

## ANNEXURE

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW

## INDEX SHEET

CAUSE TITLE T.A. 700.....OF.....87.....

NAME OF THE PARTIES.....Sri...Krishna Lal.....

.....Applicant

Versus

.....Union of India &amp; others.....Respondent

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## CERTIFICATE

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

Dated...23/3/201... File B/C destroyed on 09-5-12..

Counter Signed.....

Section Officer <sup>in</sup> charge

 Signature of the  
Dealing Assistant

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## GENERAL INDEX

A2

(Chapter XLI, Rules 2, 9 and 15)

CIVIL  
and number of case..... W.P..... 3301-80.  
Name of parties..... Krishnadeb..... vs. Union of Andhra  
State of institution..... 11-11-80..... Date of decision.....

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
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1		W.P. with Answer and affidavit	49		102-00			
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8		order Sheet	2		-			
9		Bench Copy.	1-		-			

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examined

I have examined the record and compared the entries on this sheet with the papers on the record. I have made all necessary corrections and certify that the paper correspond with the general index, that they bear Court-fee stamps of the aggregate value of Rs. 102.00, that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date.....

Munsarim

Clerk

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
17/11/89	<p>No Sitting. Adj to 2-1-90</p> <p>None is present for the applicant. Mr. Hanu Shrikant Tewari, V.O.C. Account Secy, is present.</p> <p>17/11/89</p> <p>Hon' Mr Justice Kamleshwar Nath, V.C. Hon' Mr K. Obayya, A.M.</p>	<p>OR</p> <p>This case has been received on 29.8.89.</p> <p>Case is admitted.</p> <p>Counter &amp; Supplementary C.R. has been filed.</p> <p>No response filed.</p> <p>Stay application is pending.</p> <p>Notices were issued to C.R., R.M. &amp; C.R. L.R.C.</p> <p>No unsworn repd. cover has been filed.</p> <p>Submitted the order.</p> <p>2/1/90</p>
2/1/90	<p>Shri U.K. Dhawan is present on behalf of Op.Ps. None is present for the applicant. The case has been received from Allahabad Office of this Bench. Notices be issued by way of extra-precaution by name to the applicant as well as to his counsel by Registered Post and list this case for <u>orders on 27-2-90</u>. It may be indicated in the notice that if no appearance <del>not</del> be made, the case <sup>may</sup> be dismissed for want of prosecution.</p> <p>A.M. V.C.</p> <p>(sns)</p>	<p>OR</p> <p>Notices were issued on 4/1/90 to the applicant as well as counsel by repd. Post.</p> <p>No unsworn repd. cover has been filed, but S.C. order</p> <p>2/1/90</p>
Dinesh		<p>26/1</p>

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Group 'A' Service - 13 - e

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,

LUCKNOW BENCH, LUCKNOW. 3301

Writ Petition No. 241 of 1980.

2  
Sri Krishna Lal.....Petitioner.

Versus

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

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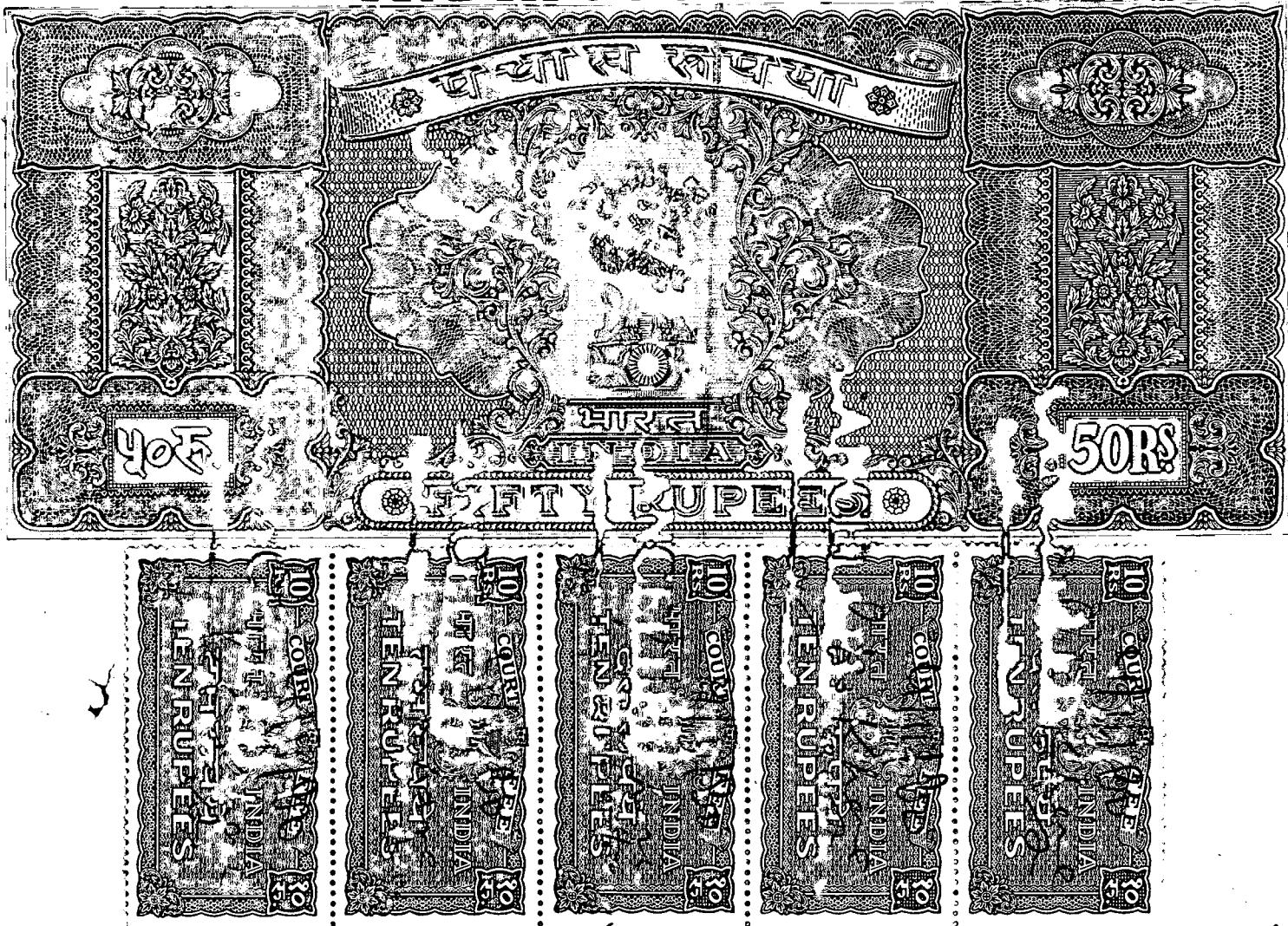
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INDIA COURT FEE

50Rs.



In the Hon'ble High Court of Judicature at Allahabad

Lucknow Bench, Lucknow 330/

With petition No 3301 on

Sri Krishna Lal — Petitioner.

W.

The Union of India & Others. — Respondents.

( P. K. Khan  
Son )

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD,

LUCKNOW BENCH, LUCKNOW.

Writ Petition No. 3001 of 1980

In the matter of ;

Constitution of India

And in the matter of ;

Article 226 of the  
Constitution of India

And in the matter of ;

Sri Krishna Lal, aged about 39 years,  
son of late Sri Jagga Nath, resident of  
House No. 281/352, Mawaiya, Lucknow.

.....Petitioner

Versus

1. The Union of India through

447/75/80  
44 years  
5/9/80

High Court

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Secretary, Ministry of Information  
and Broadcasting, New Delhi.

