

## FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, .....BENCH

OA/TA/RA/CP/MA/PT TA 118 of 20.9.12 (OA 415/87)Phool Chand Singh Applicant(S)

Versus

U.O.I. Respondent(S)

## INDEX SHEET

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Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

# Order Sheet

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH ALLAHABAD

.....No. 415.....of 1987

.....VS.....

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned.
1	2	3
	<p>1. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>2. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>3. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>4. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>5. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>6. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>7. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>8. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>9. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p> <p>10. In the case of <i>Shri. S. S. Sharma vs. State of U.P.</i> the case is adjourned to 27/6/87 for the purpose of filing the written statement.</p>	

आदेश पत्रक  
ORDER SHEET

अपील  
निदेश आदेशन रजिस्टर में सं०

On 4/5/87

No. in Selection Application Register

आदेश पत्रक  
Appellate Tribunal

आदेश पत्रक  
Appellate Tribunal

आदेश पत्रक  
Appellate Tribunal

आदेश पत्रक  
Appellate Tribunal

आदेश पत्रक  
Appellate Tribunal

आदेश पत्रक  
Appellate Tribunal

बनाम

प्रत्यर्था

Vs.

Respondent

आदेश की क्रम संख्या  
आदेश की तारीख  
Serial number of  
order and date

संक्षिप्त आदेश, निदेश दते हुए, यदि आवश्यक हो  
Brief order, mentioning reference, if necessary

पालन कैसे हुआ और पालन  
करने की तारीख  
How complied with and  
date of compliance

131

आदेश 131 दिनांक 4/5/87  
आदेश 131 दिनांक 4/5/87

On the 4th day of May 1987, the respondent  
has filed an application for the purpose of  
obtaining a copy of the order. The order  
has been issued on 12/10/86.  
This case has been heard by the  
Single Member member. Residing  
may be in the same State.  
Bharat

OR

Please Appli No 65/87  
at 26.8.87 is placed  
before Court for order  
as per direction of  
D.R.(7) dt. 26.8.87

238

Order - sheet

Order No. 415/87

8.1.88

Hon. S. Zahoor Hasan, V.C.  
Hon. A. Jafri, J.M.

On the request of Sri  
G.C. Ghaisane, learned  
counsel for the applicant, list  
this case on 18.2.88.

3

A.M.

7

V.C.

M-

18/2/88

Order No. 74-88.

20/3/88

OK

In compliance with Hon'ble Bench's  
orders the case is submitted for  
hearing.

Hon. J. R. Jaiswal, V.C.

Hon. J. B. Jaiswal, J.M.

Sri G.C. Ghaisane, learned  
counsel for the applicant.

Order No. 3-5-88

3-5-88

no sitting Ad 5 1-7-88

1-7-88

no sitting Ad 5 1-6-88

8/3/88

Order Sheet

SA 415/87

15 Nov 87 10:00 AM

1000 1000 1000

1000 1000 1000

1000 1000 1000

1000 1000 1000

1000 1000 1000

to 1.90

the case is adj to 2.4.90

before DR (3) fixing a date  
for hearing. W

DR (3)

44.90

DR

The case is adjourned to  
1.90 before DR (1) for fixing a  
date for hearing

DR (1)

to 7.90 DR

The case is adjourned to 23.10  
for fixing a date for hearing.

23.10.90 DR

DR (7)

The case is ripe for hearing  
like the case before court for  
first hearing on 21.91.

DR

DR (5)

CA 415/87

TA 118/92/7

24.12.91

The case relates to territorial jurisdiction of Lucknow Bench, hence is being transferred to Lucknow Bench vide Hon. V.C.'s order dated 18.12.91.

may  
S.O. (JA)

18.5.92

D.R

Register the case as T.A.

This case has been received after transfer to this Bench from CA-111.

Issue notice to the ld. counsels for both the parties for appearance before the Hon. Bench for hearing on 28/7/92.

17-20-11-93

9-11-93 Hon. Mr. S. N. Prasad, S.M.  
Hon. Mr. V. K. Singh, A.M.

None responds for either  
of the parties. List this  
case on 10-1-94.

h k  
A.M.

J.M.

10-1-94

Hon. Mr. S. N. Prasad, S.M.  
Hon. Mr. V. K. Singh, A.M.

On the request of  
counsel for the both parties  
case is adjourned to  
22-2-94 for hearing

h k  
A.M.

J.M.

22-2-94

Hon. Mr. S. N. Prasad, S.M.  
Hon. Mr. V. K. Singh, A.M.

None responds for on  
behalf of either of the parties.  
List this case on 26-4-94  
for hearing.

(Thurs)

h k  
A.M.

J.M.

T.A.No.118/92

O.A.No.415/87

(76) 3/10/94 Hon.Mr.Justice B.C. Saxena, V.C.  
Hon.Mr. V.K. Seth, A.M.

On the request of Shri Surendran P.,  
learned counsel for the applicant, the  
case is adjourned and be listed on 17-10-94  
for hearing.

*L L*  
A.M.

*Boh*  
V.C.

(nair)

OR

Submitted for hearing

*L*  
7/10

*Boh* 17/10/94

Mr. B. Sadanarayana, M.A.  
Sd/- M.P. Kumar, Secy  
to 23-11-94

*Boh*

OR

Submitted for hearing

*L*  
21/11

(18)

23/11/94

Hon. Mr. Justice B.C. Saxena, V.C.  
Hon. Mr. V.K. Seth, A.M.

The learned counsel for the  
applicant has stated that  
the case has been transferred  
from Allahabad & applicant  
has not been able to bring  
the file from the previous  
counsel.

Let on 21/11/95

*L L*  
A.M.

*Boh*  
V.C.

Hon. Mr. V.K. Seth, A.M.  
Hon. Mr. P.C. Jaising, J.M.

Shri Surendran P. Advocate  
for applicant. None for  
respondents. List for adjourn  
16-2-95

OR

Submitted for hearing

*L*  
15/12

153

J.M.

*L L*  
A.M.



TA 118/92

18.4.55

Hon Mr Justice B C. Sakseng, VC.  
Hon Mr V. 74 8th AM.

Mr Sakseng is now stating that  
he has not been able to obtain  
instructions. He was given notice  
to appear by order dated 5-4-55.  
but on 19.5.55.

Boe  
VC

LC  
AM.

Y  
of  
Submitted for  
LC

AD

LC  
10/5

(24)

19.5.95

Hon'ble Mr.V.K. Seth, A.M.

Hon'ble Mr. D.C. Verma, J.M.

For applicant:- Sri Surendran (B)

For respondents:- Sri S. Varma.

As prayed for by Sri Varma list for hearing  
on 18-7-1995.

*[Signature]*  
J.M.

*[Signature]*  
A.M.

K.N.

*CF -  
Submitted for hearing*

*17/7*

18.7.95

Hon'ble Mr. Justice B.C. Saksena, V.C.

Hon'ble Mr. S. Das Gupta A.M.

Learned counsel for the applicant  
states that his client has not been able to  
bring the file from his counsel, who was  
appearing for him at Allahabad.

List on 11 8-1995.

*[Signature]*  
A.M.

*[Signature]*  
V.C.

K.N.

*20/11/8/95*

*Hon Mr V.K. Seth, A.M.  
Hon Mr D.C. Verma, J.M.*

*Both the counsel seek  
adjournment.*

*Day on 13/8/95.*

*[Signature]*

*[Signature]*  
J.M.

*[Signature]*  
A.M.

20

C. 1. 46

Honbl. Mr V K Sethi, D.M.  
Hon. Mr D C Verma, J.M.

on the application and affidavit  
of Gopal Singh & others dated 2.4.46

V K  
J.M.

V K  
D.M.

Schiller (for

9.2.46

No. 11111 of 19.3.46

13.4.46

S. 11111 for 11111

19-3-46

Hon. Mr. Justice. B.C. Saxena, V.C.  
Hon. Mr. V.K. Sethi, A.M.

Learned Counsel for  
applicant seeks adjournment.  
List on 19-4-46 for  
hearing.

Submitted for hearing

V K  
A.M.

Doc  
V.C.

19-4-46

Hon. Mr. V.K. Sethi, A.M.  
Hon. Mr. D.C. Verma, D.M.

Dr. R.P. Verma, brief holder  
for Dr. Swendran - learned  
counsel for applicant prays for  
adjournment.

List on 27-5-46 for  
hearing.

Submitted for hearing

V K  
D.M.

V K  
A.M.

(21)

35 12.1.47

No. 21/10/47 M. 10/10/47  
24.1.47

of  
Subordinate  
Judge  
17/12

(L) 24/2/47

Hon. Mr. V.K. Sethi, AM  
Hon. Mr. D.C. Verma, J.M.

For Subordinate P. Council for  
the applicant Prays for  
adjournment

list on 2/4/47

J.M.

AM.

(L) 3 4.47

No. 21/10/47 M. 10/10/47  
to 02.5.47

8.5.47

Hon. Mr. V.K. Sethi, AM  
Hon. Mr. D.C. Verma, J.M.

learned counsel for applicant  
has sent illness slip.

list on 2-7-47

J.M.

AM

2-7-47

No. 21/10/47 M. 10/10/47  
09.9.47

9.9.47

No. 21/10/47 M. 10/10/47  
10.11.47

02  
Submitted for  
hearing.  
15-12-98.

x1 x 10

No sitting of D.C. to  
17-12-98.

1

*[Signature]*  
B.C.

(51) 17-12-98

No sitting of D.C.  
Case adj. to 11-2-99  
for hearing.

*[Signature]*  
B.C.

(52)

11-2-99

Hon'ble Mr. D.C. Verma, J.M.,  
Hon'ble Mr. A.K. Misra, A.M.,

For applicant Smt. Surendran P.,  
For respondent Smt. S. Varma.  
List on 04-05-99 for hearing.

*[Signature]*  
A.M.

*[Signature]*  
J.M.

(53)

04-5-99

Hon'ble Mr. D.C. Verma, J.M.,  
Hon'ble Mr. A.K. Misra, A.M.

For applicant Smt. Surendran P.,  
None for respondents.  
List for hearing on 28-7-99.

*[Signature]*  
A.M.

*[Signature]*  
J.M.

(25)

TA 118/92.

(58)

17.02.2000

Hon'ble Mr D.C. Verma - J.M.  
Hon'ble Mr A.K. Misra - A.M.

Sri Surendra (P) counsel for applicant  
Sri S. Verma sought general  
advisement.

List for hearing on 02.03.2000



A.N.

J.M.

(59)

2-3-2000

Lawyers abstained from judicial work  
Case is adj to 13-3-2000 for hearing

  
B.O.C.

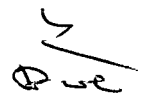
(60)

13/03/2000

Lawyers abstained from judicial work  
Case adj to 30/03/2000

(61)

30/03/2000

  
P.V.

No sitting of DB as no  
Member B is available, case adj to  
13/04/2000

(62)

13/04/2000

Hon'ble Mr D.C. Verma - J.M.  
Hon'ble Mr A.K. Misra - A.M.

None for the parties.

List for hearing on 17/05/2000

  
A.M.

J.M.

## CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

This the 31st day May, 2000.

T.A. No. 118/92

(O.A. 415/87)

HON. MR. D.C.VERMA, MEMBER(J)

HON. MR. A.K. MISRA, MEMBER(A)

1. Phool Singh Chargeman 'B' T.T. Shop, Loco Workshop Charbagh, Northern Railway Lucknow.

2. All India S.C & S.T. Railway Employees' Association Central Committee, C/o Qr. No. C-73/3, Manak Nagar, Lucknow.

3. All India S.C. and S.T. Railway Employees' Association, Loco Workshop branch, Charbagh, Lucknow.

By Advocate Shri Surenderan P.

versus

1. The General Manager, Northern Railway Baroda House New Delhi.

2. Addl. Chief Mechanical Engineer(W), Northern Railway, Loco Workshop, Charbagh Lucknow.

Respondents

By Advocate Shri S. Verma.

ORDER(ORAL)

BY D.C.VERMA, MEMBER(J)

The applicant No. 1 Phool Singh has been working as Chargeman B on adhoc basis. By the impugned order, dated 27.6.86 (Annexure -1 to the O.A.) the applicant was reverted to the post of Highly Skilled grade I due to posting of R.K. Tripathi, Apprentice Mechanic on Tool Maker Trade. The applicant has challenged the impugned order of reversion.

2. It is admitted fact that after restructuring, there were only 3 posts of Chargemen B in the scale of Rs 425-700. As per rule, the post of Chargeman B is filled up by three different modes. 50% was to be filled up by direct recruit quota, 25% from Limited Departmental Competitive Examination (in short LDCE) and 25% from amongst Mistri and Highly Skilled grade I i.e. from amongst the Rankers quota.



3. After restructuring, only 3 posts of Chargemen B were left to be filled up by three modes indicated above. As per recitals made in the Counter Affidavit, after restructuring on 26.6.86, three posts were being held by Niranjana Dey, Rajjan Lal and Phool Singh i.e. the applicant. Niranjana Dey and Rajjan Lal were Intermediate apprentice mechanic and were holding the post under 25% LDCE quota. The applicant Phool Singh had been promoted on adhoc basis to hold the post of Chargemen B vide order dated 26.6.84 (Annexure 6 to the O.A.). None from the direct recruit quota was holding the post on that date.

4. The submission of the learned counsel for the respondents is that one S.K. Sharma was earlier holding the post of Chargeman 'B' on direct recruit basis but on being promoted to the post of Chargeman 'A' w.e.f. 1.1.84, on account of restructuring, no incumbent was holding the post of Chargeman B on direct recruit basis. Consequently, by the impugned order dated 27.6.86 R.K. Tripathi Apprentice Mechanic on Tool Maker trade was posted as Chargeman B and the applicant Phool Singh who was only officiating and holding the post of Chargeman on adhoc basis, was reverted.

5. We have heard the learned counsel for the parties and have gone through the pleadings on record.

6. Admittedly, after restructuring, there were only three posts of Chargeman 'B'. As per rule, the post of Chargeman were to be filled by three modes, 50% by direct recruitment, 25% from LDCE and 25% from Rankers. Proportionately, therefore, 1.5 posts by direct recruitment, .75% post by A.D.C.E. and .75% posts by Rankers. In the peculiar circumstances of the present case, the only reasonable and equitable proportion would be that one post be filled up by direct recruitment, one by LDCE and one by Ranker. The submission of the learned counsel for the respondents is that as the direct recruit is to get 1.5 post, 2 posts be given to the direct recruits, is in our view totally unjustified. In case the submission of the learned counsel for the respondents is accepted, two posts would go to direct recruit and the only left out one post has to be filled up either from amongst rankers or through LDCE, meaning thereby that by one mode recruitment would be made.





Thus, in the given circumstances, in our view one each post has to be filled up by the three modes.

