon'ble Tribunal may graciously be pleased to recall the order, dated 18-4-90, fixing ex parte hearing, and be further pleased to pass the orders for accepting the counter reply on record as the delay in filing the counter reply is bona fide and not deliberate. Such further orders which may deem fit and proper in the circumstances of the case be also passed.

LUCKNOW: DATED

15-6-90

31.8.90

(B.K. SHUKLA)

Advocate

Counsel for the Opposite Parties

Put up
on the
date fixed
before the
Hon'ble Bench
for orders.
31.8.90

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL:

CIRCUIT BENCH: LUCKNOW.

T.A.No.1747 of 1987.

(Writ Petition No.2137 of 1985)

C.P.Verma. Petitioner.

Versus

Union Of India and others. ... Opposite parties.

COUNTER REPLY ON BEHALF OF OPPOSITE PARTIES

I, Shri Pujan P D aged about 50 years,
son of Sri 7 presently posted as Asst
Persanal Officer Northern Railway, Lucknow, most respectfully
beg to submit as under :-

1. That I have been duly authorised
on behalf of respondents/opposite parties to
file the instant reply. I have carefully
perused the record of the instant case and thus
am fully acquainted with the facts of the case
deposed to below.

2. That I have read the contents of

the petition under reply along with annexures

Elbrarad
12.12.87
12.12.87

2.

filed by the applicant/petitioner and have understood the contents thereof.

3. That paragraph 1 of the writ petition need no comments.

4. That the contents of paragraph 2 of the writ petition have no relevancy in the instant case, hence need no comments.

5. That the contents of paragraph 3 of the writ petition are wrong, hence are vehemently denied.

6. That the contents of paragraph 4 of the writ petition are irrelevant, hence need no comments.

7. That the contents of paragraph 5 of the writ petition need no comments.

8. That the contents of paragraph 6 of the writ petition are wrong, false and fabricated and it does not need any specific comments.

9. That the contents of paragraph 7 of the writ petition are wrong, hence are denied.

10. That in reply to contents of paragraph 8 of the writ petition, it is submitted that they need no specific comments.

11. That in reply to paragraph 9 of the

Elborad
Asstt.

writ petition, it is stated that the petitioner did not turn up on the date so fixed for personal hearing. The contents contrary to it are wrong, hence denied.

12. That the contents of paragraph 10 of the writ petition cannot be replied as, the diary leaves have already been removed by the petitioner who is keeping the same with him.

13. That in reply to contents of paragraph 11 of the writ petition it is submitted that taking away of diary leaves by the petitioner was not proper act of his. The petitioner should not have removed the diary pages as the said act of the petitioner is against the norms and behaviour of a railway employee. The contents contrary to it are wrong, hence denied. The removing of diary pages by the petitioner is punishable under the law.

14. That in reply to contents of paragraph 12 of the writ petition, it is stated that the petitioner was suspended because of his acts against norms and conduct rules. The act mentioned by the petitioner in paragraph 11 of the writ petition is one of the ground for his suspension.

15. That the contents of paragraph 13 and 14 of the writ petition need no comments except

Elhasan
 Assistant Secretary
 Lucknow

to state that the petitioner was suspended on the charges levelled against him. Anything contrary to it contained in para under reply is wrong, hence denied.

16. That the contents of paragraph 15 of the writ petition are wrong, hence denied. The petitioner was regularly paid subsistence allowance. He was suspended with effect from 2.12.1975 and his suspension order was revoked with effect from 23.5.76. Thereafter the petitioner reported to M.P.M.C. on 24.5.76.

17. That the contents of paragraph 16, 17 and 18 of the writ petition need no comments.

18. That the contents of paragraph 19 of writ petition are wrong, hence denied. The petitioner was paid subsistence allowance during suspension period. Anything contrary to it in paragraph under reply is wrong, hence denied.

19. That the contents of paragraph 20 of writ petition are wrong, hence need no comments except to state that the petitioner was paid subsistence allowance regularly.

20. That in reply to contents of paragraph 21 of the writ petition, it is submitted that the

Elbrasa
Asiratt

5.

same are false, fabricated, hence vehemently denied. It is further submitted that the petitioner was provided all facilities and take opportunity to defend his case and ~~check~~ the proper defence.

21. That the contents of paragraph 22 of the writ petition are, wrong, hence vehemently denied. The petitioner was suspended for some period and during that period, he was only paid subsistence allowance. Therefore without finalisation of enquiry, it was not possible for the department to give him annual increments. In such circumstances, his incrementss were withheld as provided under the rules because enquiry was going on against him.

22. That the reply of paragraph 23 of the writ petition has already been given in the preceding paragraph of this reply.

23. That the contents of paragraph 24 of the writ petition need no comments.

24. That the contents of paragraph 25 are denied. It is submitted that ^{lenient} ~~the~~ view taken was to be taken against the petitioner. The story of prejudice as alleged in para under reply is false and fabricate-d.

25. That contents of paragraph 26 of the writ petition need no comments.

Edward
Assist

26. That That the contents of paragraph 27 of the writ petition need no comments.

27. That the contents of paragraph 28 of the writ petition are admitted, hence need no comments.

28. That the contents of paragraph 29 of the writ petition need no comments.

29. That the contents of paragraph 30 of the writ petition are admitted, hence need no reply.

30. That the contents of paragraph 31 of the writ petition are wrong, hence vehemently denied.

31. That in reply to contents of paragraph 32 it is submitted that the competent authority decided the nature of P.M.C. and as such the P.M.C. period was treated as without pay. The order passed in this respect was within the competence of railway administration. It is further submitted that no R.M.C. period was treated as without pay. Anything contrary to it is false and denied.