✓ 2. Chief Producer, Films Division,  
Government of India, 24, Fadder  
Road, Bombay-26.

✓ 3. Branch Manager, Films Division,  
Hazratganj, Lucknow.

✓ 4. Sri B.N. Yadav, adult in age,  
father's name not known to the  
petitioner, Junior Bookie, Films  
Division, Hazratganj, Lucknow.

..... Respondent.

To,

The Hon'ble Justice and his companion Judges  
of the aforesaid Court.

The humble petition on behalf of the  
petitioner abovenamed most respectfully sheweth as  
under:-

1. That the petitioner entered the services  
of the respondent No. 1 under the supervision  
and control of the respondent No. 2 as Lower  
Divisional Clerk on 26th August 1964 in the then

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existing pay scale of Rs. 110-180 which was subsequently revised to Rs. 260-400. The petitioner at the time of the appointment was only High School but with the lapse of time he obtained Bachelor's Degree in year 1969.

2. That the petitioner was placed in the office of Branch Manager, Films Division, Hazratganj, Lucknow where he continues to serve in the aforesaid capacity. The petitioner's work was always found satisfactory and on account of his good work and devoted services he was confirmed on the post of Lower Division Clerk with effect from 26th August, 1966. The petitioner faced no disciplinary proceedings or action at the instance of the respondent and his career remained un-blamed.

3. That the Lower Division Clerk's working in the Films Division under the Control of the respondent No. 2 are permitted to promoted to the post of Junior Bookers or on the post of Upper Division Clerk. The promotional posts carry equal emoluments and pay scale of Rs. 330-560.

4. That the promotions are offered to the incumbents in order to the seniority determined on the substantive post of appointment and in the instant case on the post of Lower Division Clerk. A panel of persons to be promoted is prepared by the Departmental Promotion Committee on the basis of the criterian mentioned above.

4/7/76/80  
GK/SG/AS  
5/9/80

Krishnamurthy

5. That the respondent No. 2 published a seniority list of the individuals working as Lower Divisional Clerks. This seniority list was circulated and was sent for the notice to the petitioner on 10th February 1975. This seniority list indicated that the petitioner was placed at sl. no. 17 amongst the persons of the cadre all over India. It may however, be submitted that at Lucknow office the petitioner continues to be the senior most person working on the post of Lower Division Clerk. The relevant extract of the seniority list is being annexed herewith as ANNEXURE I to this writ petition

6. That it may be submitted that the respondents 1 to 3 (hereinafter referred to as Department) claimed to have evolved a method of recruitment on the post of Junior Bookers. It is asserted by the Department that 50 per cent posts are reserved for the direct recruitment and the rest 50 per cent posts ought to be filled by the Departmental promotions amongst the staff working on the technical side i.e. Film Shippers. But till this date no appointment or promotion has been made by way of direct recruitment and so far the post of Junior Bookers are filled up by way of promotions amongst the persons working as Lower Divisional Clerks. It is thus submitted that the respondents 1 to 3 by their own representations have made the petitioners believe that an employee working as a Lower Division Clerk is entitled to be promoted on the post of Junior Booker as well and as a matter of fact

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Ex-2 year  
5/2/80

Krishan Lal

this promotion has always remained opened for the non-technical staff and ~~numerous~~ numerous posts of Junior Bookers are occupied by the office staff.

7. That since the petitioner was considered to be the senior most amongst the cadre of Lower Division Clerk posted at Lucknow Branch he was required to appear at a interview for considering his case for promotion to the post of Junior Booker. The petitioner was accordingly interviewed on 20th March 1970 at Lucknow but no result whereof was communicated to the petitioner. The petitioner thereafter continued to write the respondents to know the result of the aforesaid interview which had taken place on 20th March 1970. The petitioner addressed several letters to the respondent No. 2 and 3 through the Administrative Officer post at Bombay. After the petitioner submitted his letters dated 28.10.1970, 8.1.1971, 14.4.1971, 21.5.1971 the petitioner was informed by the Administrative Officer, Films Division, Bombay vide his Memo No. 2/1/68-Est. II. dated 14th September 1971 that his case was still under consideration. A true copy of the aforesaid letter is being annexed herewith as ANNEXURE II to this writ petition.

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Gangaram  
5/9/80

8. That after waiting the result of the interview the petitioner again reminded to the respondent No. 2 vide his letters dated 9th February 1972,

K. S. Shah M.L.

26th July 1971, and 24th June 1972. These letters were addressed to the Administrative Officer who is authorised to enter correspondence on behalf of the respondent No. 2. The petitioner ultimately received a memorandum No. 2/1/68 Est. II dated 18th July 1972 to the effect that the petitioner was not selected by the Selection Committee. It however, seems to the petitioner that no minutes of the selection were drawn up and it is only on account of the fact that the petitioner made frequent representations for getting the result that the Administrative Officer conveyed to the petitioner about his failure at the test. A true copy of the aforesaid Memo dated 18th July 1972 is annexed herewith as ANNEXURE III to this writ petition.

9. That on 24th January 1974 the petitioner again made a representation to the Administrative Officer, Films Division, Bombay requesting him to consider the case of the petitioner afresh for being appointed on the post of the Junior Booker. A true copy of the aforesaid letter is being annexed herewith as ANNEXURE IV to this writ petition. The petitioner however received a reply dated 6th April 1974 through the Administrative Officer that the recruitment rules did not provide for the promotion ~~according to the~~ of the petitioner to the post of Junior Booker in as much as that the said promotion according to the respondents were available to the technical staff only. A true copy of the

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Kishan Lal

afore said letter dated 6th April 1974 is being annexed herewith as ANNEXURE V to this writ petition.

10. That the petitioner made an attempt in vain to obtain the relevant recruitment rule to ascertain the truth of the matter but the respondent did not provide the relevant recruitment rules and only claimed that the changes were effected and the non-technical staff was excluded from being promoted to the post of the Junior Bookers.

11. That the petitioner again made a representation on 4th February 1975 to the respondents and through this representation the petitioner again claimed the right of being promoted on the post of the Junior Bookers. The petitioner inter alia asserted that four individuals working as Lower Divisional Clerks and who were juniors to the petitioner were promoted by the respondents 1 to 3 and thus the right of the petitioner was infringed. A true copy of the representation dated 4th February 1975 is enclosed herewith as ANNEXURE VI to this writ petition. It may also be stated that this act of the respondent in promoting the similar situations of persons actually constitute self-contrary stand which was taken by the respondents 1 to 3 in their letter dated 6th April 1974. A true copy of the aforesaid representation dated 3rd April 1975 is being annexed herewith as ANNEXURE VII to this writ petition. The petitioner's apprehension also found support from the seniority list which was subseq-

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K. S. S. A. W.

circulated on 10th February 1975 as the petitioner discovered that the four persons who were promoted by the respondents from time to time were holding a junior post. The order whereby these four persons were promoted also did not indicate that these persons were promoted as a result of their being impanelled by the Departmental Promotion Committee. It is also asserted that the Departmental Promotion Committee did not recommend the selection of these persons and it appears to the petitioner that the respondent 1 to 3 had acted arbitrarily in promoting these persons. A true copy of the order whereby the four juniors were promoted is being annexed herewith as ANNEXURE VIII to this writ petition.

12. That the petitioner again made a representation dated 8th August 1975 to the Administrative Officer, Films Division, Government of India, Bombay and invited the attention of the authority that several Lower Division Clerks were promoted to the post of Junior Bookers in accordance with the seniority list and their names appeared on the sl. No. 1, 8, 11, 16, 22, 29 and 33 which seniority list was corrected up to 1st December 1975. It was also pointed out that since the petitioner appeared at sl. no. 17 it was unusual that he was not considered for the promotion to the said post. It was claimed that the discrimination was done deliberately. A true copy of the aforesaid representation dated 8th August 1975 is being annexed herewith as

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ANNEXURE IX to this writ petition.