7. As per recitals made in the C.A., the impugned order reverting the applicant to the post of Skilled grade I was passed on 27.6.86. The position as on 27.6.86 is indicated in para 15 of the Counter reply. As per recitals made in para 15, two persons namely, Niranjana Dey and Rajjan Lal were holding the post of Chargeman B against LDCE quota basis and Phool Singh was holding the post on adhoc basis as a Ranker. Out of the three posts of Chargeman B available on 27.6.86, only one post should have been filled up on the basis of LDCE quota whereas two persons were holding the post. No doubt, no direct recruit was holding the post of Chargeman 'B' on the date the impugned order was passed, but the respondents could not have shifted the applicant while posting R.K. Tripathi as Chargeman 'B'. As persons holding the post on LDCE basis were in excess of their quota, shifting of Phool Singh was not warranted. No doubt, Phool Singh was posted on adhoc basis, still vacancy was being held by Phool Singh against rankers quota, as no other person was holding rankers quota post. Applicant was not occupying the quota meant for direct recruits. Though the impugned order has been reverted as Highly Skilled grade I because of transfer of R.K. Tripathi, a direct recruit. So the order is not valid.

8. During the course of arguments the learned counsel for the respondents has submitted that during the pendency of the present O.A. the applicant Phool Singh has been promoted on regular basis as Chargeman 'B' against rankers quota.

9. Accordingly, the impugned order Annexure-1 dated 27.6.86 is quashed to the extent of applicant's reversion. The applicant shall be deemed to be holding the post of Chargeman 'B' with consequential benefits continuously till the date he has been regularly promoted.

10. The O.A. is allowed accordingly. Costs easy.

  
MEMBER (A)

  
MEMBER (J)

Lucknow; Dated: 31.5.2000

Shakeel/

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**ADDITIONAL BENCH,**

23-A, Thornhill Road, Allahabad-211001

Registration No.

415

of 1987

1

APPLICANT (s)

P. L. Singh and others

RESPONDENT(s)

State of Northern Provinces and others

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent?
2. (a) Is the application in the prescribed form?  
(b) Is the application in paper book form?  
(c) Have six complete sets of the application been filed?
3. (a) Is the appeal in time?  
(b) If not, by how many days it is beyond time?  
(c) Has sufficient case for not making the application in time, been filed?
4. Has the document of authorisation, Vakalat-nama been filed?
5. Is the application accompanied by B. D /Postal-Order for Rs. 50. -
6. Has the certified copy/copies of the order (s) against which the application is made been filed?
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?  
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?

yes

yes

yes

Documents have been filed

yes

-

-

yes

yes

yes

yes

no

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL BENCH AT  
ALLAHABAD

WISD APPLICATION NO. 4 OF 1987

(Notification U/Sec. 26 of Act no 13 of 1985)

IN

CASE REGISTRATION NO. 4,5 OF 1987

Sri Phool Singh and others ... Applicants.

Versus

G. H. N. Rly and others ... Opposite parties

The Hon'ble the Vice Chairman and his other  
companion members of aforesaid tribunal.

The humble application most respectfully

shows as under :-

That one Telendra Singh retired as charge-man

on 23-3-84

That the post held by the said Telendra Singh

was substantive permanent post of 'Ranker's Quota'.

That the applicant being the senior most  
High Skilled Grade-I Fitter and Mistry as Ranker was  
appointed vide P.O. 1-6-84

That the applicant is scheduled caste

Candidate.

*Signature*

*Handwritten notes:*  
Shri Gaurangi  
So Jagdai  
list this appn  
for consideration  
with previous papers  
on 23/7/87 as requested  
by applicant.

*DR(3)  
20/7/87*

*23/7/87*

*Handwritten signature/initials*

3- That the said Tejendra Singh was on unreserved point no.7 on roster point and no.8 of the roster was reserve point.

6- That therefore after retirement of Tejendra Singh the applicant being of a reserve point, was promoted on 1-6-1984.

7- That according to Rly. Board's letter Dec.1983 ~~at~~ at the time of vacancy of roster point, if the selected or unselected candidate is not available, then the vacancy will be filled by Ad-hoc promotion and the roster point will be shown as B A ( A denoting Ad-hoc ) till selected or unselected candidate of that point is available.

8- That point B is reserve point and the applicant is from reserve quota.

9- That the appointment of Mr. R.K. Tripathi is from Direct recruitee Quota.

10- That Sri R.K. Tripathi is unreserve candidate and the roster point of the post is reserved point.

11- That Sri R.K. Tripathi ~~is~~ can in <sup>and</sup> view be appointed by displacing the applicant.

12- That the order of reversion of the applicant is arbitrary, illegal and against established practice of the department.

13- That the appointment of Sri R.K. Tripathi as General Candidate on the point of reserve candidate is illegal.

*S. H. G. B.*

14. That the reserve point no. 8 of the roster has not been deserved so far and a general candidate can not be appointed."

15- That the post which the applicant is holding is for rankers and can not be given to Direct Recruittee.

18. That after 1-5-86 there were other Schedule caste Candidates available from Direct Quota but were not posted at this place as this was for Rankers and those selected S/C candidates were posted outside ^

177- <sup>and</sup> That the posting of Mr. R.K. Trinathi is illegal has been motivated to harass and damage the applicant's future prospect.

18- That in case the applicant is reverted his seniority shall be affected adversely.

180. That in case the appointment of Mr. Tripathi is not cancelled, the claim on roster print no. 8 shall be nullified and the same shall be treated as filled and the applicant shall suffer an irreparable loss and damage.

10- That the applicant is now <sup>6</sup> days suffering  
with heart disease and is continuing under treatment  
of Railway Doctor.

21. That it is stated that the applicant has been paid his salary unto March 1987 as Chartered A.C. His reversion to first post will cause an uplift in his salary and damage.

Sing

P R A Y E R

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to direct the opposite parties not to disturb the applicant, and the applicant be allowed to continue as chargeman 'B' and he be paid his salary accordingly and pass such other or further order which this Hon'ble Court may deem fit and proper under the circumstances of the case.

Dated: \_\_\_\_\_

*S. C. Sharma*

( S. C. Sharma )

Advocate .

*S. Singh*

5

100 105107

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL  
BENCH AT ALLAHABAD

\*\*\*\*\*

CASE REGISTRATION NO: 415 of 1987

PHOOL SINGH AND OTHERS

VERSUS

GENERAL MANAGER ,N.E. RAILWAY AND OTHERS

The applicant Most Respectfully submits

as under :-

1- That the applicant was promoted on  
Reserved point -vacancy of Charge-man 'B' in 1984

2- That the applicant has been ordered to  
be Vice Shree R.K. Wripathi vide order dated  
June 1986 .

3- That ,aforesaid reversion of the  
applicant is deliverately, arbitrary and illegal as  
the vacancy in the grades of Chargeman exists  
otherwise .

4- That the applicant was promoted from member's quota and the promotee is from direct recruitment quota .

5- That there has been no reversion from the excess numbers in other quotas than the member's one .

6- That Mr. R.K. Tripathi is a general candidate and the post on which Mr. Tripathi is being posted is of reserved quota ,hence the posting of Mr. Tripathi is illegal .

7- That according to Roster point no. 8 is reserved point and the vacancy is on the point is regular and permanent .

8- That since there was selected candidate available the applicant was promoted on ad-hoc basis on point no.8 (ad-noting adhoc ). Thus there can be no appointment of any general candidate either on point no.8 or 8 A , unless that is deserved by competent authority .

*[Handwritten signature]*



-3-

8- That the status quo to the order of reversion ought to be maintained in the interest of natural justice .

9- That the vacancy in grade of Chargeman 'B' arising as result of promotion of Chargeman 'B' to Chargemen 'A' under the restructuring scheme may not be filled up by unreserved candidate till the decision of this case .

10- That it is bonafidely apprehended that the applicant resumes his duty on his reverted post the vacancy in the grade of chargeman 'B' would be filled up by unreserved candidate as it had been done earlier treating the reserved point as ex-hausted/operated .

P R A Y E R

It is therefore , most respectfully prayed that the opposite parties may be directed to maintain the status quo unto to the order of reversion dt. 27-6-86 and not to promote any general candidate on the reserved point from the direct recruitee quota, or pass

16/8/86  
DB

8

-4-

such or further order which this Hon'ble Tribunal  
may deem fit and proper in the circumstances of  
the case .

dated :

*Upendra Singh*

Counsel for applicant .

*Singh*

Filed on

8/5/87

8/5/87

In the Central Administrative Tribunal  
Addl. Bench, Allahabad.

Registration No. of 1987.

1. Phool Singh and others

- Applicant

Versus

General Manager, Northern Rly and other - Opposite Parties

I N D E X

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Applicant

Noted + 11/5/87

D<sub>2</sub>

In the Central Administrative Tribunal,  
Addl. Bench, Allahabad.

Registration No.                      of 1987.

Between

1. Phool Singh, Chargeman 'B',  
T.T. Shop, Loco Workshop, Charbagh,  
Northern Railway, Lucknow.
2. All India Scheduled Caste & Scheduled  
Tribes Railway Employees' Association,  
Central Committee, C/o. Qr.No. C-73/3,  
Manak Nagar, Lucknow-226011 (UP)
3. All India Scheduled Castes and Scheduled  
Tribes Railway Employees' Association,  
Loco Workshop Branch, Charbagh, Lucknow.

..... Applicants

and

1. The General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. Addl. Chief Mechanical Engineer (T),  
Northern Railway, Loco Workshop,  
Charbagh, Lucknow.

..... Opposite Parties.

The applicants most respectfully beg to state as under :-

1. Particulars of the applicants.

- (i) Phool Singh, Chargeman 'B', T&T Shop, Loco Workshop,  
Northern Railway, Charbagh, Lucknow
- (ii) All India Scheduled Caste & Scheduled Tribes Railway  
Employees' Association, Central Committee, New Delhi  
C/o. Qr.No. C-73/3, Manak Nagar, Lucknow-226011.
- (iii) All India Scheduled Caste & Scheduled Tribes Railway  
Employees' Association, Loco Workshop Branch, Charbagh,  
Lucknow.

2. Particulars of the respondents

- (i) Shri A.N. Menchoo, General Manager,  
Northern Railway, Baroda House, New Delhi.
- (ii) Sh. Ashoke Kumar, Addl. Chief Mechanical Engineer (T),  
Northern Railway, Loco Workshop, Charbagh, Lucknow.



3. The application is against the following orders :-

- (a) Staff Order No.482 dated 27.6.1986 regarding reversion. (Annexure - I)
- (b) General Manager(P), Northern Railway, New Delhi's letter No.220-B/262-25/Lectt dated 25.6.1986. (Annexure - 2)

4. The applicant declares that the subject matters of the Orders against which the redressal sought is within the jurisdiction of the Tribunal.

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

6. (i) That the applicant is a permanent High Skilled Grade I Tools Maker Fitter, scale Rs.380-560(RS)/1320-2040(RS) in the Tools and Template Shop of the Loco Workshop of Northern Railway, Charbagh, Lucknow.

(ii) That the next avenue of promotion of the H.S. Grade I artisan Workshop Staff was to the grade of Rs.425-700(RS)/1400-2300(RPS) of the Chargeman 'B'.

(iii) That there were percentage quota of total posts of Chargeman 'B' for departmental candidates, Limited Departmental Competitive Examination (i.e. LDCE in brief) and direct recruitment in the grade. For departmental artisan cadre staff 25 % (seniority-cum-suitability), L.D.C.A. or Intermediate Apprentice Mechanic quota 25 % and direct recruitment - Apprentice Mechanic Quota 50 %, which are hereafter called in brief as "Bankers quota", LDCE quota and "direct recruitment quota" respectively.

(iv) That the total strength of Chargeman 'B' as on 31.12.1983, was 7 Nos. and as on 1.6.1984 also the strength remained the same. As per quota distribution, the strength of Bankers in the grade of Chargeman 'B' on 1.6.1984 should have been minimum two, Intermediate Apprentice Mechanic should have been equal to Bankers quota and direct recruitment quota should have been three. The Roster of quota for all the three divisions is annexed herewith as Annexure-III.

(v) That as a result of implementation of Cadre-restructuring w.e. from 1.1.1984, promotions being made on a far prospective date. Total four posts of Chargeman 'B' were upgraded to Chargeman 'A', Scale Rs.550-750(RS)/1460-2600(RPS). As a results the total strength of Chargeman 'B' ~~quata~~ <sup>quotawise</sup> had been as follows on 01.6.1984.

Bankers quota (25 %)	- One
LDCE quota (25 %)	- One
Direct quota (50 %)	- One

Direct quota could not be 50% now because of shrinkage of the category

*[Handwritten signature]*

(vi) That the incumbents against those quotas working on the relevant date i.e. 1.6.1984 were S/Sri Phool Singh (Rankers) Nirangan Dey and Rajjan Lal (LDCE quota) and S.K.Sharma (Direct quota). Subsequently Shri S.K.Sharma was promoted to the post of Charge Man 'A' grade Rs.550-750 (RS) from retrospective date i.e. 1.1.84. Thus all posts quota-wise were already filled up and no vacancy existed on the relevant date.

(vii) That the applicant was promoted to the post of Charge Man 'B' Rs.425-700 (RS)/1400-2300 (NPS) on adhoc basis against reservation Roster Points No.8-A, being earmarked for promotion against point No.8 of the Roster in terms of Railwar Board's order contained in their letter No.83-E (SCT)/23/1 dated 19.9.83, read with South Eastern Railway's letter No.4/RF/SCT/Roster dated 15.1.77 (Para 2.1) w.e.f. 1.6.1984 FN, against Rankers @ 25% quota in the category of Chargeman 'B' vice Shri Tajender Singh (Rankers) who retired from service w.e.f. 31.5.1984 (AN). S.O. No. 536 of 28.6.1984 is attached herewith as Annexure - VI.

(viii) That consequent upon promotion of Shri S.K.Sharma (Direct quota) to the post of Chargeman 'A' from 1.1.1984, there were total three working against three posts of the Chargeman 'B' i.e. one Ranker, two LDCE quota and none from Direct quota. Thus one was working in excess in LDCE quota on the relevant date i.e. 1.6.84.

(ix) That as a result of upgradation of the <sup>four</sup>~~three~~ Chargeman 'B' post to Chargeman 'A', the different quotas fixed earlier ought to have been amended to 33.33% for all quotas, because the total strength was reduced from 7 to 3. But the quota was not reduced, rather maintained as it were on wrong analogy.

(x) That the applicant was appointed to the post of Chargeman 'B' w.e.f. 1.6.84 vice Shri Tajender Singh retired from service w.e.f. 31.5.84. Shri Tajender Singh was promoted against ranker quota on vacation of ranker quota the applicant was promoted to that post. The applicant continuously worked on this post from 1.6.84 to 27.6.86 without any break as a result he had drawn two increments in time scale. The applicant, therefore, continuously worked in excess of 18 months.

In accordance with common rules made by Railway Board under Rule 157 R-I, the Railway servant continuously worked for 12 months, ought to be deemed to be confirmed on officiating post. There should not be any case of reversion of the employee worked continuously for 12 months on general unsuitability without complying with D&AR procedure. For the employee should not be reverted unless there was shrinkage of the Establishment. There was no shrinkage in the Establishment at the relevant date of the applicant promotion to the post on 1.6.84 nor had there been any shrinkage as on 27.6.86. The total cadre strength of the supervisory staff were Chargeman 'B' three, Chargeman 'A' 3 Asstt. Shop Supdt. 3, Shop Supdt. 1.

(xi) That as per cadre strength as on 27.6.86 the following incumbents were holding the different post as under:-

1. Chargeman 'B' - 3	Ranker	Shri Phoo; Singh
	LDCE	Shri Nirjan Dey
		Shri Rajjan Lal Sonker
<del>Ex-Chargeman 'A' - 3</del>	Direct App. Mech.	Nil.