32. That in reply to the contents of paragraph 33 of the writ petition, it is stated that the working of the P.C.P./T.C.M. is itself very light. Anything contrary to it is false, hence denied.

Elbrar
Assist

33. That the contents of paragraph 34 of writ petition need no comments.

34. That in reply to contents of paragraph 35 of writ petition it is submitted that drafting of charges without inflicting punishment/penalty need no redressal. Anything contrary to it is false and denied.

35. That in reply to contents of paragraph 36 of writ petition, it is submitted that the grounds taken in the writ petition are false, frivolous and fabricated, hence the petitioner does not deserve any relief. As such the writ petition deserves to be dismissed throughout. It is further stated that as per rules, the privilege passes are given on calendaryear basis and it lapses with the close of the calendar year. hence no relief can be granted at this stage in the instant case. The punishment imposed on the petitioner was with a very lenient view, hence he deserves no relief to be granted by this Hon'ble court.

36. That the instant reply could not be filed within time allowed by this Hon'ble Tribunal as the parawise comments were being prepared by the railway administration. The comments were to be collected from different departments, hence the same could not be prepared within the time allowed by this Hon'ble Tribunal and that is why, it could not be sent

E. Brarad
Assist.

to the railway lawyer for preparing the counter reply. The delay in filing counter reply is not deliberate, hence the delay in filing the same deserves to be condoned by this Hon'ble Tribunal

(Elbrasad)
 Assistant Registrar
 ()

VERIFICATION

I Shir Pujan PD Northern Railway, Lucknow do hereby verify that the contents of paragraph. .1, 2. and 3.6. of this counter reply are true to my personal knowledge, while those of paras. 3.4. 3.4. are based on perusal of records and relating to the instant case; and those of paras. 3.5. are believed to be true on legal advice. No material has been concealed and nothing material is false.

Signed and verified this 15th day of June 1990.

(Elbrasad)
 Assistant Registrar
 ()
B.K. Shukla,
 Advocate.
 Counsel for the opposite parties.

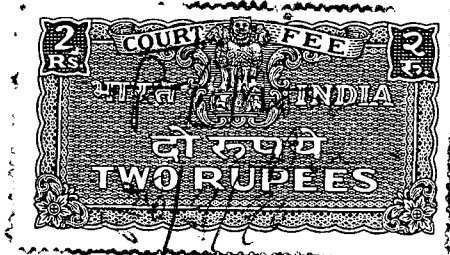
In the Hon'ble Central Administrative Tribunal
Circuit Bench, Lucknow.

M.P. No. _____ of 1990(L)

Inre:

T.A.No. 1747 of 1987

(U.P.No. 2137 of 1985)



12/11/90

C.P. Verma

.....

Petitioner

Versus

Union of India and others

Opposite Parties

REJOINDER REPLY AGAINST THE COUNTER REPLY

I, Chandra Prakash Verma, aged about 57 years,
son of late A.P.Verma, resident of (Kucha Teperchand)
Banwali Gali, Lucknow posted as Telecommunication Maintainer
(Gr.I) most respectfully begs to state as under:-

- 1- That I am the petitioner in the abovenoted petition
and I am fully acquainted with the facts of the
case deposed below!
- 2- That the contents of paras No.1 to 3 of the
Rejoinder Reply needs no comments.
- 3- That the contents of paragraph no. 4 to 14 of the
Counter reply are wrong and false.

.....2/

*f.T.
28/9*

28/9

- 4- That the contents of paragraph no. 16 of the Rejoinder Reply is partly wrong and partly right.
- 5- That the contents of paragraph no. 17 of the Counter reply needs no reply.
- 6- That the paragraph no. 19, 20, and 21 of the Counter reply is absolutely wrong.
- 7- That the paragraph no. 22 and 23 of the Counter Reply needs no comments.
- 8- That the facts of paragraph no. 24 ~~ix~~ are absolutely wrong.
- 9- That the contents of paragraph no. 25, 26, 27, 28 and 29 of the Counter Reply need no comments.
- 10- That the contents of paragraph no. 30 of the Counter reply are wrong.
- 11- That the contents of paragraph no. 31 and 32 of the Counter reply are wrong.
- 12- That the contents of paragraph no. 33 of the Counter Reply need no comments.
- 13- That the contents of paragraph no. 34 and 35 of the Counter reply are wrong.
- 14- That the contents of paragraph no. 35 of the

Counter reply are not absolutely correct. A/21

Lucknow:

Dated: 28/9/90



Petitioner


Verification

I, the abovenamed petitioner (C.P. Verma, aged about 57 years, son of late Sri A.B. Verma, resident of Kucha Temerchand, Banwaliganj, Chowk, Lucknow) do hereby verify that the contents of paragraph no. of this Rejoinder reply are true to my knowledge, and those of paragraph are believed to be true on legal advice. No material has been concealed and nothing material is false.

Signed and verified this 28 day of month Sep. 1990 at Lucknow.

Lucknow:

Dated: 28/9/1990.



Petitioner

Verified the signature
of Petitioner Sri C.P. Verma who has
signed before me
Sunder Lal Sharma
Advocate
Counsel for Petitioner