13. That in response to the above mentioned representation the petitioner was advised on behalf of the Administrative Officer that the promotion to the post of Junior Bookers is done in the manner indicated in the reply. It was claimed by the respondent No. 2 that the promotion on the post of Junior Bookers is maintained at the rate of 50 per cent by way of promotion amongst the persons working as Film Shippers and the rests are appointed by way of direct recruitment. It may however, be submitted that in his representation dated 8th August 1975 the petitioner had collected the specific instant when the promotion was granted to certain individuals who stood junior in the similar capacity to the petitioner. This issue however was bypassed and it was re-iterated by the respondent No. 2 that under the rules the petitioner was entitled to the post of the Junior Bookers. A true copy of Memorandum dated 25th August 1975 issued by the Administrative Officer is being annexed herewith as ANNEXURE X to this writ petition.

14. That on the receipt of the aforesaid Memorandum dated 25th August 1975 the petitioner again wrote on November 20, 1975 and through this letter the attention was invited that two lower Division Clerks in the Lucknow Branch were promoted to the post of Junior Bookers apart from the fact that 8 promotions were also similarly made in other

*447/75/80  
G.S./S.Y./M.A.  
5/2/80*  
*Krishan Lal*

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Branches. On account of this the petitioner felt that the respondents were treating the petitioner with malish. A true copy of the aforesaid letter dated 20th November 1975 is being annexed herewith as ANNEXURE XI to this writ petition. This letter however was similarly dealt and the grievance of the ~~Ex~~ petitioner was not dealt with. The petitioner files herewith the true copy of the letter received by the petitioner in response to his letter dated 20th November 1975 is annexed herewith as ANNEXURE XII to this writ petition.

15. That since after the submission of the various representation of the petitioner the respondent No. 2 advertised the vacancies existing on the post of Junior Booker. This advertisement appeared on 19th November 1977 in "Weekly Employment News" and the petitioner immediately in response to the said advertisement applied through proper channel for the aforesaid post and requested that his case might be considered. It was also pressed that since the petitioner belong to the schedule caste community the terms of the age may also be ~~reduce~~ relaxed. A true copy of the aforesaid application dated 24th November 1977 is also annexed herewith as ANNEXURE XIII to this writ petition. The petitioner however, did not get any communication in this regard but on the other hand the Assistant Administrative Officer, Films Division, Bombay issued a Memorandum No. A-120.21/4/76-Est. I

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Skysong  
5/9/80*

*1/2/76/80  
Lokshankar*

requiring Sarvasri Z. Hasan, B.N. Yadav and Sri K.N. Rastogi, Lower Division Clerks for appearance as candidate against the direct recruitment quota. They were also required to appear for interview on 17th May 1978. A true copy of the aforesaid Memorandum issued to Sri Z. Hasain is being annexed herewith as ANNEXURE XIV to this writ petition.

16. That the petitioner on 9th May 1978 made a representation through proper channel to the Administrative Officer at Bombay requesting that his name be also included for an interview for the post of Junior Booker on 17th May 1978. It may be reiterated that on the facts indicated herein before the Department use to promote the Lower Division Clerks on the post of the Junior Booker and thus there was no restriction imposed upon the authorities for including the name of the Lower Divisional Clerks who was not promoted timely and the request of whom were not considered. A true copy of the said application dated May 9, 1978 is being annexed herewith as ANNEXURE XV to this writ petition.

17. That the petitioner has based his claim for the relaxation of age on the basis of a circular issued by the ~~Ministry~~ <sup>for</sup> Film Division, Ministry ~~of~~ <sup>for</sup> Information and Broadcasting, Government of India, a true copy of which is also enclosed herewith as ANNEXURE XVI to this writ petition.

*6/2/78  
Received  
5/9/80*

*Kishan Lal*

18. That the petitioner applied to the Branch

Manager, Films Division of the Lucknow Branch on 17th July 1978 to know as to why the circular issued for the appointment of Junior Bookers was not got circulated to him though it was desired by the respondent No. 2. It was also pressed that the petitioner could be informed about the letter No. by which his application was forwarded. The petitioner was surprised to receive the letter dated 22nd July 1978 from the Branch Manager, Lucknow Branch, Lucknow to the effect that he was not circulated with the order as he was on leave. It was also pointed out that since the petitioner was over age the circular was not sent to him. A true copy of the Memorandum issued by the Branch Manager, Lucknow Division, Lucknow dated 22nd July 1978 is being annexed herewith as ANNEXURE XVII to this with petition.

19. That the petitioner was informed by the Administrative Officer, Films Division, Bombay by letter dated 10th July 1978 that his recruitment to the post of Junior Bookers could not be considered as he did not apply in response to the office circular or even the advertisement issued by the Central Employment Exchange. It may however, be submitted that the reply of the Branch Manager, Films Division, Lucknow Branch, Lucknow itself stated that the application for the petitioner was forwarded to the Head office on 26th November 1977 vide office letter

*4/4/78  
S. S. Goyal  
5/9/80*

*K. S. Chander*

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No. Est. 25/II. In any circumstances it is patent that the petitioner was not afforded with the opportunity of being considered for the post of Junior Bookkeeper though this right was available to the petitioner. A true copy of the letter dated 10th July 1978 issued by the Administrative Officer, Films Division, Bombay is being annexed herewith as ANNEXURE XVIII to this writ petition.

20. That the petitioner continued to pursue his representations and time and again been writing to the respondents for the consideration of his long pending case which not only in regard to the precise rights of the petitioner but also caused humiliation on account of the facts that junior persons were promoted. The petitioner ultimately made a representation dated 21st February 1980 to the Chief Producer and the Administrative Officer, Films Division, Government of India at Bombay and requested that his case for promotion to the post of the Junior Bookkeeper or the Upper Division Clerk may be considered. A true copy of the aforesaid letter is being annexed herewith as ANNEXURE XVIV to this writ petition.

21. That the petitioner received the reply to the above referred letter through the letter dated 26th February 1980 and through the said letter it was conveyed to the petitioner that no vacancy exist of the post of Junior Bookkeeper and thus

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his case could not be considered. In regard to the promotion to the post of Upper Divisional Assistant he was informed that his case could be considered on his turn. A true copy of the aforesaid letter dated 26th February 1980 is being annexed herewith as ANNEXURE XX to this writ petition.

22. That a few months later the petitioner came to know that despite the assertions made by the respondent No. 2 regarding the non-availability of the vacancy at Lucknow the respondent No. 4 Sri B.N.Yadav was promoted to the post of Junior Booker on ad hoc basis. This order of promotion was issued by the respondents on 4th July 1980. A true copy of the letter dated 4th July 1980 is also enclosed herewith as ANNEXURE XXI to this writ petition. This order was made available to the petitioner when the petitioner applied to the respondents that he wish to prefer a representation against the such arbitrary promotion.

23. That as already stated the action of the respondent No. 2 in promoting the respondent No. 4 on the basis of the Junior Booker is intended to cause loss and injury to the petitioner. The petitioner was not afforded with the right of promotion deliberately and maliciously. The fact of the matter is that the present Branch Manager Sri G.K.D.Nag was annoyed with the petitioner and never wanted the promotion of the petitioner in any

4/2/26/80  
G.K.D.Nag  
5/9/80

Kishan Lal

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way and as a matter of fact the aforesaid Branch Manager Sri G.K.D.Nag went to the extent of making allegations against the petitioner and disapprove the petitioner's promotion on the officiating basis in capacity as Upper Division Clerk. The petitioner believes that the aforesaid Branch Manager has positively requested the Administrative Officer, Films Division, Bombay not to promote the petitioner.