2. Chargeman 'A' - 3

1. Shri B.N. Bannerjee
2. Shri S.K. Sharma
3. ~~Shri~~ Vacant.

- |                          |                     |
|--------------------------|---------------------|
| 3. Asstt. Shop Supdt. 3- | 1. Shri R.S. Pandey |
|                          | 2. Shri S.S. Pandey |
|                          | 3. Vacant.          |
| 4. Shop Supdt. - 1.      | 1. Shri Arshad Ali  |

(xii) That as a result of total cadre restructuring in terms of Railway Board's letter No. PC-III/83/446/3 dated 16.11.84 as shown in para ii above on the relevant date of appointment of Shri R.K. Tripathi Direct Recruitee should have been adjusted against an existing vacancy in the grade of Chargeman 'A' or Shop then existing one vacancy of Asstt. Supdt.

(xiii) That Shri R.K. Tripathi (Direct Recruit) Apprentice Mechanic, was posted vide S.O. No. 482 of 27.6.86 to Amritsar Work Shop against an existing vacancy of direct recruit. Shri R.K. Tripathi's appointment against a working post in Amritsar work shop was cancelled vide General Manager (F)'s New Delhi letter No. 220-E/262-25/Recruitment dated 25.6.86 and was posted in Charbagh, Loco Work Shop on his own request although there was no vacancy existing at that relevant date. The Addl. Chief Mech. Engineer (W) Charbagh/Lucknow vide his Staff Order No. 482 dated 27.6.86 posted Shri R.K. Tripathi as Chargeman 'B' (Tool Maker, w.e.f. 27.6.86 (FN) reverting Shri Phool Singh w.e.f. 27.6.86, which is aimed to cause injury to the applicant on caste hatred, and prejudice.

(xiv) That at the relevant time one post of Asstt. Shop Supdt. and one post of Chargeman 'A' were lying vacant w.e.f. 1.4.86 in terms of the review conducted by the opposit parties as may be seen as Annexure No. 9. .... In addition it is also mentioned that one post of Asstt. Shop Supdt. of Tool Maker Section is being operated in the Rate Fixing Section to extend benefits to an unreserved candidate. It is also pertinent to mention that one post of Chargeman 'B' was also temporary



temporarily transferred to Production Control Organisation Section w.e.f. 13.9.85 to give the benefits to the unreserved candidates.

(xv) That out of three Chargeman 'B' one from Rankers, two from LDCE quota, Shri Niranjan Dey, Chargeman 'B' out of LDCE quota was since due his promotion to the post of Chargeman 'A' against an existing vacancy of Chargeman 'A', but he was not promoted till 27.6.86 with the mala fide intention of causing reversion of the applicant, although the applicant has since acquired his confirmation on the post of Chargeman 'B' by ~~virtue~~<sup>virtue</sup> of his continuous 18 months service in accordance with Railway Board's letter No.E(D&A) RG-6-24 dated 9.6.1965, read with N.E.Railway's letter No.E/210/O(Con) dated 21.1.1966 (Annexure-XIII), fortified by Hon'ble Supreme Court's final rule on the subject as circulated by the Railway Board vide their letter No.E(NG)I-82-PH-204 dated 27.6.1983, copy attached herewith as Annexure-XI.

xvi) That in terms of Railway Board's letter No.83-E(SCT)/23/1 dated 19.9.1983 from Addl.Director Establishment(Res.) Railway Board to the General Manager, Northern Railway and copies to others, read with para 2.1 of the Addl.Chief Personnel Officer, S.E.Railway, Calcutta's letter No.F/RP/SCT/Roster dated 15.1.1977, circulated under the Railway Board's above letter for adoption, which is reproduced below for ready reference, when permanent vacancy occurred against Roster Point No.8 and no panel list of suitable persons are available for posting then on regular basis against that point, that post was required to be filled up in the interests of works pending selection on adhoc basis. Accordingly, the applicant was promoted against Point No.8 on the basis of then local seniority, the adhoc promotion of the applicant was shown against Roster Point No.8(A) and the applicant was earmarked for

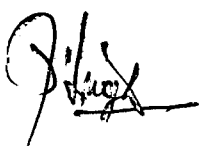
*P. Singh*

for promotion against Roster Point No.8. Accordingly the ~~the~~ was no question of changing the Roster Point which has not been operated and is till date lying vacant whereas the unreserved points in other quota have been operated much in excess. This treatment with the Scheduled Caste candidate is nakedly a discriminatory treatment and illegal. This is the way how the biased railway officers caused denial of rights of full benefits admissible to the SCs and STs in their turn.

2.1 A, B, C, D are the regular candidates posted against Roster points Nos. 1, 2, 3, 4 of regular Roster. Now again four permanent long term temporary vacancies have occurred against Roster Points Nos. 5, 6, 7 & 8 and there is no panel list of suitable persons available for posting them on regular basis against these points. In the interests of works, pending selection/suitability test, these posts are required to be filled up on adhoc basis. In this case, four candidates including one SC against point No. 8 will be promoted on the basis of local seniority. The adhoc promotion of the four candidates viz. E, F, G & H should be shown in the Roster Register by introducing Roster points 5(A), 6(A), 7(A) and 8(A) stands for adhoc. The stage for regular points 5, 6, 7 & 8 should be kept blank. After the selection/suitability test is over the regular candidates should be posted against Points No. 5, 6, 7 & 8 in the blank space already left. Now supposing a selection/suitability test has been completed and persons E, F, H & K have been empanelled (K is SC) these should be posted against Points No. 5, 6, 7 & 8 and these names should be entered as shown in the proforma enclosed."

(xvii) That firstly Shri Tripathi should have not at all been posted in the Loco Workshop, Charbagh, Lucknow on his own request till the time a clear vacancy would have arisen in the category of Chargeman 'B'. Acceptance of Shri Tripathi and his posting in the Loco Workshop, Charbagh, Lucknow in excess of the sanctioned strength of Chargeman 'B' clearly exhibited partiality and favouritism towards Shri Tripathi under invisible pressure or influence of some invisible strong and powerful person(s). As a result the poor and influenceless ordinary Scheduled Caste Workman has been unnecessarily a victim of caste bias.

(xviii) That Secondly Shri R.K. Tripathi could have been adjusted against any post in the Basic Training Centre or against any of the existing vacancy in higher grades operating the same in the



lower grade till the time a post in the grade of Chargeman 'B' <sup>had been</sup> ~~would be~~ caused to exist to accommodate the influencee, thereby the Opposite Parties could do justice with every body. But due to caste prejudice against the reserved community persons particularly the applicant was reverted from his rightful post and appointed Shri Tripathi against the vacancy arisen as a result of his reversion.

(xix) That thirdly Shri Miraj Dey (unreserved candidate), Chargeman 'B' was already due his promotion at the relevant time and one post was also lying vacant in the grade of Chargeman 'A'. So, he could have easily been promoted or adjusted against that higher grade post and thereby the applicant could easily be maintained against Roster Point No. 8, for which the applicant had already been earmarked, and Shri Tripathi also could be accommodated

(xx) That as on date there are two vacancies lying vacant in the Supervisory cadre viz. one vacancy in the grade of Assistant Shop Superintendant and one vacancy in the grade of Chargeman 'B' as per Annexure- 9 attached. There is no question of not continuing the applicant against one of the existing vacancy mentioned above.

(xxi) That the Opposite Parties are scuttling the continuance of the applicant on the post of Chargeman 'B' in continuation of his earlier promotion to the post of Chargeman 'B', treating the intervening period from 27.6.1986 to till the date of this application as leave due and admissible. But the Opposite Parties with malafide intention and caste bias are avoiding his promotion and his continuation on the post as Chargeman 'B' in the garb of all false pleas and pendency of a reference with the Railway Board which has no relevance with the matter of his promotion against an existing vacancy which can be seen from the All India SC & ST Railway Employees' Association letter No. AISCTREA/HO/WR/Loco/CB/87

*[Handwritten signature]*

dated 14.4.1987 (Annexure - 12)

(xxii) That in view of the circumstances contained in the foregoing paragraphs, it can well be seen that the 'Rankers' quota in the category of Chargeman 'B' is still lying unoperated and as such the artisan cadre workmen are having no channel of promotion in the higher grade and they are now without any avenue of promotion. Their future career prospects have been totally blocked under invisible prejudice and on false and artificial grounds.

(xxiii) That in terms of statutory provision of the rules the various quotas are operated in the following manner :-

- (1) Departmental promotion Quota.
- (2) LDCE Quota
- (3) Direct Recruitment quota.

Accordingly, before any other quota was operated it is incumbent on the Opposite Parties to operate the quotas in priority orders as mentioned above i.e. firstly they were to operate the 'Departmental Promotion Quota' by the artisan cadre workmen in Highly skilled grade I and Mistries in scale Rs.380-560(RS) according to interse seniority. But in this case, the LDCE quota and direct recruitment quota are being operated whereas the departmental promotion quota has been ignored in full. This act of the Opposite Parties is illegal.

7. Under the circumstances as explained above, the applicant begs for the following prayers -

- (1) General Manager(F)/New Delhi's letter No.223-E/262-25(Recd) dated 25.6.1986 (Annexure - 2 ) be declared illegal there no vacancy existing on the relevant date.

*[Handwritten signature]*

- (2) The reversion Order (Staff Order No. 482 dated 27.6.1986) (Annexure - I) be declared illegal, the applicant being earmarked against Roster Point No. 8(A) reserved for SC community for departmental promotees (Rankers' quota).
- (3) The intervening period from 27.6.1986 upto the date of this application be treated as leave due and admissible under extent rules as Chargeman 'B'.
- (4) The cost of this application be awarded to the applicant.
- (5) Any other relief the Hon'ble Tribunal deems fit and proper.

8. The applicant prays for the following interim Orders pending final decision on this application -

- (1) ~~The~~ <sup>The applicant be deemed & continued as (main)</sup> Opposite Parties be ordered to make a review and order to hold a selection for the post of Chargeman 'B' against Rankers' Quota against Roster Point No. 8 of the prescribed Roster for the SC communities, thereby to to operated 25 % "Rankers' quota" which is now lying vacant.
- (2) The Opposite Parties also be ordered not to pend the selection and Operation of the vacancies for Chargeman 'B', scale Rs. 425-700 (RS / Rs. 1400-2300 (R+S) in the garb of false plea of pendency of Addl. C.P.O.'s D.O. No. 581-E/290-II/PC-IV/Pt. 1 dated 13.2.1987 with the Railway Board, which has no relevancy with the subject matter of filling up of the 25 % "Rankers' quota" from Highly skilled grade I artisan. In this respect para 4-6 of the SC/ST



Railway Employees' Association letter to Opposite Party No.1 (Annexure - /2 , may be seen.

9. The applicant declares that he himself and also applicant No.2 had made many written and oral approaches to the Opposite parties, but neither of the applicants has been replied of their decisions on the subject matters. The applicants have thus availed of all remedies available to them but with no result.

10. The applicant further declares that the matter regarding which this application has been made is not pending with any other court of law or Tribunal.

11. Particulars of Postal Orders in respect of application fees are as under -

- (1) Nos. of I.P.Os - DD/5/554104
- (2) Name of issuing Post Office - Manak Nagar,  
Lucknow
- (3) Date of issue of Postal Orders. 05-05-1987
- (4) Post office at which payable - G.P.O., Allahabad

12. An index in duplicate containing the details of documents to be relied upon is enclosed.

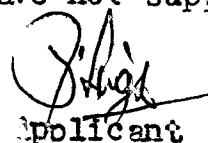
13. Enclosures ;

- (1) Authority letter
- (2) Documents as mentioned in the attached index.
- (3) Index one in duplicate

I, Phool Singh, son of late Shri Naula Singh, aged about 47 years, working as Chargeman 'B' / Tool & Template (stands reverted), resident of Qr.No. II-128/G, Sleeper Ground, Alambagh, Lucknow do hereby verify that the contents of paras 1-13 are true to my personal knowledge and belief, and that I have not suppressed any material facts.

Encl: As above.  
Lucknow, dated 06-5-1987

To  
The Registrar, C. I. T., Allahabad.

  
Applicant

(R.K. Mellick;  
Vice- President,  
Central Committee  
A.I. SC&ST R.E.A

In the Central Administrative Tribunal  
Additional Bench, Allahabad.

Registration No. of 1987.

Phool Singh and others - Applicant  
Versus  
General Manager, N.Rly., and others - Respondents

INDEX OF DOCUMENTS RELIED UPON

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1.	Staff Order No.482 dt.27.6.86	Annexure-I 14
2.	GM, NRly letter No.220-E/262-25/Rectt dt. 25.6.1986.	Annexure-2 15
3.	Roster of percentage quotas	Annexure-3 16
4.	Rly.Board letter No.83-E(SCT) /23/1 dt. 19.9.1983	Annexure-4 17
5.	E.Rly.letter No.P/HP/SCT/Roster dt.15.1.1977.	Annexure-5 18-20
6.	Staff Order No.536 of 28.6.1984	Annexure-6 21
7.	Board's letter No.PC-III/83/HP/792 1-15-79-84	Annexure-7 22-26
8.	Staff Order No.121-M/25 dt.16.6.86	Annexure-8 27
9.	Positions of strength after Cadre review as on 1.4.1986	Annexure-9, 9(A) & 9(B) 28-30
10.	Board's letter No.E(D&A) NR RG6-24 dated 09.6.1965.	Annexure-10 31
11.	Board's letter No.E(NG) I-82-FM1-204 dated 27.6.1983.	Annexure-11 32
12.	SC & ST Rly.Employees Association letter No.AISCTREA/HO/NR/Loco, CB/87 dated 14.4.1987.	Annexure-12 33
13.	NE Rly letter No.E/210/0(Con), dt. 21.1.1966.	Annexure-13 34-35
14.	Addl.CMS(W) letter No.50-E/CM/TM dt.14.3.1987.	Annexure-14 36-37

Enclo As above.

(Phool Singh)  
APPLICANT



ANNEXURE NO. I

Staff Order No. 482

Dated 27.6.86

Interna of the General Manager(P)/New Delhi's letter No.220-E/262-25(Reftt),dated 25.6.86 Sri R.K. Tripathi Apprentice Mechanic of Tool Maker Trade has reported for posting as Charge Man 'B'(T/M, on 27.6.86(AN) vide PSTS/CB's letter No.121-M/25 dated 27.6.86.

Accordingly he is posted as Charge Man 'B' (Tool Maker) on pay Rs.425/-P.M. in grade Rs.425-700(RS) as T and T Shop vide Sri Phool Singh officiating Charge - Man 'B' w.e.f.27.6.86(AN)

Shri Phool Singh Officiating Charge Man 'B' (Tool Maker) is reverted as Highly Skilled Gr.I on pay Rs.488/-P.M. grade Rs.380-560(RS) on T.No.TT-24 and posted in the same shop.

Sd/-  
for Addl.Chief Mechl.Engr(W)  
N.Rly.CB/LKO.

Copy forwarded for information and necessary action to the OS/TO, PB, HC/Pass, SAO(W), SS/TTS Loco CB/LKO.

Sd/-  
for Addl.Chief.Mechl.Engr(W)  
N.Rly. CB, LKO.

True copy  
J. Singh

ANNEXURE NO. II

NORTHERN RAILWAY HEAD QUARTERS OFFICE BARODA HOUSE NEW DELHI

No. 220-E/262-25/Rectt. II

Dated 25.6.86

The Principal  
System Technical School  
Charbagh, LUCKNOW.

Sub-Posting of Apprentice Assistant Chargemen (Mechanic)  
Grade Rs. 425-700 (RS)  
=====

In partial modification of this office letters of even no. dated 11.6.83 the posting orders of the following Apprentices Asstt. Charge Man (Mech) grade Rs. 425-700 (RS) have been changed at their own request who may please be relieved and directed accordingly.

Name	Merit No.	Trade	Place previously allotted.	Place now allotted.
1. R.K. Tripathi	27	T/Maker	ASR	CB/LKO
2. G.S. Kulshrestha	24	Pandit	RCF	AMV/LKO

This has the approval of Chief Work Shop Engineer.

Sd/-  
for General Manager (P)

Copy for information and necessary action. to:-

1. Addl. Chief Mechl. Engineer (W), Loc Works Charbagh, Lucknow.
2. Dy. Chief Mechl. Engineer (W) Amritsar.
3. O.S.D. New Coach Factory Kapurthala, Tilak Bridge New Delhi.

True copy  
S. Singh

Annexure-III

I. Roster of different Quotas

(Against 7 Posts of Chargeman 'B' as on 31.12.83)

1. Rankers
2. Rankers
3. L.D.C.E.
4. L.D.C.E.
5. Direct recruitment
6. Direct recruitment
7. Direct recruitment

Notes: In the second cycle of the Roster, there would be only one post against Rankers Quota and in the third cycle of the Roster there would be only one post against L.D.C.E. quota.

II. Revised Roster of different quotas w.e.f. 1.1.1984

(For 3 Posts of Chargeman 'B' on 1.1.84)

1. Rankers quota (33.3%)
2. L.D.C.E quota (33.3 %)
3. Direct quota (33.3 %)

(As for equity and natural justice;

.....

True copy  
J. Singh

Government of India / Bharat Sarkar  
Ministry of Railways / Rail Ministry  
(Railway Board)

No. 83-E(SCT)23/1

New Delhi, dated 10/4/83

The General Manager,  
All Indian Railways incl. DLW, CLW and ICF

Sub: Ad hoc promotions pending consideration  
of cases of Scheduled Castes and  
Scheduled Tribes employees in -

A copy of Ministry of Home Affairs, DOP&AR's O.M. no. 36011/14/83-E(SCT) dated 30.4.1983 on the above quoted subject is sent herewith for information and guidance. Instructions issued by the Ministry of Railways vide their letter No. E(SCT)68CM15/12 dated 10.12.71 already provide for reservations for Scheduled Castes and Scheduled Tribes employees in ad hoc promotions, lasting for 45 days or more pending selection/suitability tests. However, the above instructions of the Ministry of Home Affairs have made the following qualitative changes:

1. When the number of SC/ST candidates found fit are less even after considering the additional SC/ST candidates by going down the seniority list than the number of vacancies reserved for them, in that case formal dereservation by the competent authority is not required before the post is filled up by others on ad hoc basis.
2. No formal roster register is required for ad hoc promotions pending selections/suitability tests. However, a simple register called the ad hoc promotions register is required to be maintained for the different categories of posts for which ad hoc appointments are made to facilitate the record being kept of the ad hoc appointments. For the above instructions of the DOP, the record of ad hoc promotions should also be kept in the roster register for regular promotions as per the practice followed by SE Railway circulated to the Divisions vide their letter No. P/RP/SCT/Roster dated 15.1.1977 (copy enclosed).
3. At the time of regular promotions reversions of the ad hoc appointees should take place strictly in the reverse order of seniority. No special concessions are to be given to SC/ST candidates at the time of such reversions.

.... 2/-

- 2 -

4. Consideration of additional SC/ST candidates by going down the seniority list will be applicable only when ad hoc arrangements are being made for more than 45 days. To this extent instructions issued so far on the subject should be treated as modified.

Please acknowledge receipt.

Hindi version will follow.

*Amigal*  
(D.S. NIGAM)  
Addl. Director, Estt. (R)  
Railway Board

DA/11/11/83

31 09 2017 11:00

304 d: 15th January, 1977

AA DBE, EE(Y)-KGP, DY CDS-KGP,  
AY CHE-KGP, DY CHE-7, DY DE/SMY, DCCG-H,  
5/1-KGP, EE(U)-RSP

SC/ST Employees of Master Register or  
Employees of SC/ST employees

4. Items of GDSI Letter No. P/RP/SPR/Roster dated 1997, the said Roster Engineers are required to be obtained with a view for the verification of regular promotions after the formation of annual/publication of lists of eligible candidates for promotion and the other for ad hoc promotions pending selection/availability tests. Further in pursuance of this office letter No. P/RP/SPR/72/97-VII dated 1997, approval was done to allow up to 5% of leave of absence to be also brought under reservation rules and the same to be entered in the roster mentioned above.

The unit has been reviewed and it has been decided that the unit has operations that require collection of reliability tests. The unit of persons 1/long term & temporary residents should also be entered in the Active Register panel/publication of lists of suitable persons to fill up the permanent/long term temporary residents. When the panel/list of suitable persons is published, the public panel will be sent to list the points of which the unit is provided and the unit. This will be clear from the list of the unit.

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J. J. J.

...the collection/ with 11/17/71 it has been  
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...should be printed against point No. 1, 6,  
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...enclosed.

...in reducing points for ad hoc propositions, it will be  
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...has been observed in most of the cases of Register  
...

...where center points have been already written  
...and there is no space for introducing ad hoc to for  
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...the date from which they were presented.

True copy  
J. L. L.

2-10

U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

[illegible]

Expenditure and long-term temporary/purely temporary post

Publication	Year	Register	Name of the person appointed	Date of appointment	Class	Date of publication of panel/selection post	Signature of the appointing authority	Remarks
1.	1970	SC	A	3.9.75	SC	3.9.75	SC	
2.	1970	UR	B	4.10.76	UR	4.10.76	SC	
3.	1970	UR	C	4.10.76	UR	4.10.76	SC	
4.	1970	ST	D	4.10.76	ST	4.10.76	SC	
5A.	1970	UR	E	4.10.76	UR	4.10.76	SC	
5.	1970	UR	F	4.10.76	UR	4.10.76	SC	
6A.	1970	UR	G	4.10.76	UR	4.10.76	SC	
6.	1970	UR	H	4.10.76	UR	4.10.76	SC	
7A.	1970	UR		4.10.76	UR	4.10.76	SC	
7.	1970	UR		4.10.76	UR	4.10.76	SC	
8A.	1970	SC		4.10.76	SC	4.10.76	SC	
8.	1970	SC		4.10.76	SC	4.10.76	SC	





NORTH EASTERN RAILWAY.

Annexure 7  
OFFICE OF THE  
GENERAL MANAGER (P),  
GORAKHPUR.

No. E/213/AC/73/S-Ft.III(IV);

Dated: 15-5-1984.

Divl. Rail Managers,  
Personnel Officers,  
Extra Divl. Officers (Estt),  
North Eastern Railway.

Sub: - Cadre review and restructuring of group 'C'  
Cadres.

\*\*\*\*\*

A copy of Railway Board's letter No. FCIII/83/JFG/3 dated 1.5.84 is forwarded herewith for information and necessary action.

The restructuring of the posts controlled by Divisions/Workshops/Extra Divisional Units should be implemented by the respective Units by 15-6-1984.

As regards the posts controlled by Head Quarter, the Divisions/Workshops/Extra Divisional Units should submit the sanctioned strength of staff as on 1-1-1984 in the concerned cadres duly vetted by associated accounts by 25-5-1984 for further action from Head Quarter office. This information should be sent by name to Shri Ram Samujh, S.P.O(PC), C.P.O.'s office.

A report on the progress of implementation, as on 15-6-1984, should be arranged to be submitted to this office. The same should reach this office by 23-6-1984 latest, so that it may be put up to G.M. for his information.

D.../As above:

*M. S. Gupta*  
(M.S. Gupta) 10.5.84  
Addl. C.P.O.  
For GENERAL MANAGER (P):

Copy to A.G.M./All Heads of Departments for information.

7

Copy of L.No.ROMI/83/UPG/3 dt. 1.5.84 from Rly.Board/New Delhi to the General Manager, All Indian Railways and others.

\*\*\*\*

Sub:- Cadre review and restructuring of Group 'C' Cadres.

\*\*\*\*

Arising out of a demand made by the staff side in the Departmental Council (Railways), of the Joint Consultative Machinery, the Ministry of Railways have decided that following Group 'C' categories should be restructured as indicated in Annexure 'A' with effect from 1.1.1984:-

1) Technical Supervisors in the Production Units, Open line including Open Line Workshops of the Civil, Mechanical, Electrical and Signal & Telecommunication Departments.

11) Scientific staff of the CMT under the Mechanical Engineering Department.

2) For the purpose of restructuring, the cadre strength as on 1.1.84 will be taken into account and will include Rest Giver and Leave Reserve Posts.

3. Staff selected and posted against the additional higher grade posts as a result of restructuring will have their pay fixed under Rule 2018-B(FR-220) RII with effect from 1.1.1984. The benefit of fixation effective from 1.1.1984 will also be applicable to the chain/resultant vacancies. In effect, the benefit of fixation from 1.1.1984 ~~xx~~ should be given against all vacancies which arise from restructuring.

4.1 The existing classification of the posts covered by those restructuring orders, as "Selection" and "Non-selection" as the case may be, remains unchanged. However, for the purpose of implementation of these orders, if an individual railway servant becomes due for promotion to only one grade above the grade of the post held by him, at present, on a regular basis, and such higher grade post is classified as a "Selection" post, the existing selection procedure will stand modified in such a case to the extent that the selection will be based only on scrutiny of service records without holding any written and / or viva voce test. Naturally, under this procedure, the categorisation as 'Outstanding' will not exist.

4.2 In case, however, as a result of those restructuring orders, an individual railway servant becomes due for promotion to a grade more than one grade above that of the post held by him at present on a regular basis, the benefit of the modified procedure of selection as aforesaid will be applicable only to the first such

Contd..2..

True copy  
S Singh

promotion( if that post happens to be a 'selection' post), the second and subsequent promotions, if any, will be based only on the normal rules relating to filling in of 'selection' or 'Non-selection' posts (as the case may be).

~~4.2~~

4.3 Vacancies existing on 1.1.1984 and those arising on that ~~date~~ from this cadre restructuring should be filled in the following sequence:-

- 1) from panels approved on or before 30.4.84 and current on that date; and
- 11) balance in the manner indicated in paras 4.1 and 4.2 above.

5.1 The extant orders regarding recruitment of Engineering Graduates to grade Rs.550-750 will stand modified in that:-

- 1 20% of vacancies arising after 1.1.1984 in grade Rs.700-900 in the category of technical Supervisors of all Departments will be filled by direct recruitment of Engineering Graduates through Railway Service Commissions.
- 2 There will be no direct recruitment in future in the grade of Rs.550-750, except that where a panel of candidates for direct recruitment in this grade has already been received by a Railway Administration from the Railway Service Commissions, appointments therefrom (Subject to usual formalities) will be made to the grade Rs.550-750.

5.2 Specific qualifications prescribed for Engineering Graduates for recruitment currently to grade Rs.550-750 will now automatically apply to grade Rs. 700-900.

5.3 There is currently provision for direct recruitment in the category of Chemists and Metallurgist Assistants in grade Rs.425-700 to the extent of 33-1/3%. Consequent to restructuring the percentage of direct recruitment to grade Rs.425-700 will be raised to 66-2/3%. The qualifications prescribed will remain unchanged. This will, however, be effective for vacancies arising after 1.1.1984.

Contd...3..

*True copy*  
*Bank*

6. The existing rules and orders in regard to reservation for SC/ST will continue to apply while filling up additional vacancies in the higher grades arising as a result of restructuring.

7. The Non-functional selection grade posts created in the categories covered by these orders should be adjusted against the upgraded posts. Any holders of non-functional selection grades not so adjusted will continue to retain in such grades as personal to them till the next review. Details of such cases should be reported to the Board by 30.9.84.

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

9. The Board desire that restructuring and posting of staff after due process of selection should be completed expeditiously.

10. The Railways will carefully assess requirement of funds on account of this restructuring for the year 1984-85 and include them in the Revised Estimates for 1984-85.

11. Hindi version will follow.

12. Kindly acknowledge.

Encl. One.

(Sd/-M. Sotharam)  
Addl. Director, Pay Commission,  
Railway Board.

*True copy*

*384/84*

ANNEXURE 'A'

Statement indicating restructuring of  
certain Group 'C' Cadres

(Annexure to Railway Board's letter  
No. PCIII-83/UPG/3 dated 1.5.84)

I. Restructuring of Technical Supervisors in Production  
Units/Open Line including workshops in all Technical  
Departments, viz. Civil Engineering, Mechanical,  
Electrical and Signal and Telecommunication Deptts.

<u>Grade (Rs.)</u>	<u>Existing Percentage</u>	<u>Revised ✓ Percentage</u>
425-700	55*	33
550-750	30	30 ✓
700-900	15	27
840-1040	10% of posts in Rs. 700-900.	10

\* applicable only to ICWs, BAIs, PWIs  
TARs/CWIs and Supervisors eld.  
General Services.

Notes

- 1) The existing number of posts in Rs. 840-1200 in the Production Units/Open Line Workshops and the extant procedure for filling them up will continue to remain in force.
- 2) If, prior to issue of this letter, the number of posts existing in grade Rs. 840-1040 in any particular cadre, exceeds the number admissible on the sanctioned percentage, the excess may be allowed to continue.

II. Restructuring of Group 'C' Scientific staff in CMT  
(Mech. Department.)

<u>Grade (Rs.)</u>	<u>Existing Percentage</u>	<u>Revised Percentage</u>
380-560	15	15
425-700	55	25
550-900	30	25
650-960	not laid down	25

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True copy

31/12/84

ANNEXURE No. VIII

**NORTHERN RAILWAY NOTICE**  
-----

In terms of General Manager(P) letter No.220-E/262/XV Rectt. dated 11.6.86 the under noted Apprentice Assistant Chargoeman(Diploma Holder) on succesful completion of their training have been posted as Assistant Charge Man Mech. Gr.Rs.425-700(RS) in the work shop, unit shown against each. Necessary 2nd. class duty passes may please be issued for these Apprentices available from 17.6.86 to 22.6.86 as they will be spare on and from 17.6.86. Their payment of stipend will be arranged at their palce of posting as such their attendance, ~~20~~ LPC, CL, and pass/PTO's records may be ~~xxx~~ sent accordingly.

Sl.No.	Name	T.No.	Place of posting
10.	Sri R.K.Tripathi	AM-247	Anritsar Work Shop.

Sd/-

(PRINCIPAL)  
System Techl. School  
N.Rly. Charbagh, Lucknow.  
Dated 16.6.86

No. 121-M/25.

\*\*\*\*\*

True copy  
S. Singh

ANNEXURE NO. IX

ANNEXURE 'C'

SANCTIONED STRENGTH OF SUPERVISORS OF CHARBAGH WORKSHOPS  
AFTER CADRE REVIEW.