24. That the respondent No. 4 is no way better qualified nor he is possessed of any better experience than the petitioner and as a matter of fact the petitioner is much senior to the respondent No. 4 who was appointed as a Lower Division Clerk on 17th September 1970 in the same pay scale on which the petitioner was appointed. The promotion of the respondent No. 4 is discriminatory, violative of principles of natural justice and also intended to invite the right of the petitioner which is guaranteed to him on account of the fact that he is similarly situate.

25. That the petitioner feeling aggrieved by the order dated 4th July 1980 prefers this writ petition on the following amongst other

G R O U N D S

A. Because the order dated 4th July 1980 contained in Annexure XXI is violative of Article 14 and 16 enshrined in the Constitution in as much as the petitioner's

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K. S. S. H.

precise right has been invaded and he has been discriminated against the junior who is otherwise similarly constitute.

B. Because the action of the respondents are malafide and as a result of evil consequences and is further calculated to cause harm to the petitioner's right thus it constitute infringement of the right guaranteed to the petitioner under Article 16 of the Constitution.

C. Because the order of the respondents is malicious and is malafide which is obtained patent on record in as much as the respondent have been representing that there was no post available and yet the respondent No. 4 has been promoted to the detriment of the petitioner who is a senior person.

D. Because the order passed by the respondent has encroached upon the rights of the petitioner and has violated the provisions of Article 311 of the Constitution.

D. Because the order of the respondents is also violative of principles of natural justice and the petitioner was provided with no opportunity to represent his matter to

safeguard his rights from being superseded by a junior person.

E. Because in any view of the matter the order passed by the respondents is most arbitrary, illegal and the illegality committed by the respondent is patent on the record and is against their own representations.

F. Because the order of the respondents passed is otherwise illegal, invalid and is liable to be set aside..

WHEREFORE, it is most respectfully prayed that this Hon'ble Court may graciously be issue:

I. A writ in the nature of certiorari quashing the order dated 4th July 1980 contained in Annexure XXI after summoning its original from the respondents 1 and 2.

II. That by a writ in the nature of mandamus the respondents No. 1 to 3 are required to promote the petitioner on the post of Junior Book-er.

III. That such other writ or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case may also

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be issued in favour of the petitioner and against the respondents.

IV. Cost of the writ petition may also be awarded in favour of the petitioner against the respondents.

  
R.K. KHARE  
ADVOCATE,  
COUNSEL FOR THE PETITIONER.

LUCKNOW:

DATED: ~~20 NOVEMBER~~ NOV. 6<sup>th</sup>, 1980.

IN THE HONBLE HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW BENCH LUCKNOW.

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19

Krishan Lal

Ex-Ex.

PETITIONER

Vs.

Union of India and Others

Ex-Ex.

Respondent

W.P. NO.

of 1980.

ANNEXURE NO. - I

Seniority List of Lower Division Clerk for all Branches of Films Division, Government of India, Issued by the Administrative Officer, Films Division, Bombay-26 vide their circular letter no. Memo./ A/23021/9/74-Estt. II, dated 10-2-75.

<u>Seniority Number.</u>	<u>Name</u>	<u>Source of Recruitment.</u>	<u>Remarks</u>
1	Sri K.R. Shastri Nagpur Branch.	Direct	Pmt. LDC, Offg. Jr. Booker on adhoc basis from 1.5.62
8.	Sri Padmanabham Madras Branch	"	Jr. Booker on adhoc basis w.e.f. 21.2.1974.
11	Sri J.S. Sigamoy Madras Branch	"	Pmt. LDC Offg. Jr. Booker w.e.f. 1.2.1969
16	Sri S.N. Bamble Main Office	"	Offg. LDC on adhoc basis w.e.f.
17	Sri Krishan Lal Lucknow Branch	"	
22	Sri R.G. Mhapuskar Main Office	"	Offg. LDC from 15.9.71
29	Sri A.N. Mulla DHO (Bombay)	"	Pmt. LDC Offg. Jr. Booker on adhoc basis w.e.f. 16.1.1974
32	Sri C. Vijayraghavan D. Wing-Bombay	"	Jr. Booker on ad-hoc basis w.e.f. 16.1.74
33	Sri Km. S.H. Rupani (DHO- Bombay)	"	QP LDC- Jr. Booker on ad-hoc basis w.e.f. 1.5.1971

TRUE COPY

Petitioner

24 (20)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW BENCH LUCKNOW.

Krishan Lal

PETITIGER

VS.

Union of India & Others -----

Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. 1/1

NO. 2/1/68-Estt. II  
FILMS DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
GOVERNMENT OF INDIA

24- Pedder Road, Bombay 26.  
Dated the 14th September, 1971.

MEMORANDUM

Subject: Recruitment to the post of Junior Bookers.

With reference to his application dated  
26-7-1971 on the subject noted above, Shri Krishan Lal,  
Permanent Lower Division Clerk in the Lucknow Branch Office  
is informed that his case is still under consideration.

Sd/-

for Administrative Officer.

647/76/80  
Shri Krishan Lal,  
Pmt. Lower Division Clerk,  
Films Division,  
LUCKNOW.

TRUE COPY

Petitioner.

647/76/80  
5/9/80

(21)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.  
LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

— Petitioner.

Vs.

Union of India & Others.

— Respondent.

W.P. NO.

of 1980.

ANNEXURE NO.- *1/1*

NO.2/1/68-Estt. II  
Films Division  
Ministry of Information & Broadcasting  
Government of India

24- Pedder Road, Bombay-26.  
Dated the 18th July, 1972.

Memorandum

Subject: Selection of to the post of Junior Book

With reference to his application dated 24th June, 1972 on the subject noted above, Shri Krishan Lal, Permanent Lower Division Clerk in the Branch Office at Lucknow is informed that he has not been selected for the post of Junior Book.

Sd/-

( S.K.Roy )  
for Administrative Officer

Shri Krishan Lal,  
Permanent Lower Division Clerk,  
Films Division,  
Lucknow.

TRUE COPY

Petitioner.

A<sup>2</sup>  
22

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

Petitioner.

Vs.

Union of India & Others.

Respondent.

W.P. NO.

of 1980.

ANNEXURE NO.- IV

To,

The Administrative Officer,  
Films Division (Govt. of India),  
24-Pedder Road,  
Bombay-26.

Subject: Promotion for the post of Junior Booker of  
Departmental Scheduled Caste employee in the  
Films Division, Lucknow Branch.

THROUGH: PROPER CHANNEL.

Sir,

•••••

I am to submit the following for your kind and  
sympathetic consideration:—

1) As per advertisement No. 11/69 (Ref. No. CEE/1933/69,  
dated June, 1969), I had applied for the post of Junior-Booker  
in Lucknow Branch to the Employment Officer, Director of  
General of Employment, New Delhi vide my application dated  
1/7/69.

2) I received a call letter from you vide letter No.  
2/1/68-Estt. II, dated 11.3.70 for Test and Interview on  
20-3-70 and accordingly I appeared for the test and Interview.

3) Having received no reply for seven months I sent  
reminder to you on 28/10/70, 8/1/71, 14/1/71, 21/5/71 and  
26-7-71 respectively. After a period 1½ years I received a  
reply from you vide letter no. 2/1/68-Estt. II, dated 14/9/71  
stating that my case ' IS STILL UNDER CONSIDERATION'.