S.No.	Trade	SS	ASS	C/Man'A'	C/Man'B'	Total
1.	LFCTS	5	14	16	17	52
2.	Machinist	6	13	14	16	49
3.	BS/HT	1	4	4	5	14
4.	FDY/FM	2	4	5	5	16
5.	Tool Maker	1	3	3	3	10
6.	Millwright	2	4	6	5	17
7.	Welding	1	2	2	3	8
8.	Painter	-	-	-	1	1
9.	Boiler Maker	1	5	5	5	16
10.	Diesel Mech.	6	13	14	17	50
11.	Diesel Elec.	3	7	8	9	27
12.	Elec.FCM	2	5	9	8	24
Total		29	74	86	94	283

True copy  
*[Signature]*

ANNEXURE NO. X (A)

ANNEXURE 'A'

SANCTIONED STRENGTH OF SUPERVISORS OF CHARBAGH WORK SHOPS  
PRIOR TO RE-STRUCTURING i.e. 1.1.1984.

Sl.No.	Trade	SS	ASS	C/Man 'A'	C/Man 'B'	Total
1.	LFCTS	4	5	21	31	61
2.	FDY/FW	1	1	7	10	19
3.	BS/HT	1	1	7	10	19
4.	Tool Maker	1	Nil	3	4	8
5.	Machinist	5	8	15	23	51
6.	Welding	1	Nil	3	4	8
7.	Painter	-	-	-	1	1
8.	Millwright.	-	2	6	8	17
T O T A L		14	17	62	91	184

True Copy  
J. Singh



ANNEXURE NO. IX (B)

ANNEXURE NO. (B)

SANCTIONED STRENGTH OF SUPERVISORS OF CHARBAGH WORK  
SHOP AFTER RE-RESTRUCTURING I.e. AFTER 1.1.1984.

Sl.No.	Trade.	SS	ASS	C/Man 'A'	C/Man 'B'	Total
1.	LECTS	6	16	19	20	61
2.	FDY/PM	1	35	67	66	19
3.	BS/HT	1	6	6	6	19
4.	Tool Maker	1	2	2	3	8
5.	Machinist.	5	14	16	18	53
6.	Welding	1	2	4	1	8
7.	Painter	-	-	-	1	1
8.	Millwright	2	4	5	6	17
TOTAL		17	49	59	61	186
a)	Boiler Maker	1	7	7	8	23
b)	Diesel Mech.	4	9	10	12	35
c)	Diesel Electric	2	5	5	6	18

True copy

*[Signature]*

Govt. of India ( Ministry of Railways )

Railway Board

E(D&A) RG 6-24

New Delhi, Dated:  
9.6.1965.

For General Managers, CONFIDENTIAL  
All Indian Railways and others.

Sub : Reversion on grounds of general unsuitability  
of staff officiating in a higher grade or post.

In Shri N. Kamlakara Rao, Director Establishment's DO.  
No. E 55 RG 6-24 dated 21.5.1965, it was interalia stated that  
any person who is permitted to continue to officiate beyond  
18 months can not in future be reverted for un-satisfactory  
work without following the procedure prescribed in the disci-  
pline & appeal rule. These instructions were cancelled vide  
Board's letter No. E(D&A)65 RG 6-5 dated 1.2.1960 and 5.5.60  
thus permitting the reversion of an employee officiating in a  
higher post on grounds of general un-suitability, at any time  
and not necessarily within a period of 18 months prescribed in  
discipline & appeal rule.

The Board have reconsidered the matter & feel that it  
would not be correct to effect such reversions after prolonged  
officiating period. They have therefore decided against that.  
In future any person who is permitted to officiate beyond 18  
months cannot be reverted for unsatisfactory work without fol-  
lowing the procedure prescribed in the Discipline & Appeal rules.

Sd/-(P.B. Jain)

Dy. Director Estt./Railway Board

Copy to :

E(RB)I, E(RB)II, E(RB)III, Cash I, E(O)I, E(NF), E(GP), SO(SJ),  
Sec(Det).

True Copy  
J. Singh

(Copy)

Government of India  
Ministry of Railways  
(Railway Board)

No.E(WG)I-82-FML-204

New Delhi, dated 27.6.1983.

The General Managers,  
All Indian Railways and others.

Subs- Adhoc appointments and promotions.

Instructions have been issued from the Railway Board from time to time that adhoc appointments and promotions should be avoided and should be resorted to only with the personal approval of the Chief Personnel Officer where it is considered essential. Last instructions issued vide Adviser Industrial Relations's D.O. No.E(WG)II-81-FEL-1 dated 1.4.1981. Cases are, however, coming to Board's notice that adhoc promotion have been continued on Railways for years. Subsequently when selections are conducted and the incumbents fail to get through in the Selections, they have to face reversion. In such a situation, they resort to filing petitions in the High Courts and although the position of rules is clear that such adhoc promotees have to undergo selections, the Courts have been giving to the benefits of instructions contained in Board's Letter No.E(WG)65-RG 6-24 dated 9.6.1965 as clarified vide Board's instructions of 15.1.1966 ~~disregarding~~ according to which the persons, who have officiated for more than 18 months after regular selection can be reverted only after following the DAR proceedings.

2. In one of the cases, efforts were made to have the final ruling from the Supreme Court but the SLP was not admitted. The Ministry of Railways, therefore, are left with no alternative but to reiterate that selection should be conducted regularly and adhoc promotions should be resorted to only sparingly with the approval of Chief Personnel Officer. Any default in following the selection should be viewed seriously and responsibility fixed.

Receipt of this letter may please be acknowledged.

True Copy  
J. Singh

# Annexure XI Detailed Budget and Schedule

Submitted by: Dr. B. K. Ghosh (Ref. No. 151/1)  
For: Dr. B. K. Ghosh (Ref. No. 151/1)  
Date: 10/10/57  
Place: Calcutta  
Signature: Dr. B. K. Ghosh  
Address: 78, South Avenue, Calcutta

*[The following text is extremely faint and largely illegible due to poor scan quality. It appears to be a detailed budget and schedule, possibly for a research project or a specific administrative task. It contains several paragraphs of text, some of which are indented, suggesting a list or a detailed description of items and their costs. The text is written in a cursive or semi-cursive hand.]*

True copy  
[Signature]

14

Office of the C.M.O.,  
Gondalpur.  
Dated: 21.1.1966

1/1/1/0 (Gen.)

The Chief C.M.O.,  
All District Offices,  
All Assistant Officers in Independent Charge,  
All Permanent Officer,  
All Railway.

Sub:- Reversion of employees officiating  
in higher grades.

Attention is invited to this offices confidential letter No.E/232/7 dt.23.6.1964 vide which instructions were issued laying down the procedure to be followed in the matter of reversion of employees officiating in higher grades. The position has been further revised and the instructions contained in the paragraphs which follow are issued in supersession of the instructions issued vide letter No.E/232/7 dt.23.6.1964.

2. As per Board's directions contained in their letter No.H(A&A) 6 IPC-30 dt.30.11.1961, efforts are to be made to confirm staff officiating in higher grades in clear vacancies, if they are found suitable, after not exceeding 8 months. It is now observed that in practice no proper system is being followed in this respect with the result that staff continue to officiate in higher grades for long periods and in several cases staff who have officiated for a number of years have been reverted on account of inefficient working. Such reversion are contrary to the extant orders.

3. With a view to ensure that a proper assessment of the working of staff officiating in higher grades, is made and action to revert such employees, as are found to be unsatisfactory in work in the higher grades, is taken in time, the following procedure is being introduced for strict compliance by all concerned.

4. Whenever an employee is out to officiate in a higher post which may be a selection post or a non-selection post, his immediate superior should send an assessment report as soon as the employee has completed 3 months officiating period to the authority who had ordered the promotion. In the case of an unsatisfactory report a warning letter should also be issued to the employee and in which instances of his name should be referred to him. A similar further report should be prepared 3 months later i.e. at the end of 6 months officiating period and sent to the authority who had ordered the promotion. If this report is also unsatisfactory the employee concerned may be reverted with the personal sanction of a senior scale officer in the case of class IV employee and of a Head of Department in the case of Class III employee.

5. If an employee is reverted after 6 months due to his unsuitability it is to be assumed that either his record of service was not consulted at the time of ordering his promotion or if consulted it did not give a correct

.....2

True copy

*[Signature]*









assessment of his abilities. This aspect also should be considered by the authority ordering the reversion if every such case.

6. When an employee is reverted for inefficient working from a selection post, his name will be automatically deleted from the panel. For re-promotion he will have to appear before a Selection Board afresh. Where an employee is reverted for inefficiency from a non-selection post, his case should be reviewed at intervals of six months and if he is considered fit for promotion, he should be re-promoted against the next vacancy.

7. In terms of Board's letter No.E(L&A) 65 RG6-24 dated 9.6.65 circulated under this office letter No.E/VII/232/7(Con) dt. 20.6.65 any person who is permitted to officiate beyond 18 months must not be reverted for unsatisfactory work without following the procedure prescribed in the discipline and appeal rules.

8. A question may be raised whether this safe guard applies to persons who are officiating in promotion as a stop gap measure and not after empanelment (in the case of selection posts) and after passing the suitability test (in the case of non-selection posts). It is clarified that the safeguard applies to only those employees who have acquired prescriptive right to the officiating posts by virtue of their empanelment or having been declared suitable by the competent authority. It does not apply to those officiating on promotion as a stop gap measure and also to those cases where an employee duly selected has to be reverted after a lapse of 18 months because of cancellation of selection Board proceedings or due to a change in the panel position consequent to rectification of mistake in seniority etc.

9. Since no officiating individual whose working is unsatisfactory could have been allowed to continue beyond 18 months except under very special circumstances, confirmation must be made after two years officiating period has been completed subject to permanent post being available for the purposes. In the case of staff with satisfactory reports, confirmations against available vacancies can be ordered after one year. If it is proposed to defer the confirmation of an individual after 2 years General Manager's prior Sanction should be obtained.

10. The assessment reports referred to above should be marked 'Confidential' and a proper record kept of those examination. The Establishment Section should watch the case of each employee completes 3 months of officiating period by putting up a note to the executive officer for the purpose.

11. The above procedure should also be followed in the case of Class III employees promoted to officiate in Class II in their case, the assessment report should be sent to the Head of department and where an officer has been reported on adversely the papers should be put up to the General Manager for his information and orders.

12. Please acknowledge receipt.

Sd:  
for General Manager.

.....

True copy  
B. K. S.

(Copy)

Northern Railway

Loco Workshop, Charbagh,  
Lucknow.  
dt. 14.3.1987

No.50-E/CM/TM

The General Manager,  
Northern Railway, Baroda House,  
New Delhi.

Sub:- Representation against wrong reversion of  
Sh. Phool Singh, Chargeman 'B', Loco Workshop,  
Charbagh, Lucknow, reference from Shri Balram  
Singh Yadav, M.P.

Ref:- SPO(W)/NDLS letter No.145-E/C/2-87/LKO/W/1692/MP/  
SSB dated 27.2.1987.

Due to non-availability of apprentice Mechanic Chargeman  
'B' (TM), Shri Phool Singh SC H.S.K. Gr.I(T/M) Gr.Rs.380-660(RS)  
of this Workshop was promoted as officiating Chargeman 'B'(TM)  
on 01.6.1984 on temporary and adhoc basis against reserved Point  
of Roster of adhoc promotion. He was later on reverted to his  
substantive post i.e. HSK Gr.I(TM) on 27.6.1987 on posting of  
Apprentice Mechanic Chargeman 'B'(TM) from Headquarters Office.

The parawise remarks on his representation is given  
below:

- (1) He was promoted as Chargeman 'B'(T/M) on temporary and  
adhoc basis on reserved Point of Adhoc Promotion due to non-avail  
ability of Apprentice Mechanic Chargeman 'B'(T/M).
- (2) He was promoted as Chargeman 'B'(T/M) w.e.f. 01.6.1984  
and not on 27.6.84 as stated in the application.
- (3) On posting of Apprentice Mechanic Chargeman 'B'(T/M) in  
terms of General Manager(P)/New Delhi letter No.220-E/262/Rectt  
dated 26.6.1986, Shri Phool Singh has been reverted on substantive  
Post.
- (4), (5) & (6) SPO(RP) to offer comments as posting of Apprentice  
Mechanic was done by his office.

Sd:

for Addl.C.M.E. (Loco, Charbagh  
Lucknow.

True copy  
[Signature]

Copy to :-

C.W.E., Northern Railway, Baroda House, New Delhi  
in reference to SL No.46 and item No.33 of MNM agenda of URMU  
at C.W.E.'s level.

S.P.O.(W), Northern Railway, Baroda House, New Delhi  
in reference to their D.O.letter No.145-E/C/2-87/LKO\_W/1692/SSB  
dated 27.2.1987.

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*True copy*

*[Signature]*

38

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL  
BENCH AT ALLAHABAD

\*\*\*\*\*

COUNTER AFFIDAVIT/REPLY

IN

REGISTRATION CASE NO. 415 OF 1987

Phool Singh and others . . . . . Petitioners

Versus

General Manager, N.A. Railway, & others..Respondents

COUNTER AFFIDAVIT/REPLY ON BEHALF OF THE  
RESPONDENTS

1. That the deponent is *Phool Singh* and is fully acquainted with the facts deposed to below.

2. That the deponent has read the present petition and has fully understood the contents thereof.

3. That the facts stated in paragraph 1 and 2 of the petition need no reply.

4. That in reply to paragraph 3 of the petition it is stated that the order of revision dated

27.5.1936 is perfectly legal and valid and sustainable in law.

5. That the contents of paragraph 4 and 5 of the petition need no reply.

6. That the facts stated in paragraph 6 (i) of the petition ~~need no reply~~ are not disputed.

7. That the facts stated in para 6 (ii) of the petition are incorrect and are denied. Prior to the IVth Pay Commission the avenue of promotion of Highly Skilled Grade I (380-560) was either in the grade of (425-640) as Master Craftsman or in the grade of (425-700) as Chargeman 'B' after proper selection. It may also be stated that the scale of Mistry and Highly Skilled Grade I was the same i.e. (380-560) and for promotion to the post of Chargeman 'B' (425-700) a combined seniority of Mistry and Highly skilled Grade I, scale (380-560) used to be prepared. It may also be mentioned here that earlier the avenue of promotion of Mistry (380-56) was to Chargeman 'B' (425-700) only. However, under the IVth Pay Commission the Grade of Mistry, Master Craftsman and Chargeman B have been made the same i.e. 1400-2300). The grade of Highly Skilled Grade I is 1320-2040. This has created an anomalous position

regarding promotion of Highly Skilled Grade I and Mistry on the basis of the scheme of promotions as existing uptill now and for this reason the General Manager (P) New Delhi has issued instructions that the promotions for the posts of Chargeman 'B' be withheld until clarification is received from the Rail Board.