4) Since thereafter I did not hear any thing from you  
I had to remind you again on 9/2/72 and 24/6/72 but without  
any response. After a period of two years & four months, a  
reply was received from you vide letter no. 2/1/68-Estt. II,  
dated 14-9-72 that ' HE HAS NOT BEEN SELECTED FOR THE POST  
OF JUNIOR BOOKER'.

It is for your kind information that when I was the only departmental Scheduled Caste candidate, I should have been given a chance and promoted to the post of Junior Booker. But you did not consider me. In this connection your kind attention is invited to para 3 of O.M. NO.27/2/71-Estt.(SCT), dated 27th November, 1972 issued by the Department of Personnel, Government of India, New Delhi regarding reservation of seats for Scheduled Castes candidates. It may be added that I am the senior most Permanent L.D.C. in Films Division, Lucknow Branch (My seniority number stands at 52 out of 113 in Films Division as a whole). I have served more than 9 years satisfactory service as LDC in this Branch, but no chance of promotion has been given to me as Junior Booker.

I understand that one of the Junior Booker in this Branch has applied for long leave and naturally subsequent arrangements are to be made in his place, I shall be thankful, if the officiating chance as Junior Booker is given to me. I assure you sir that I shall perform the duties most sincerely and to the best of my ability & shall keep my superiors well satisfied.

Awaiting for your favourable reply.

Thanking you in anticipation.

Yours faithfully,

Sd/-

Dated the Lucknow,  
Jan. 24th, 1974.

( KRISHAN LAL )

Permanent Lower Divn. Clerk  
Films Division-Govt. of India,  
Hazratganj, Lucknow (UP).

TRUE COPY

Petitioner.

P/2  
24

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

--- Petitioner.

VS.

Union of India & Others.

--- Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. - V

BY REGISTERED A/D

NO. 5/26/64-Est. II

Films Division

Ministry of Information & Broadcasting  
Government of India

24- Pedder Road, Bombay-26.  
Dated the 6th April, 1974.

MEMORANDUM

Subject: Representation regarding appointment to the  
post of Junior Booker.

*unr/26/80  
Sengar  
Sla/80  
Sengar  
unr/26/80  
Sla/80*

With reference to his representation dated the 24th January, 1974, on the subject noted above, Shri Krishan Lal, Permanent Lower Division Clerk in the Films Division Branch Office Lucknow is informed that his application for the post of Junior Booker in response to the advertisement was considered, but it is regretted that he was not found suitable for appointment to the post by the duly constituted Selection Committee. For his information, a copy of the Recruitment Rules for the post is also sent herewith. It will be seen therefrom that 50% of posts of Junior Booker are to be filled by direct recruitment and 50% by selection from among Film Shippers in the Films Division and not from among the Lower Division Clerks working in the Films Division.

Sd/-  
( S.K.Roy)  
for Administrative Officer

Shri Krishan Lal,  
Permanent Lower Division Clerk,  
Films Division Branch Office,  
Lucknow.

TRUE COPY

*krishan lal*  
PETITIONER.

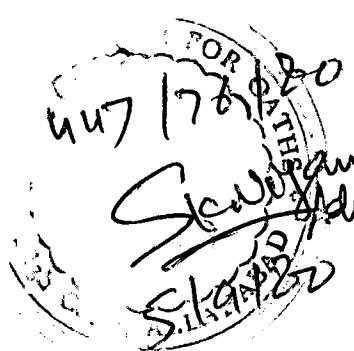
(25)

RECRUITMENT RULES FOR THE POST OF.....

Sl. No.	Particulars of the post	Method of recruitment and percentage of vacancies to be filled up by	Qualifications etc. for direct recruitment	Qualifications etc. for recruitment by promotion	Qualifications etc. for recruitment by transfer	Grade source from which promotion/transfer is to made.		
Name of the post	Classification of pay of the post.	Scale of pay of the post.	Direct Promotion	Transfer	Age limit and other qualifications required.	Educational qualifications required.	Whether age limit and educational qualifications required will apply in case of recruitment by promotion/transfer.	Grade source from which promotion/transfer is to made.
Jr. Booker	Class III 150-5-50%	50% NL NL Below 25 years	1) Matriculation of a recognised University or its equivalent	Essential: Yes. Educational qualifications will apply.	—	—	—	—
Non-Mini- Serial Non-Gazetted.	160-8		2) Clerical experience at least 3 years in a film production or distribution organisation, preference being given to those with experience of booking of films in commercial cinema.	—	—	—	—	—
			3) From amongst Film Shippers in the Films- Division who have at least 5 years service in that grade.	—	—	—	—	—
			4) From amongst Film Shippers in the Films- Division who have at least 5 years service in that grade.	—	—	—	—	—

TRUE COPY

PETITIONER



*Signature*  
Date: 17/10/2018  
Petitioner: S. A. J. P.  
No. 519  
Page No. 1

PL  
30

(26)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P. NO.

OF 1980.

ANNEXURE NO. VI

To,

The Administrative Officer,  
Films Division(Govt. of India),  
24- Pedder Road,  
BOMBAY 26.

SUBJECT: RECRUITMENT TO THE POST OF JUNIOR BOOKER IN  
FILMS DIVISION LUCKNOW BRANCH.

THROUGH: PROPER CHANNEL.

....

Sir,

Kindly refer to your Memorandum No. 5/26/64-Estt. II, dated 6/4/74 in reply to my representation dated 24/1/74 ~~strong~~ in which I have been informed that my case could not be considered only because of the Recruitment Rules which do not permit the Lower Division Clerk to be considered for the post of Junior Booker. In this connection I beg to state as under:-

- 1) That according to these Recruitment Rules a person is eligible for recruitment by promotion as Junior Booker if he fulfills the educational qualifications prescribed for the post of Junior Booker directly recruited.
- 2) That according to col. 10 the following educational and other qualifications are required for direct recruitment:-

i) Matriculation

ii) Clerical experience at least 3 years in a film production or distribution organisation, preference being given to those with experience of booking of films in commercial cinemas.

In this connection I beg to state that I have been working as Lower Division Clerk for the last 10 years in distr

TRUE COPY

Contd. .... 2.....

*4/4/76/80  
Krishan Lal  
SP/180  
H. S. Khan*

PETITIONER.

bution & film booking booking section of the FILMS DIVISION branch at Lucknow. Thus I have acquired sufficient experience & knowledge of booking of films in addition to clerical experience. Moreover I belong to a Scheduled Caste community. This community there is 15% reservation in Appointing, Promotion etc. Therefore, I am rightly entitled for promotion as Junior Booker. Further it will not be out of place to mention here that the following employees, previously working as Lower Division Clerk in the Films Division, Lucknow Branch, have been promoted as JUNIOR BOOKER.

1) <sup>4</sup> Sri R.N.Dwivedi

-- Working as Junior Booker at Lucknow for the last several years.

2) Sri R.L.Sharma

-- -do- -do- -do-

In addition to these one Lower Division Clerk (Sri S.Bal subramaniam) has been promoted as Junior Booker and posted at Nagpur Branch.

Taking into account all the above said facts I am also entitled for promotion against the post of Junior Booker.

It is therefore, requested that my case may be considered de-novo and pass orders of my promotion at your earliest convenience & avoid hardship to the poor employee.

*W.W.76/80  
Sri S. Bal  
S. L. S. 100*  
Hoping to get an early reply.

Thanking you,

Yours faithfully,

Sd/-

( Krishan Lal)  
Lower Division Clerk  
Films Division,  
Lucknow Branch.

TRUE COPY

*W.W.76/80  
S. L. S. 100*  
PETITIONER.

*Krishan Lal*

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW BENCH LUCKNOW.

Krishan Lal

**Petitioner.**

Vgo

Union of India & Others

### Respondents.

W.P. NO.

of 1980.

**ANNEXURE NO.—**

VII fm

100

The Administrative Officer,  
Films Division (Govt. of India)  
24- Pedder Road,  
Bombay-26.

**Subject:** Recruitment to the post of Junior Booker in the  
Films Division- Lucknow Branch.

Through Proper Channel.

Sir,

Kindly refer to my representation dated 4/2/75, in which I draw to your kind attention for promotion to the post of Junior Bookkeeper.

In the month of April, 1974, I was informed by your good office that LDCs could not be considered only because of the recruitment rules do not permit them to be considered for the post of Junior Booker. But on the otherhand some LDCs were promoted to the post of Junior Booker as per your Seniority List of LDCs mentioned at Serial No. 1,8,11,16,22,29 & 33. When my seniority number is 17 as well as I belong to Scheduled Caste community, my name must have been considered for the said post. It is evident that my name was knowingly omitted for the promotion.

I do not understand the circumstances which compell the authorities to promote 8 IDCs to the post of Junior Booker while I was deprived of the opportunity guaranteed in the constitution.

Kindly look into the matter personally and provide justice to the down trodden ministerial staff.

Waiting for favourable reply.

Dated the Lucknow,  
April 3rd, 1975.

True Copy

Yours faithfully,

Sd/-  
( Krishan Lal )  
Lower Division Clerk  
Films Division,  
Lucknow Branch.

**PETITIONERS**

P/33  
(29)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

Petitioner.

Vs.

Union of India & Others. -

Respondent.

W.P. NO.

of 1980.

ANNEXURE NO.- VIII

Seniority List of Lower Division Clerk for all Branches of Films Division, Government of India, issued by the Administrative Officer, Films Division, Bombay-26 vide their circular letter No. Memo/A/23021/9/74-Estt. II, dated 10-2-75

Seniority Number	Name	Source of Recruitment.	Remark
17	Sri Krishan Lal. Lucknow Branch	Direct	—
22	Sri R.G.Mhapuskar Main Office	"	Offg. UDC from 15-9-1971
29	Sri A.N.Mulla DHO-Bombay	"	Pmt. LDC -Offg. Jr. Booker on ad-hoc basis w.e.f. 16.1.74
32	Sri C.Vijayaraghvan D.Wing. Bombay.	"	Jr. Booker on ad-hoc basis w.e.f. 16.1.74
33	SOK Km. S.H.Rupani DHO-Bombay	"	QP LDC- Jr. Booker on ad-hoc basis w.e.f. 1.5.1971

TRUE COPY

PETITIONER

P/34 (30)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

Krishan Lall

---

Petitioner.

Vs.

Union of India and Others ---

Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. IX

To,

The Administrative Officer,  
Films Division(Govt. of India),  
24- Pedder Road.  
Bombay-26.

Subject: Recruitment to the post of Junior Booker in the  
Films Division-Lucknow Branch.

Sir,

Kindly refer to my representation dated 4/2/73  
and ~~subsequent~~ <sup>for</sup> subsequent reminder dated 3/4/75 and 3/5/75 in  
which I drew your kind attention for promotion to the post  
of Junior Booker.

*Signature*  
Wu7/26/75  
S/a/80

In this connection kindly refer to IIInd para & IV  
para of my representation of the above referred letter where  
it was pointed out that some LDCs were promoted to the post  
of Junior Booker as per your Seniority list of LDCs mentioned  
at Sl. No. 1,8,11,16,22,29 and 33 which was circulated vide  
your letter No. Memo./A/23021/9/74-Estt.II, dated 10.2.75  
(Corrected upto 1.12.1974-Extract copy is enclosed for ready-  
reference). When my seniority number is 17 aswell as I  
belong to the Scheduled Caste community, my name must have  
been considered for the said post. It is evident that my name  
was knowingly omitted for the promotion.

*Signature*  
Wu7/26/75  
S/a/80

I do not understood that circumstances which ~~compelled~~ <sup>for</sup>  
compelled the authorities to promote eight (8) LDCs to the  
post of Junior Booker while I was deprived to the opportunity  
in the constitution.

Kindly look into the matter personally and provide  
justice to the down trodden ministerial staff.

Awaiting for favourable reply.  
Encl. 1

Yours faithfully,

Sd/-

( Krishan Lal)

True Copy

Dated: 7/8th August, 1975.

Seniority List of Lower Division Clerk for all Branches of  
 Films Division: Government of India, Issued by the Administrative  
 Officer, Films Division, Bombay-26 vide their circular letter  
 No. Memo./A/23021/9/74 Estt. II, dated 10-2-75.

Seniority Number	Name	Source of Recruitment	Remarks
1	Sri K.R.Shastri Nagpur Branch.	Direct	Pmt.LDC, Offg.Jr.Booker ad-hoc basis from 1.5.1962.
8	Sri Padmanabhan Madras Branch.	-do-	Jr.Booker on ad-hoc basis w.e.f. 21.2.1974
11	Sri J.S.Sigamoy Madras Branch.	-do-	Pmt. LDC Offg.Jr.Booker w.e.f. 1.2.1969.
16	Sri S.N.Bamble Main office.	-do-	Offg.UDC on adhoc basis w.e.f. from.
17	Sri Krishan Lal Lucknow Branch	-do-	-----
22	Sri R.G.Mhapuskar Main office	Direct	Offg.UDC from 15-9-71
29	Sri A.N.Mulla DHO(Bombay).	-do-	Pmt. LDC Offg.Jr.Booker on ad-hoc basis w.e.f. 16.1.1974
32	Sri C.Vijayaraghavan D.Wing-Bombay.	-do-	Jr.Booker on ad-hoc basis w.e.f. 16.1.1974
33	Sri K.M.S.H.Rupani DHO-Bombay.	-do-	Q.P.LDC Jr.Booker on ad-hoc basis w.e.f. 1.5.1971.

TRUE COPY

PETITIONER

32  
36

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

Krishan Lal

---

Petitioner.

Vs.

Union of India and Others ---

Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. X.

NO.5/26/64-Estt.II.

Films Division

Ministry of Information and Broadcasting  
Government of India

24- Pedder Road, Bombay-26.  
Dated the 25th August, 1975.

MEMORANDUM

Subject: Representations from Shri Krishan Lal, Lower-  
Division Clerk.

.....

With reference to his representation dated the 3rd May 1975 and 8th August, 1975 Shri Krishan Lal, Lower Division Clerk in the Branch Office at Lucknow is informed that he has already been advised earlier vide this office Memorandum Number even dated the 6th April, 1974 and 4th April, 1975 that the mode of recruitment to the post of Junior Booker is 50% by promotion by Selection from amongst the Film Shippers in the Films Division and 50% by direct recruitment through the Employment Exchange or through all India advertisement and not by promotion from amongst the Lower Division clerks. Since he was not found suitable by the Selection Committee for the post of Jr. Booker against the direct recruitment quota he could not be appointed to the post and since the facts have already been intimated to him, no other clarification in this regard is necessary.

Sd/-

( M.K.JAIN )  
Asstt. Administrative Officer,  
for Administrative Officer.

Shri Krishan Lal,  
Lower Division Clerk,  
Films Division,  
Lucknow.

TRUE COPY

PETITIONER.

A/37 (33)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LALL

Petitioner.

Vs.

Union of India and Others

Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. XI

To,

The Administrative Officer,  
Films Division (Government of India),  
24 Dr. G. Deshmukh Marg, Film Bhawan,  
BOMBAY: 26.

Subject: Recruitment to the post of Junior Booker in Films Division, Lucknow Branch.