8. That in reply to paragraph 6 (iii) of the petition, it is stated that the post of Chargeman 'B' (425-700)/1400-2300 is filled by formation of para after due process of selection, it being a Selection Post. The vacancies are filled according to the percentage of quota prescribed for the post of Chargeman 'B' and calculated on the basis of actual vacancies and not the posts in the cadre. The percentage quota break-up is as follows :-

- |   |      |
|---|------|
| (1) Direct quota/Apprentice Mechanic                                | 50 % |
| (2) Diploma holders with 2 years of successful training.            |      |
| (2) Intermediate Apprentice mechanic                                | 25 % |
| 3 years experience in skilled grade and minimum High School passed. |      |
| (3) Promotee/Rankers  | 25 % |
| from amongst Mistry and Highly Skilled Gde I in that trade.         |      |

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9. That the fact stated in paragraph 6 (iv) of the petition are incorrect and are denied. The total strength of Chargeman 'B' (Tool Maker) Grade (425-700) as on 31.12.1983 was 4 and not 7 as alleged. However, between 22.5.70 to 1.6.84, 7 vacancies occurred on the post of Chargeman 'B' (Tool Maker) (425-700). The first vacancy (one) was filled by Sri S.S. Pandey who was a promotee as per 25 % quota. The second vacancy (one) occurred on 16.6.1970 which was also filled by promotee/ranker Shri B.N. Bannerjee since no Direct Recruit/Apprentice Mechanic was available. Thereafter one vacancy occurring on 19.1.1978 was filled by Direct Recruit Sri S.K. Sharma, again one vacancy occurring on 13.7.79 was filled by Direct Recruit Sri P.K. Sirkar (SC). The next vacancy (two) occurring on 20.3.80 was filled by Inter Apprentice Mechanic, Sri Niranjan Dey and Sri Rajjan Lal. Thus it will be seen that in the break up of the vacancies as per prescribed percentage of quota of the three categories, there was a short fall of one in the quota of Direct Recruits/Apprentice Mechanics and are excess of one in the quota of promotees/Rankers as on 1.6.1984. The next vacancy which occurred in 1984 was filled by Sri Tejinder Singh in a purely ad-hoc capacity and on his retirement, the petitioner was promoted as Chargeman 'B' (Tool Maker) (425-700) also in a purely ad-hoc and temporary capacity subject to

the availability of duly selected Direct Recruit Apprentice Mechanic. In fact a perusal of the chart filed as Annexure-3 to the petition would itself show that the 7th vacancy fell under the Direct Recruit/Apprentice Mechanic quota, as such the petitioner being a ranker and belonging to the promotee quota could not be promoted as Chargeman 'B' in a regular manner.

For better appreciation of the position a Chart of the various category-wise promotion made between 22.5.70 and 1.6.84 is being reproduced below :-

S/Shri		
1. S.S. Pandey	22.5.70	Ranker
2. B.M. Bannerjee	16.6.70	Ranker
3. S.K. Sharma	19.1.78	Apprentice Mechanic
4. P.K. Sarker (SC)	13.7.79	Apprentice Mechanic
5. Niranjan Dey	20.3.80	Intermediate Apprentice Mechanic
6. Rajjan Lal	20.3.80	Interapprentice Mechanic
7. Phool Singh	1.6.84	Ad-hoc Basis.

The petitioner has now been reverted to his substantive post of Highly Skilled Grade I (380-560) on the availability of a duly selected Direct Recruit/Apprentice Mechanic Chargeman 'B' (425-700).

10. That the fact stated in paragraph 6 (v) of the petition are wholly incorrect and are denied. Only

one post of Chargeman 'B' (Tool Maker) was upgraded to



Chargeman Grade 'A' (550-750) w.e.f 1.1.84. As already stated above, the post of Chargeman 'B' is filled according to the Prescribed percentage quota calculated on the basis of the actual vacancies and not the number of posts.

11. That the facts stated in paragraph 6 (vi) of the petition are wholly misconceived, incorrect and are denied. Sri Niranjan Dey and Sri Rajjan Lal were working in the Intermediate Apprentice Mechanic quota whereas, the petitioner who was a ranker was promoted as Chargeman 'B' purely ad-hoc and temporary against Direct Recruit quota subject to the availability of duly selected Apprentice Mechanic in as much as in the overall vacancy position the representation of the Direct Recruits was less than 50% and in order that the representation of Direct recruits may be 50% the 7th vacancy position was allotted to Direct Recruit. The petitioner being a promotee had no right to be confirmed against the Direct Recruit quota and has been rightly reverted to his substantive post of Highly Skilled Grade I in terms of the order dated 28.6.1984 and 27.6.1986.

12. That the facts stated in para 6 (vii) of the petition are incorrect and are denied. In the

Railways two rosters registers are maintained, one relates to regular promotion and the other to ad-hoc and temporary promotion. The 7th vacancy which was allotted to the Direct Recruit quota was a schedule caste point as per roster register for ad-hoc promotions and as such the petitioner who is a schedule caste candidate was promoted on the basis of the roster point for (ad-hoc). Otherwise, the 7th vacancy was a General vacancy and has been filled by a general candidate Shri R.K. Tripathi, from the Direct Recruit quota.

13. That the facts stated in paras 6(viii) and 6(ix) are wholly misconceived, incorrect and are denied. As already stated in the preceeding paras, on the basis of the break up of the 7 vacancies upto 1.6.84 there was a short fall of one in the 50% quota of Direct recruits and an excess of one in the 25 % quota of Rankers thus the 7th vacancy was allotted to Direct Recruit quota and now the breakup of the vacancies according to the prescribed quota is adequate for each category. The petitioner being a ranker could not be promoted against the Direct Recruit quota and has been rightly reverted. It is further stated that the prescribed percentage of quota for the

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various categories has been fixed by the Railway Board in the larger interest of the serving employees and the breakup of 25% ranker, 25% inter apprentice mechanic and 50% Direct Recruit apprentices mechanics is perfectly legal and valid.

14. That the facts stated in paragraph 6 (x) of the petition are wholly misconceived, incorrect and are denied. Sri Tejinder Singh HS Grade -I was promoted as Chargeman 'B' (425-700) in a purely ad-hoc and temporary arrangement subject to the availability of duly selected direct recruit apprentice mechanic and on his retirement the petitioner was promoted as Chargeman 'B' also in a purely ad-hoc arrangement, Annexure-6 to the petition. Moreover, the vacancy being allotted to Direct Recruit, the petitioner or Tejinder Singh who were rankers could not have been promoted against the Direct recruit quota in a regular manner. Furthermore, the post of Chargeman 'B' (425-700) is a Selection post and the petitioner has not been duly selected is not entitled to the benefit of continuous officiation or to be retained on the post of Chargeman 'B' (425-700). It may be stated that the Cadre strength of the Supervisory staff as on 27.6.86 was as follows

- |                                  |           |
|----------------------------------|-----------|
| 1. Chargeman 'B'                 | 3 posts   |
| 2. Chargeman 'A'                 | 2 Posts   |
| 3. Assistant Shop Superintendent | - 2 posts |
| 4. Shop Superintendent           | - 1 post  |

30/10/86  
30/10/86  
30/10/86

The cadre was again review w.e.f. 31.10.1986 and the current strength is as follows :-

1. Chargeman 'B' - 3
2. Chargeman 'A' - 3
3. Asstt. Shop Supdt - 3
4. Shop Supdt - 1

15. That the facts stated in paragraph 6 (xi) of the petition are incorrect and are denied. As per Cadre strength, the supervisory cadre of Tool Makers Trade as on 27.6.1986 after Cadre restructuring (w.e.f. 1.1.84 ) was as under :-

<u>Sl No.</u>	<u>Posts</u>	<u>Incumbent</u>
1. Chargeman 'B'	3	1. Hiranjan Dey ) Intermediate
		2. Rajjan Lal ) Apprentice
		3. Phool Singh ) Ranker HS Gr
		I on ad-hoc basis due to availability of Apprentices.
2. Chargeman 'A'	2	1. B.N. Bannerjee
		2. S.K. Sharma
3. Asstt. Shop Supdt.	2	1. R.S. Pandey
		2. S.S. Pandey
4. Shop Supdt	1	1. Asad Ali.

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16. That the facts stated in paragraph 6 (xii) of the petition are misconceived, incorrect and are denied. In the restructuring of technical supervisors w.e.f. 1.1.1984, the strength of Chargeman 'B' (2/11) became three and remained three as on 27.6.86, Sri R.K. Tripathi was promoted as chargeman 'B' in the direct recruit quota and the petitioner who was holding the post of chargeman 'B' only as ad-hoc was reverted to his substantive post of Highly Skilled grade I (380-560). It may also be stated that as on 27.6.86, there was no vacancy in the post of Chargeman 'A' or Assistant Shop Supdt and as such the question of adjusting Sri R.K. Tripathi on the post of Chargeman 'A' or Assistant Shop Supdt does not arise.

17. That the allegations in paragraph 6 (xiii) of the petition absolutely baseless, incorrect and are denied. The posting of Sri R.K. Tripathi was changed from Amritsar workshop to Loco Workshop, Lucknow on his own request as will be clear from a perusal of Annexure-2 to the petition. Sri Tripathi was posted in Lucknow against the existing vacancy of direct recruit quota as Chargeman 'B' (425-700). The petitioner, who belonged to the promotee quota and was promoted ad-hoc against the direct recruit quota was

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accordingly reverted to his substantive post of Highly skilled Grade I (380-560). It is denied that the posting of Sri Tripathi was done to cause injury to the petitioner. Besides the post of charginan'B' is a selection post and the petitioner had never been selected for that post as such he could claim any prescriptive right to the post by mere continuous officiating of more than 12 months. The post of Charginan 'B' can only be filled by the positive act of selection.

18. That the facts stated in paragraph 6 (xiv) of the petition are wholly misconceived, incorrect and are denied. As on 27.6.86, there was no vacancy in the category of Assistant Shop Superintendent (Tool Maker) in the grade of (700-900) (RS) nor in Charginan 'B' ( Tool Maker). As a result of cadre review, one post of Assistant Shop Superintendent has been allotted to the Rate Fixing Section (PCO) and no post of Charginan 'B' Tool Maker, has been transferred from Shopfloor to Production Control Organisation. Moreover, the revised cadre after review came into force, w.e.f. 31.10.1986 and not 1.4.1986.

19. That the allegations in paragraph ~~xxx~~ 6 (xv)

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of the petition are absolutely baseless, misconceived and are denied. As already stated in the preceeding paragraphs there was no vacancy in the post of Chargeman 'A' as on 27.6.86. ~~More-~~ However, as a result of cadre review on 31.10.86, one post of Chargeman 'A' Tool Maker grade (550-750) was vacant against which Sri Eiranjan Dey senior most chargeman 'B' (Tool Maker) was promoted as Chargeman 'A' (Tool Maker). Therefore, the question of promotion of Sri Eiranjan Dey as Chargeman 'A' prior to 27.6.86 does not arise. Moreover, the post of Chargeman 'B' (425-700) is a selection post filled by the positive act of selection and the petitioner having never been selected cannot claim any prescriptive right to the post merely on the basis of continuance officiation of more than 18 months. The circular of the Railway Board quoted by the petitioner is not applicable in the instant case.

20. That the allegation in paragraph 6 (xvi) of the petition are misconceived, baseless and are denied. As already stated in the preceeding paragraphs, there are two roster registers maintained by the railway administration (1) one relating to regular promotion and (2) one relating to ad-hoc and temporary promotion. The petitioner was eligible for ad-hoc promotion on the basis of the roster register for ad-hoc promotions. However, the 7th vacancy which was all

to the direct recruit quota was a General vacancy and not a reserved vacancy and was accordingly filled by a Direct recruit General candidate, Sri R.K. Tripathi and the petitioner was rightly reverted to his substantive post of Highly skilled Grade I (380-560).

21. That the allegation in paragraph 6 (xvii) of the petition are absolutely baseless incorrect and are denied. Sri Tripathi has been posted at Lucknow on his own request against an existing vacancy of Chargeman 'B' (425-700) in the Direct Recruit Quota. The petitioner belongs to the promotee ranker quota and is not eligible for promotion against the direct recruit quota. Besides, the post of chargeman 'B' is a selection post filled by the positive act of selection and the petitioner not being selected nor eligible for selection does not acquire any prescriptive right to the post by mere continuous officiation. It is denied that the petitioner has been victimised or discriminated or treated with bias.

22. That the contents of paragraph 6 (xviii) of the petition are baseless, misconceived and are denied. As already stated above, there was no vacancy in the post of chargeman 'B' or Assistant Shop Supdt.



(Tool Maker) as on 27.6.86 and as such the question of adjusting Sri Tripathi against the higher grade posts did not arise. The petitioner's promotion to the post of chargeman 'B' was purely ad-hoc subject to the availability of suitably selected direct recruits and on Shri Tripathi becoming available the petitioner has been reverted to his substantive post of Highly Skilled Grade I. Moreover, there is no such post of Tool Maker Instructor in the Basic Training Centre which is an ex-cadre post and as such the question of adjusting Sri Tripathi in the Basic Training Centre does not arise.

23. That the facts stated in paragraph 6 (xix) of the petition are repetitive, incorrect, misconceived and are denied. As already stated above, as on 27.6.86 there were no vacant post in the higher grade of Chargeman 'B' and as such the question of promotion of Sri Niranjan Dey Chargeman 'B' as Chargeman 'A' (550-750) did not arise. However, after review of cadre, w.e.f. 31.10.86 a vacancy occurred in the post of chargeman 'B' against which Sri Niranjan Dey has been promoted. Further more, the post of Chargeman 'B' allotted to Direct recruit quota was a General vacancy, and as such the question of promotion of the petitioner, who is a schedule caste and ranker in a regular manner was not possible, but the

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petitioner was eligible only for ad-hoc promotion on the basis of the roster point for ad-hoc promotion.

24. That the facts stated in paragraph 6 (xx) of the petition are admitted to the extent that there are 2 vacancies in the supervisory cadre i.e. one vacancy in the grade of Assistant Shop Supdt and one vacancy in the grade of Chargeman 'B'. However, under the instructions of the General Manager (P) ND, No.884-A/249-V(EIIV) dated 11.6.1987 further promotions have been withheld due to the anomalous position created under the IV Pay Commission whereunder the post of Mistry Master craftsman and chargeman 'B' have been allotted identical grades i.e.(1400-2 2300) and the question now is whether the existing scheme of promotions should be continued and how,. The matter has been referred to the Railway Board for ~~xxx~~ clarification vide Additional CPO.. Northern Rail D.O.No.561-E/290-II (PC-IV) Part I dated 13.2.1987.

25. That the allegation in paragraph 6 (xxi) and 6 (xxii) of the petition are baseless, incorrect and are denied. As stated above, due to the anomalous position created due to the implementation of the IVth Pay Commission recommendations, the General Manager (P) has temporarily withheld further promotions to the post of Chargeman 'B' pending receipt of clarification from the Railway Board.

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26. That the allegations in paragraph 6 (xxiii) of the petition are incorrect and are denied. At present no promotion are being made to the post of chargeman 'B' pending receipt of clarification from the Railway Board. The petitioner will get his promotion as and when the same fall due. It is denied that the respondent are acting illegally.

27. That in reply to paragraph 7 of the petition, it is stated that the present petition is wholly devoid of merits and is liable to be dismissed and the petitioner are not liable to any relief.

28. That the deponent has read the application for interim relief supported by an affidavit served on the counsel for respondent on 25.8.87 and has fully understood the contents thereof.