Through: Proper Channel.

Sir,

1) Kindly refer to your Memorandum No. 5/26/64-Est..II, dated 25th August, 1975, in which I was informed that mode of recruitment to the post of Junior Booker is 50% by promotion by selection from amongst the Film Shippers in the Films Division & 50% by direct recruitment through the Employment Exchange and not by promotion from amongst the Lower Division clerks.

2) In view of the above recruitment rules, I do not understand the circumstances which compelled the authorities to promote 8 (Eight) LDCs in other Branch and 2 L.D.Cs in Lucknow Branch to the post of Junior Booker. It is evident that my name was knowingly omitted for promotion and I was discriminated from the rules under whom the LDCs were promoted.

Again, I shall be grateful if you kindly reply on above point i.e. on para 2 of as to why my candidature was rejected without having any valid grounds and discriminated from those LDCs already working as Junior Booker.

Awaiting for favourable & early reply in the matter.

Thanking you,

Yours faithfully,

Dated the Lucknow,  
Nov. 20th, 1975.

TRUE COPY

Sd/-  
( Krishan Lal ) LDC

PETITIONER.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRI SHAN LAL

.....

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS

.....

Respondents.

W.P. NO.

of 1980.

ANNEXURE NO. XII

NO.5/26/64-Estt.II

Films Division

Ministry of Information and Broadcasting  
Government of India

24- Pedder Road, Bombay-26.  
Dated the 6th December, 1975.

M E M O R A N D U M

Subje ct: Representation from Shri Krishan Lal,  
L.D.C. for appointment as Jr. Booker.

.....

With reference to ~~xxxx~~ his representation dated  
20.11.1975 on the subject noted above, Shri Krishan Lal is  
informed that the points raised by him have already been  
considered several times and the correct position was intimated  
to him vide this office Memo. number ~~men~~ dated 25.8.1975. As  
such no further clarification is necessary in this regard.

Sd/-

( M.Chandran Nair)

Asstt. Administrative Officer  
for Administrative Officer.

Shri Krishan Lal,  
Lower Division Clerk,  
Films Division,  
Lucknow.

TRUE COPY

Petitioner.

A2  
39 (35)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

.....

PETITIONER.

Vs.

UNION OF INDIA & OTHERS

.....

RESPONDENTS.

W.P. NO.

of 1980.

ANNEXURE NO.XIII

DATED: HAZRATGANJ:  
NOV.R. 24th, 1977.

The Administrative Officer,  
Films Division(Govt.of India),  
24- Dr. G. Deshmukh Marg.,  
BOMBAY 400.026.

THROUGH: PROPER CHANNEL.

Sir,

I beg to enclose herewith the application dated 23/24-11-77 duly filled in by me for the post of Junior Booker, as per advertisement NO.46/77 of CENTRAL EMPLOYMENT EXCHANGE NEW DELHI published in 'Weekly Employment News' dated 19-11-77.

The cutting of advertisement from the Weekly Employment News, is already enclosed with Sri B.N.Yadav's application which may be perusal.

I, therefore, very kindly request you to forward my application to the Central Employment Exchange, Kundan Mansion, Asaf Ali Road, New Delhi at the earliest as the last date of receipt of application is 3/12/1977.

Further I request you that since the vacancies of JUNIOR BOOKER are vacant against Scheduled Caste's quota also, and under your kind control, the TERMS OF AGE MAY VERY KINDLY BE RELAXED IN MY CASE and the Central Employment Exchange, may kindly be informed accordingly.

Thanking you,

Encl.

Application alongwith  
copy of certificates.  
6 Nos.

Yours faithfully,

Sd/-

(KRISHAN LAL)

PMT.LDC

FILMS DIVISION

LUCKNOW BRANCH.

Contd...2.....

AB  
4c

36

- 2 -

U.P.C.

An Advance copy is forwarded to the Central Employment Exchange, Kundan Mansion, Asaf Ali Road, New Delhi for information. The original copy alongwith application form & copies of certificate is reaching as early as possible in your office.

Encl. 2

Sd/-

( KRISHAN LAL )

LDC.

TRUE COPY

PETITIONER.

Wu7/76/80  
Signature  
Sla/80

Signature Sd/-  
H.C.  
Wu7/76/80  
Sla/80

K/41  
(37)

APPLICATION FORM FOR VACANCIES ADVERTISED BY THE DIRECTOR  
GENERAL OF EMPLOYMENT AND TRAINING 2/ A-3, KUNDAN MANSION ASAF  
ROAD NEW DELHI: 110002.

(Central Employment Exchange)

THROUGH: PROPER CHANNEL

N.B.: Before filling the application Form, please read carefully the instructions to candidates given at the end.

1. Application for the post: Junior Booker  
2. Employment Exchange: Advertisement No.46/77  
3. Registration Number: Sl. No. of advertisement  
No. 11  
4. Name of Candidate (In Block-Letters). Krishan Lal  
5. Address in full: FILMS DIVISION GOVT. OF INDIA:  
LUCKNOW BRANCH (U.P.)  
6. Nationality: Indian Whether Scheduled Caste: YES  
(Copy of certificate enclosed herewith).  
7. Date of birth (In Christian Era): 5th June-1941  
8. Whether married/ Single: Married  
9. (a) Mother Tongue: Hindi  
(b) Other language read/write: English  
Speak.

10. Academic/professional qualifications (Give particulars of examinations passed commencing from High School or Equivalent examination indicating certificate/Degree/Diploma obtained, attached copied of certificates (Original not be sent)).

SL No.	Examination passed.	Divn. or marks.	Year	board/ University.	Medium of Exam.	Subject taken.
1.	High School Suppl.	1959	Board of High School & U.P. Allahabad.	Hindi	1) Hindi (2) English 3) Mathematics (4) Biology 5) Science (6) Art.	Intermediate Exam.
2.	Intermediate Division	IIIrd	1966	-do-	-do-	1) Hindi (2) English 3) Economics (4) Book Craft.
3.	B.A.	IInd	1969	Lucknow University Lucknow	1) History (2) Ancient Indian History 3) History & Culture of Asian People 4) Gen Sanskrit.	

1/1/1980  
Krishan Lal  
Sl. No. 11

AV  
42

(38)

- 2 -

4. LL.B. IIInd Yr. 1970 Lucknow Uni-  
Ist Year. versity Lko.

- 1) Contract
- (2) Constitution of India
- 3) International Law
- 4) Indian Legal History
- 5) Indian Partnership Company & Nego.

8. Experience (Please give particulars in Chronological order).

SL. NO.	NAME OF Employer.	Designation	Nature of duties	Period from	Last pay drawn
---------	-------------------	-------------	------------------	-------------	----------------

1.	Chief Engr. UP PW D, Lucknow	LGC	Accounts work	15 Sep. 60 to Aug 25, 1964	Rs. 115/- p.m.
2.	Adm. Officer Films Division 24-Pedder Road, Bombay-26.	LDC	Booking/ Accounts	August 26th upto date.	Rs. 532/- p.m.

9. Are you prepared to be posted anywhere in India: YES

10. Preference: if any for State of posting: Lucknow (UP)

11. (a) Have you any information in addition to what has been given Item No. 7 & 8 above regarding your:-

{ (a) Qualification  
(b) Experience  
(c) Training  
(d) Research  
(e) Publication } NIL

(b) Particulars of NCC or other extra curricular activities: NIL  
(c) Name and address of three references (of whom one must be your present employer in Employment).