29. That the facts stated in paragraphs 1 and 2 of the affidavit are incorrect and are denied. The petitioner was promoted as Chargeman 'B' (425-700) in a purely ad-hoc and temporary arrangement, pending availability of duly selected Direct Recruit Apprentices mechanic. The petitioner belongs to the promotee/janitor quota and cannot be regularly promoted against Direct Recruit quota.

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30. That the allegation in paragraph 3 of the affidavit are baseless, incorrect and are denied. Since the petitioner's promotion was purely ad-hoc he has been rightly reverted to his substantive post of Highly Skilled Grade I. However, as has already been stated in the preceeding paragraphs, no further promotions are being made to the post of Chargeman 'B' in view of the anomalies created by the IV Pay Commission and clarification has been sought from the Railway Board in this regard.

31. That the facts stated in paragraph 4 and 5 of the affidavit are admitted. However, the vacancy against which the promotion was made was allotted to the Direct Recruit quota candidate, to give adequate 50% representation to Direct recruit, viz-a-viz vacancies as there was a shortfall of one in the representation of Direct Recruits whereas there was an excess representation of one in the rankers quota as on 27.6.86 ( the petitioner working as ad-hoc belonged to the ranker's quota). At the same time there was no excess representation of intermediate apprentice Mechanics who were adequately represented to the extent of 25% quota. As such the disputed vacancy was allotted to the Direct Recruit quota and filled by Sri R.K. Tripathi (Direct Recruit candidate

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32. That the fact stated in paragraph 6 of the affidavit are wholly incorrect and are denied. The vacancy in question was a General vacancy and not a reserved vacancy and as such the petitioner, who is a schedule caste candidate could not in any case have been promoted against that vacancy, Sri R.K. Tripathi being a Direct Recruit General candidate was rightly promoted against the General vacancy.

33. That the facts stated in paragraph 7 and 8 of the affidavit are absolutely incorrect, misconceived and are denied. The point No. 8 is a general vacancy and not a reserved vacancy as per the "roster register for regular promotions" whereas point 8-A (ad-hoc) is a reserved point as per "Roster Register for ad-hoc promotions" as explained in the preceding paragraphs. Thus, though the petitioner was eligible for promotion against Roster point 8-A (ad-hoc) as per "roster register for ad-hoc promotions" he was not eligible for regular promotion against Roster Point 8 which is a general point and as such the petitioner was rightly reverted on the availability of a general candidate for regular promotion against roster point No. 8. Moreover, the petitioner being a ranker from the promotee quota

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cannot claim promotion against Direct Recruit quota and has rightly been reverted. Further more, the post of Chargeman 'B' is a selection post filled by the positive act of selection and the petitioner has never been selected for the post.

34. That in reply to paragraph 9 of the affidavit it is stated that the petitioner has already been reverted to his substantive post of Highly skilled Grade I (Rs. 380-560) w.e.f. 27.6.86 and as such the question of maintaining status quo does not arise.

35. That the allegations in paragraph 10 and 11 of the affidavit are misconceived, incorrect and are denied. As already stated in the preceeding paragraphs, further promotions to the post of Chargeman 'B' (425-700) have been withheld on the instructions of the General Manager (P) vide his order dated 11.6.1987 pending receipt of clarification sought from the Railway Board vide Additional C.P.O.'s letter dated 13.2.1987 regarding the anomalies created as a result of the implementation of the recommendation of the IV Pay Commission.

36. That in view of the facts stated above and the facts that the petitioner has already been reverted from the post of chargeman 'B' to his

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substantive post of Highly Skilled Grade I, the present application for interim relief is wholly misconceived and devoid of merits and is liable to be rejected and petitioner is not entitled to the relief claimed.

I, Praveen Kumar aged about 53 years, son of Shri Praveen Kumar working as A do hereby verify that the contents of paragraphs of this reply are true to my personal knowledge; those of paragraphs of this reply are based on perusal of the records; those of paragraph of this reply are based on legal advice; and belief and that I have no suppressed any material facts.

Place : Allahabad

Dated : 2nd September, 1987

Praveen Kumar  
सहायक जलियन  
जो रो हल  
A. Rly.  
Shop CB. Lk

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BEFORE THE HONOURABLE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Registration No.415 of 1987

PHOOL SINGH

...

Applicant

VERSUS

General Manager, Northern Railway  
and others

...

Respondents

MEMORANDUM TO THE RESPONDENTS' COUNTER AFFIDAVIT

The applicant most respectfully begs to submit the following  
against the statements of the Respondents in their Counter Affidavit :-

1. That the averments of the Assistant Personnel Officer, hereinafter called as A.P.O. in brief, in para 1 of the Counter Affidavit are not acceptable because he is not a party in this case.
2. That the statements of the A.P.O. in para 2 of their Counter Affidavit is totally wrong because he was not the A.P.O. of the relevant times, nor is he a party in this case.
3. That the Respondents had admitted the statements of Paras 1-2 of the application in the absence of denial of the same in Para 2 of their C.A.
4. That the statements of the A.P.O. regarding validity of the Annexure-I in para 4 of their Counter Affidavit are denied in full being an after thought and illegal.
5. That the Respondents through the A.P.O. have admitted the claim of the applicants in Paras 4-5 of their application in the absence of denial.
6. That the Respondents had admitted the ~~statements~~ statements of para 6.1 of the application and hence no comments thereon.



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7. That the averments made in Paragraph 7 of the Counter Affidavit are ambiguous and lead to a confusion. Since a petty long the grade of Mistry & High Skilled Grade I are being considered at the same footing for the purpose of reckoning their interse seniority for the purpose of selection or promotion. A copy of letter No.PC-64/PS-7/S-8 dated 5.2.1965 is being filed herewith as Annexure -RA-I which may kindly be perused in this regards.

8. That the contents of Paragraph 8 of the Counter Affidavit are not admitted as they are written. The quota break up of the vacancy will be in the following order -

- |       |  |      |
|-------|--|------|
| (i)   | Rankers/Promotee from amongst<br>H.S.Gr.I and Mistries.  | 25 % |
| (ii)  | Intermediate Apprentice Mechanic<br>from among working candidates<br>with 3 years experiences. | 25 % |
| (iii) | Direct Quota/Direct Recruitee<br>(Diploma Holders).  | 50 % |

Further, the averments made in Paragraph 8.3 of the application are reiterated.

9. That the contents of Paragraph 9 of the Counter Affidavit are not admitted as they are written. The first appointment after the application of the quota basis, was made in 1969 and that was of one Mr.M.S.Pandey who was a direct recruitee where as a matter of fact this vacancy/post was for the Rankers quota and the whole arbitrariness and illegality began ~~begin~~ from this point. This post of Rankers quota was filled by Direct/recruitee thereby throwing the Rankers behind the curtain. After this an intermediary was appointed and thereafter a ranker was appointed against direct quota and thus the appointment on the post/vacancy were being made in flagrant violation of rules and law on the subject.

It is further stated that Annexure-3 to the application has been misconstrued. This Annexure simply shows the divisions of 7 vacancies/posts. It is meant to state that out of 7 vacancies

*B. Singh*

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two must have gone to ~~Direct recruit~~ <sup>Rankers</sup> quota, two to LDCE/Inter Apprentices Mechanic Quota and the rest 3 should have gone to Direct recruittee. It is wrong to assume that Annexure-3 in any way stipulates the 7th vacancy for the Direct Recruittee. The view taken is absolutely wrong. It is also stated that this Annexure-3 does not show that the post/vacancy in dispute is the 7th vacancy. The Chart mentioned in Para under reference is wrong as the posting of Shri R.S.Pandey has deliberately been avoided in order to illegally suit the applicant.

To clarify the things the following Charts will show that the post in dispute is a reserved point/post and the ~~appointment~~ appointment of Shri R.K.Tripathi is palpably wrong and illegal, (Chart in para 11 here on below)

10. That the contents of Paragraphs 10-12 of the Counter Affidavit are not admitted as they are written. In reply it is stated that even the actual vacancies or the posts of Chargeman 'B' shall be filled according to the prescribed rules and not in the arbitrary manner. The actual date of vacancy was 1.8.1984 when on retirement of one Shri Tajender Singh the applicant was promoted. The appointment of Shri Tajender Singh was on unreserved Roster point which was 7th point in the Adhoc Roster and the promotion of the applicant was on 8(A) point of the revised Roster. There are four types of Roster Registers maintained by the Government for regulating the appointments of the Government servants. Those Rosters are as follows :-

(a) General Roster :  
(Quota Roster)

To regulate the appointments of the Government servants from different quotas like Direct quota, Intermediate Apprentices quota and Rankers quota.

(b) Special Reservation Roster for SCs/STs against Rankers Quota.

To regulate appointments of the reserved candidates against the reserved points in the Rankers Quota.

*Singh*

(a) Special Reservation  
Master SCs/ STs in the  
Inter App.Mech.quota

To regulate the appointments  
of the SCs/STs against the reserved  
points in the Inter App.Mech.quota

(b) Special Reservation  
Master for SCs/STs in  
the Direct App.quota.

To regulate the appointments of  
the SCs/STs against the reserved  
points in the Direct App.quota.

It is further stated that after restructuring the strength of the Chargeman'B' was reduced from 4 to 3, meaning thereby the quota division was also working on reduced basis. At the time of restructuring one Shri Niranjan Day was working on intermediary quota and the other Shri Rajjan Lal who was Intermediate apprentice Mechanic was working on Direct quota and Shri R.K.Sarkar was working on Bankers' quota. After retirement of Shri Rajinder Singh on 31.5.1984 (A.N.), the second cycle as per restructured strength the Bankers quota ought to have been filled as per rules. Therefore, the applicant's promotion was made, pending selection. It is absolutely wrong to say that the vacancy was of the Direct Recruittee quota.

It is strange that the Respondents are beating hot and cold both at one time they plead cadre restructuring and upgradation of one post of Chargeman'B' to Chargeman'A' and on the other they still claim 2 posts on the basis of mathematical calculation. 50 % of the direct recruittees quota can not be two out of three as the strength of the Chargeman'B' after restructuring remains only three. Further one Shri Rajjan Lal is already working against Direct quota, how Shri R.K.Tripathi can dislodge the applicant who is from Bankers quota.

11. The Charts mentioned in Paragraph 9 above are as follows :-

CHART NO.1

According to General Quota Roster of Chargeman'B' Grade

Cycle	Quota for	Percentage	Names	Date of Apptt.	Remarks
1st	Bankers	25 %	-	-	Not filled

*[Handwritten signature]*

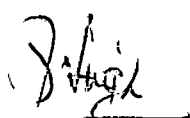
15:

	2. Inter App. Mech	25 %	-	-	Not filled
	3. Direct App. Mech.	50 %	R.S. Pandey	1969	
	4. -do-		-	-	Lapsed
III	1. Bankers	25 %	-	-	Not filled
	2. Inter App. Mech.	25 %	S.S. Pandey	22.5.70	Filled
	3. Direct App. Mech	50 %	-	-	Lapsed
	4. -do-		-	-	Lapsed
III	1. Bankers	25 %	B.N. Banerjee	16.6.70	Filled
	2. Inter App. Mech.	25 %	-	-	Lapsed
	3. Direct App. Mech	50 %	S.K. Sharma	19.1.78	Filled
	4. -do-		P.K. Sarkar (SC)	13.7.79	Filled
IV	1. Bankers	25 %	-	-	Not filled
	2. Inter App. Mech.	25 %	Niranjan Dey	20.3.80	Filled
	3. Direct App. Mech	50 %	-	-	Lapsed
	4. -do-		-	-	Lapsed
V	1. Bankers	25 %	-	-	Not filled
	2. Inter App. Mech.	25 %	Rajjan Lal	20.3.80	Filled
	3. Direct App. Mech.	50 %	R.K. Tripathi	27.6.86	Filled
	4. -do-		-	-	Lapsed
VI	1. Bankers	25 %	-	-	Not filled
	2. Inter App. Mech.	25 %	-	-	Not filled

CHART II

FICTITIAL POSITIONS OF THE PERSONS APPOINTED  
AGAINST VARIOUS QUOTAS AS PER GENERAL ROSTER

Cycles	Points	Quota for	Names of the persons appointed	Persons apptd of which quota	Date of appointment
I	1	Bankers	R.S. Pandey	Direct	1969
	2.	Inter App.	S.S. Pandey	Inter App.	22.5.1970
	3.	Direct	B.N. Banerjee	Bankers	16.6.1970
	4.	Direct	S.K. Sharma	Direct	19.1.1978
II	1.	Bankers	P.K. Sarkar (SC)	Direct	13.7.1979
	2.	Inter App.	Niranjan Dey	Inter App.	20.3.1980



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	3.	Direct	Rajjan Lal	Inter App.	20.3.1980
	4.	Direct	(This point has been upgraded alongwith the senior most worker in the grade from 1.1.1981		
III.	1.	Rankers	B.K.Tripathi	Direct	27.6.1986
	2.	Inter App.	Vacant	-	-
	3.	Direct App.	Vacant	-	-
	4.	Direct App.	Vacant	-	-

N O T E

Present Vacancies - 3 Nos. vice the undermentioned persons:

1. Shri Niranjan Dey
2. New vacancy arisen under cadre review.
3. In chain of Sh. Arshad Ali (retired)

12. That the contents of Para 13 of the Counter Affidavit, it is stated that the Respondents have tried their level best to mislead and confuse the whole matter. At one place they take into consideration the package vacancies i.e. 7 only and that too from 1970. If package deal of the vacancies in the Loco Workshop is to be considered then why not from earlier than 1970, why only after 1970. It is stated that the package consideration of vacancies should be taken into account from 1969 since when the quota system has been made applicable to the Loco Workshop, Charbagh and then the vacancies in dispute will be of a Rankers quota and a reserved point. The averments contrary to it are denied.

13. That the contents of Para 14 of the Counter Affidavit are not admitted as they are written. The post/vacancy in dispute is of a Rankers quota and Shri Tajinder Singh being a Rankers was promoted on his post and he worked peacefully without any disturbance till his retirement. This post fell vacant from 1.4.1983 and the appointment of Sh. Tajinder Singh was also said to have been made pending selection. No selection was held since April, 1983 from amongst Rankers to fill up this post/vacancy in dispute. On their own showing the strength of the Chargeman 'B' either on 1.6.1983 or after 31.10.1983 remains the same i.e. three numbers and out of three there can never be two for Direct recruitee even on the basis

*J. Singh*

of 50 % calculation. As a matter of fact the Respondents want to make a patch-work in whole matter with the ulterior motives to induct Shri M.L. Tripathi with illicit design.

14. That in reply to contentions of Para 15 of the Counter Affidavit, it is stated that in Chargeman 'B' Mr. Niranjan Dey who was an Inter Apprentice Mechanic was working on Inter Apprentice Mechanic quota. Mr. Rajan Lal who was an Intermediate Apprentice Mechanic was working against direct recruitment quota and the applicant was a worker was promoted against Rankers Quota and there can be no 4th post as Chargeman 'B'.

15. That in reply to the contents of Paras 16-17 of the Counter Affidavit it is stated that the reversion Order of the applicant has been passed with mala fide intention and ulterior motive just to push back the appointment and prompt up Mr. L. L. Tripathi as the original appointment of Mr. L. L. Tripathi was made by writsawar vide letter dated 11.8.1986 and just after 4 days on 20.8.1986 the transfer of Mr. L. L. Tripathi from Writsawar to Charbagh has been shown on requests. The circumstances are telling their own tale. It may be noted that Mr. L. L. Tripathi was completing his training by the end of May 1986 and just before must be knowing the fact of his posting and even then he did not make the request at the initial stage. It appears that this so called request of Mr. Tripathi is shown purposely to oust the appointment of the applicant. Further more, how a request of the unreserved candidate of Direct quota can be thrust upon a reserved candidate of Rankers quota. Still further it is stated that the transfer on request should be at the bottom level seniority and as the applicant being senior can not be dislodged to adjust a transferee on request.

It is further stated that the applicant's promotion was pending selection and that is why it was adhoc. The posting pending selection is a valid posting till selection is made and the incumbent so promoted is adjudged to be the fit person to hold the post pending selection. This is done after perusal of service records and other relevant

*Shah*

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records of the persons concerned. As a matter of fact the Respondents are confused and unnecessarily beating the drum of Direct Recruit quota in order to save their skin from the illegality they have committed.

16. That the contents of Paras 18-21 of the Counter Affidavit are denied and in reply the averments made in the respective Paras of the application are reiterated.

17. That the contents of Paras 22-23 of the Counter Affidavit are not admitted and the averments made in respective paras of the application are reiterated. As admitted in para 14 of the Counter Affidavit and also shown in Annexure-9, 9A & 9B to the application the strength in the Loco Workshop, Charbagh, was raised and where on 1.1.1984 there was no post of Asstt. Shop Superintendent (Annexure-9A) it was made two after restructuring i.e. after 1.1.1984 taking one post from Chargeman 'A' and one from Chargeman 'B' (Annexure-9B). Further after cadre review the strength of the Asstt. Shop Superintendent was raised to three and the Chargeman 'A' was brought to equal to 3 as before (Annexure-9) and thus the total strength of the Supervisors' cadre of Tools Makers trade was raised to 10. Thus there were 3 additional posts out of which one must be of Direct quota and so is the case with the Chargeman 'A'. As per their own showing this rise in the strength was made in 1984 and Mr. R. K. Tripathi could have very well been adjusted.

18. That in reply to para 24-26 of the Counter Affidavit it is stated that it is strange that inspite of the vacancy in the grade of Chargeman 'B' the adjustment of the Direct quota candidate Mr. R. K. Tripathi is not being made without damage to the applicant. The alleged letter dated 11.6.1987 is a letter if at all any issued much after the impugned Order when as a matter of fact the vacancy has been in existence since 1984. This whole goes to show that this applicant is being unnecessarily harassed and punished & humiliated at the hands of the Respondents. It is further stated that the Respondents have not filed any letter to substantiate their contentions.

It is stated that to deny further promotion on vacant post

*B. Singh*

is against the public policy and tantamounts to cause national loss.

On the contrary it is stated that the letter dated 3.6.1987 and 2.7.1987 issued by the Railway Board with regards to the methodology for filling up the posts of Master Craftsman and with regards to the allotting of revised scale to the Mistries and further promotion for Mistries as Chargeman 'B' have been detailed. The True copies of both these letters are being filed herewith as Annexure- B13-4. In the face of these two letters it is totally wrong to say that no promotion or adjustment can be made.

19. That the contents of para 27 of the Counter Affidavit are not admitted and in reply it is stated that the application stands on strong footing and is bound to be allowed as the actions of the authorities is palpably illegal on the face of records.

20. That the contents of Para 28 of the Counter Affidavit needs no comments.

21. That in reply to contents of Para 29 of the Counter Affidavit the averments made in para 1-2 of the application dated 25.3.87 are reiterated. It is wrong to allege that the post in dispute is of Direct Recruit quota.

22. That the contents of Para 30-33 of the Counter Affidavit are not admitted and in reply the averments made in paras 3-8 of the application are reiterated and reaffirmed. The whole contention is based on wrong presumption that the post in dispute is against Direct Recruit quota. It is further wrong to allege that point no.8 in the Reservation Poster for regular promotion is a general vacancy. Their averments is even against their own contentions made in letter dated 14.3.1987 (Annexure-14) to the application.

23. That in reply to their contention in paras 34-35 of the Counter Affidavit it is stated that the impugned Order of reversion was passed illegally with ulterior motive and mala fide intention. It is wrong to allege that any ban has been imposed on the promotion to the vacant post. The reversion order is liable to be quashed and the dependents should be directed to allow the applicant to continue as Chargeman 'B'

*S. Singh*



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without any loss and damage and full benefits may also be directed to be accorded.

Encl/As above.

Allahabad,

Dated: 13.11.1987.

*[Signature]*  
APPLICANT

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Annexure - RA.I

: Copy :

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

No. PC-04/PS-4/75-0

New Delhi, dated 5.2.1985

The General Managers,  
All Indian Railways and others.

Sub:- Percentage of posts of Skilled Workshop  
Staff anomalously arising out of.

It has been represented to the Railway Board by the Mistries in the grade of Rs.150-240(AS) may be allotted the authorised scale of Rs.175-240(AS)(Highly Skilled Grade I) as they being better suited for promotion to the post of Chargeman Gr.'C' got excluded from being considered for such posts because of their lower scale and relatively lower seniority. The Board have considered the above request but they can not agree to the same. They have, however, decided that for the purpose of promotion/Selection of Mistries to the grade of Chargeman both the scale of pay of Mistries (Rs.150-240/AS) and Highly Skilled staff(Rs.175-240/AS) should be treated as equivalent grade for reckoning their inter-se seniority for such selection/promotion.

This disposes of GM,CLW's letter No.GMA/Ruling/3  
dated 4.3.1964.

.....

*[Handwritten signature]*

NORTH INDIA RAILWAY SYSTEM TECHNICAL SCHOOL : SHARBAH : LUCKNOW

378

30.1.1969

Office Order No. 102

69

In terms of S.P.O. (Spl)/VDSL letter no. 844E/249-IV (E.I.W.) dated 29.1.1969, the following Intermediate Apprentices of July '68 batch on completion of their 2½ years training ~~from~~ on 28.12.68 have been posted as C/Man in grade Ps. 205-280 (AS) on the shops/ division noted against each. They are released from the afternoon of 30.1.69 and are directed to report to their respective places.

The period from 29.12.68 to 30.1.69 may please be treated as waiting for orders.

Sr.	Name & T.No.	Trade	Shop/Division where posted
1.	Sh. Kulwant Singh A-35	Machinist	JU shops
2.	Sh. Bhanwar Lal Sharma A-46	CB & CR	JUD shops
3.	Sh. Balram Bassi A-49	C&W Fitter	JUD shops
4.	Sh. Pooran Chand A-28	LF & CTS	DLI Division

3) The following Intermediate Apprentices have not been considered suitable as they have not qualified in their final test, as such their training period is extended by three months.

1. Bishan Dass A-51
2. S.S. Pandey A-30
3. V.L. Lawrance A-40

*P. Gupta*  
PRINCIPAL

Copy for information and necessary action to:-

1. G.M.(P), N. Rly., VDSL
2. WM/AMV-LKO, JUD, JU,
3. DG/DLI
4. H.O. (Pass & PB) CB/AMV, CTR/CB & AMV, WAAO/CB, S.O/AMV
5. CI/BTC/CB, SI/BTC/AMV,
6. MCC Officer, Librarian, Warden
7. All the above named apprentices.

9/9/30/1/69

*J. Singh*

*P. Gupta*  
PRINCIPAL

Copy of the L/No.B(MG)I-36-PH-7/8 from Railway Board  
dated 3.6.87 By Director, Btt.(N), Rly.Bd., NDLS to Annexure-16  
GM(s) & All Indian Railways & Others. 24-3

Sub:- Methodology for filling up the post of Master  
craftsman in scale Rs.425-640/1400-2300 in  
Artisan category/instructions regarding. (B)

As the Rly. administrations are aware, in terms of this  
Ministry's L/No.PC-III/82/PS-3/10 dt.14.2.86 the category  
of Master Craftsman in scale, Rs.425-640/1400-2300 has  
been introduced in the Artisan Category. Further in terms  
of 'Note' below item V(1) of Annexure 'B' to this  
Ministry's letter No.PC-IV/86/Inp/Schedule/1 dated  
24.9.86, the grade of Master Craftsmen is a terminal  
grade for skilled artisans who opt for the post.

2. Questions relating to methodology for filling up  
the posts of Master craftsmen and as to how to deal  
with the case of persons already fitted in the grade  
of Master Craftsmen, the Master Craftsmen's grade being  
a terminal grade for skilled artisans, have been under  
consideration of the Board for some time. The Board  
have now decided as follows :-

- i) The No. of positions to be filled in the category  
of Master craftsmen will be determined in each  
Btt. at the commencement of each calendar year  
on the first of January of that year or an  
earlier date if the earlier list ( of persons  
found suitable for the grade ) has been exhausted  
before 31st December of a particular year so as  
to cover the requirement upto 31st December,  
of that year or the succeeding year as the case  
may be .
- ii) Eligible persons equal to the No. of positions  
to be filled in as determined in the manner

27-21-7-87  
10.7.87

H/CTTS  
To be displayed  
on N/Bel for

Shiggi

24/7/87

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ix) However, in so far as persons who have already been fitted in as Master Craftsmen before the issue of these orders are concerned, since the conditions of this grade being a terminal grade was not made explicit, they will be eligible for being considered for selection for promotion to the post of chargeanne 'B' in scale Rs.1400-2500. In the integrated seniority list for selection as Chargeanne 'B' the relative position of a person in the grade of Master Craftsmen, will be determined with reference to date of entry into Skilled grad 3 I (Rs.380-560 / 1320-2040 on a regular basis.

3. Cases of persons fitted in the grade of Master Craftsmen in accordance with the instructions contained in Ministry's letter No.PC-III/82-PS-3/10 dated 14.2.1986, cited above but otherwise than in the manner laid down above, will not be re-opened.

4. The Board desire that Railway Administrations ~~skill~~ should allot the appropriate trade to Master Craftsmen as was visualised while laying down the revised percentage of distribution of 30 : 35 : 35 for artisans vide Ministry's letter No.E(P&A)I-82/JC/1 dated 10.7.1985.

Please acknowledge receipt.

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SN/20.7.87

*J. Singh*

21-21-7-87 NSC

Annexure - 15/1/86

Copy of Rly. Bd's letter No: PC-IV/86/Imp/38 dated: 2-7-1987,  
23-9-1986 from Executive Director, Pay Commission, Railway Board  
to the General Managers, All Indian Railways, Production Units  
as per mailing list.

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Subject:- Allotment of revised scale of pay to Mistries in  
pre-revised scale Rs. 380-560 regarding.

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Mistries in pre-revised scales of Rs. 380-560 in workshops  
and Production units as also Mistries in the open line in scale  
Rs. 380-560 with special pay of Rs. 35/- p.m. have been allotted the  
revised scale of Rs. 1400-2300, vide item No: V(2) and note there-  
under of Annexure-E to Board's letter No: PC-IV/86/Imp/Schedule/1/  
dated: 24-9-1986.

2. The Board have considered the recommendation of the 4th  
pay commission, vide para 11.27 of their Report, that the lowest  
supervisory level in all Departments should be in scale Rs. 1400-40-  
1800-EB-50-2300 and have decided, that Mistries in pre-revised  
scale of Rs. 380-560 in the Mechanical, Electrical, S&T and Civil  
Engineering Departments, including permanent way Mistries, Bridges  
Mistries, works Mistries and Mistries in open line workshops etc.  
should be allotted the revised scale of Rs. 1400-40-1800-EB-50-2300  
with effect from 1-1-1986. This will be subject to the following  
provisions:-

i) There will be no change in the designation of these posts  
which will continue to be designated as Mistries. There  
will also be no change in the nature of duties and res-  
ponsibilities attached to these posts.

ii) No special pay shall be admissible to any Mistry in  
scale Rs. 380-560/ 1400-2300 w.e.f 1-1-1986.

iii) There will be no change in the classification of these  
posts as non-selection for purpose of promotion. Further  
promotion for Mistries as Chargeman, PWI/IOW/BRI etc.  
scale Rs. 425-700/ 1400-2300, will be through a process of  
selection, as is the case at present.

iv) Mistries in grade Rs. 1400-2300 on promotion as Charman/  
IOW/PWI/BRI etc. in grade Rs. 1400-2300 will have their pay  
fixed under Rule 2017(FR22)(a)(ii)-R-II and NOT under  
Rule 2018-B(FR-24c) R-II.

v) Mistries in grade Rs. 1400-2300 in workshops covered by the  
incentive scheme will be eligible for incentive bonus as  
Mistries.

vi) Though the posts of Mistries are now placed in the grade  
Rs. 1400-2300 in workshops, Production Units and open Line  
establishment etc. they will not be treated as part of the  
will not be treated as part of the cadre of Technical  
Supervisors like Chargeman/PWI/IOW/BRI etc. Thus, for the  
purpose of percentage distribution of posts of Technical  
Supervisors in grade Rs. 1400-2300 and ~~also~~ above, the posts  
of Mistries, now placed in scale Rs. 1400-2300, will not be  
taken into account.

3. This has the sanction of the president.

4. Instructions contained in this Ministry's letter No: PCIV/86/IMP/  
Schedule/dt. 24-9-86, will mutatis mutandis, be applicable to these  
employees also. Accordingly, expeditious action may be taken to  
fix the ~~fix~~ of the employees under these instructions.

J. Singh

अदालत श्रीमान Before the Central Administrative Tribunal महोदय  
Lucknow Bench.

[वादी अपीलान्त]

[प्रतिवादी रिप्लाइंग]

वकालतनामा

T.A. NO. 118 of 1992

O.A. No. 415 of 1987  
टिकट

Photo (Singh)

[वादी अपीलान्त]

वनाम

Union of India

(प्रतिवादी रेस्पॉण्डेंट)

सं. मुकदमा

सं.

पेशी की ता०

१६ ई०

उपर लिखे मुकदमा में अपनी ओर से श्री

SURENDRA P. (Adv.), S. E. Singh (Adv.)

वकील

महोदय

एडवोकेट

को अपना वकील नियुक्त करके प्रविष्टा (इकरार) करता हूँ  
और लिखे देता हूँ इस मुकदमा में वकील महोदय स्वयं  
अथवा अन्य वकील द्वारा जो कुछ पेशी व जवाबदेही व  
प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या  
हमारी ओर से डिमरी जारी करावें और रुपया वसूल करें  
या सुनहमाना व इकबाल दावा तथा अपील जिगसानी हमारी  
ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और त-  
सदीक करें मुकदमा उठावें या कोई रुपया जमा करें या ह-  
मारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया  
पुनर्प्रेषण करें हमारे हस्ताक्षर युक्त (हस्ताक्षर) रसीद लेवें या  
पत्र नियुक्त करें वकील महोदय द्वारा की गई वह कार्य जो  
खिलाफ हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वी-  
कार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पेशे-  
कार को भेजता रहूँगा अगर मुकदमा अदम पेशी से एकतरफा  
मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे व-  
कील पर नहीं होगी इसलिये वकालतनामा लिख दिया प्रमा-  
र है समय पर काम आवे।

हस्ताक्षर

साक्षी (गवाह)

दिनांक

स्वीकृत

गवाह

महीना

सं. १६