1. Shri R.N. Kureel, Accountant  
Distt. Engr. Telephones (Bhopal House),  
Lucknow (Audit Section) U.P.

2. Sri N.S. Shrivastava, Steno,  
Dt. of Field Publicity, Govt. of India,  
Vidhan Sabha Marg, Lucknow.

3. Sri R.P. Sharma, Branch Manager,  
Films Division, Lucknow-226001

~~True copy~~ I solemnly declare that the statements made by me in this form are correct to the best of my knowledge and belief.

Dated: Lucknow,  
Novr. 23rd, 1977.

Sd/-  
( KRISHAN LAL )  
L.D.O.  
Films Division:  
Lucknow Branch.

TRUE COPY

PETITIONER.

A2/43 (39)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

.....

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS .....

RESPONDENTS.

W.P. NO.

of 1980.

ANNEXURE NO. X IV

Registered A/D

NO.A-12021/4/76-Estt.II

Films Division

Ministry of Information and Broadcasting  
Government of India

24- Pedder Road, Bombay-26,  
Dated the 2nd May, 1978.

MEMORANDUM

As requested by Shri Z-Hasan, Q.P. I.D.C, his case for appointment as Jr. Booker against direct recruitment quota is being considered alongwith outside candidates. He is required to appear for interview for this purpose on 17-5-78 at 10.00 AM in this office at the address given above. Shri Zahirul Hasan may appear for the interview at the time and date specified above.

2. It may please be noted that he will not be paid any travelling allowance or out of pocket expenses and that there is also no guarantee that he will be appointed to the post.

Sd/-

( M.K.JAIN )

Asstt. Administrative Officer  
for Administrative Officer.

Shri Z. Hasan,  
Q.P.I.D.C., Lucknow.

TRUE COPY

PETITIONER.

P/44 (40)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

.....

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS .....

RESPONDENTS.

W.P.NO.

of 1980.

ANNEXURE NO.X V

To,

The Administrative Officer,  
Films Division(Govt. of India),  
24- Pedder Road,  
Bombay-26.

Subject: Interview for the post of Junior Booker in  
Lucknow Branch.

THROUGH: PROPER CHANNEL.

Sir,

.....

One post of Junior Booker is lying vacant at Lucknow Branch and I want to appear in the Interview to be held at Bombay on 17th May, 1978 as departmental candidate. I understand through your letter No. A 12021/4/76-Estt.II, dated 2nd May, 1978 that only three persons were called for interview from Lucknow Branch who have sent thrie request in writing. It is very strange that the requests of above perso were considered but my several representation for the post of Junior Booker were ignored. This is clear violation of rights, equality or opportunity, guranteed in the constitution. Secondaly I belong to Scheduled Caste community and I must got preference on this particulars post for which I am requesting the authorities for the last several years.

*147/76/82  
Signature  
5/9/78*  
I shall be grateful if my candidature may also be considered and I may be allowed to appear in the interview.

Thanking you,

Yours faithfully,

Sd/-

(KRISHAN LAL)

L.D.C.  
LUCKNOW BRANCH.

*147/76/82  
Signature  
5/9/78*  
Dated: Lucknow,  
May 9th, 1978.

An advance copy is forwarded to the Administrative Officer, Films Division, Govt. of India, 24-Pedder Road, Bombay-26 for information and issue of permission to appear in the interview.

29/5/78

Sd/-  
(KRISHAN LAL)  
L.D.C.

TRUE COPY

*147/76/82  
Signature*  
PETITIONER

A2  
45 (41)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

-----

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P.NO.

of 1980.

ANNEXURE NO.XVI

Relaxations and Concessions for  
Scheduled Castes and Scheduled-  
Tribes Candidates.

7.1 Age limit.

The maximum age-limit  
prescribed for direct recruit-  
ment to a service or post shall  
be increased by 5 years in the  
case of candidates belonging to  
Scheduled Castes and Scheduled-  
Tribes.

*447/176/80  
5/1/80  
Krishan Lal  
447/176/80  
5/1/80*

7.2 Where an upper age-limit  
not exceeding 50 years is prescribed  
for promotion to a service/post it  
shall be relaxed by 5 years in the  
case of candidates belonging to  
Scheduled Castes and Scheduled-  
Tribes. This, however, would not  
apply to posts which have arduous  
field duties or are meant for  
operational safety and to posts in  
para-Military Organisations.

Order issued by the  
Ministry of Home Affairs  
Resolution No. 42/19/51  
NGS dated 25-6-52

and

No. 15/1/55-(SCT) dated  
30.4.55 and

No. Depatt. of Personnel  
O.M. NO. 21/9/70-Est. (SCT)  
dated 8.12.1971.

TRUE COPY

PETITIONER.

(42)  
46

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

-----

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P.NO.

of 1980.

ANNEXURE NO. XVII

NO. Est. 25/78/L  
FILMS DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
GOVERNMENT OF INDIA

Hazratganj, Lucknow,  
Dated the 22nd July, 1980.

MEMORANDUM

Subject: Recruitment to the post of Junior Booker under  
direct quota- Application of Shri Krishan Lall, LDC

With reference to his application dated 17-7-1978, Shri Krishan Lall, L.D.C. is informed as under:-

- i) The exact date of H.O. Circular No. A-12021/22/76-Estt. II, is 21.9.1976 and not 21.9.1977.
- ii) The Circular was received in this office on 4-10-1976 and was circulated amongst the concerned officials on 5-10-1976.
- iii) Shri Krishan Lall did not attend office from 5-10-76 to 8-10-76 as he was on leave on Medical Grounds. Since 9/10 October '76 were closed holidays (2nd Saturday & Sunday), he resumed duty on 11-10-1976.
- iv) According to age limit prescribed by H.O. in the Circular, Shri Krishan Lal was overaged.
- v) His application dated 24-11-77, addressed to the Administrative Officer, was forwarded to H.O. on 26-11-1977 vide this office letter No. Est. 25/77/L, dated 26-11-77.

Sd/-  
( R.P. SHARMA )  
BRANCH MANAGER

Shri Krishan Lall,  
Pmt-LDC  
Films Division  
Lucknow.

TRUE COPY

*Mr. Sharman*  
PETITIONER.

(43)

A2  
47

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P. NO.

of 1980.

ANNEXURE NO. XVIII

NO. A-12021/4/78-Est. II  
FILMS DIVISION  
MINISTRY OF INFORMATION AND BROADCASTING  
GOVERNMENT OF INDIA

24- Pedder Road, Bombay-26.  
Dated the 10th July, 1978.

MEMORANDUM

Subject: Recruitment to the post of Junior Booker under direct quota- representation of Shri Krishan Lal.

.....

With reference to his representation dated the 9th May, 1978 on the subject noted above, Shri Krishan Lal, Permanent Lower Division Clerk, in the Branch Office at Lucknow is informed that the position in regard to recruitment to the post of Junior Booker has already been intimated to him in this office Memo. No. 5/26/64-Estt. II, dated the 4th April, 1975. This office had subsequently issued Circular No. A-12021/22/76-Est. II, dated the 21st Sept. 1977 calling for applications from Lower Division Clerks in this Division willing to be considered for appointment as Junior-Booker alongwith direct candidates. Shri Krishan Lal, did not apply in response to the office Circular or even the advertisement issued by the Central Employment Exchange. He could not be called for interview on 17-5-1978. The question of calling for interview on 17-5-1978 also which not arise as his representation was received in this office only on 15-5-1978.

Sd/-

( M. CHANDRAN NAIR )  
ADMINISTRATIVE OFFICER

442/26/80  
SK/1/26/80  
5/9/80  
Shri Krishan Lal,  
Permt. Lower Division Clerk,  
Films Division, Lucknow.

TRUE COPY

PETITIONER.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

**LUCKNOW BENCH LUCKNOW.**

KRISHAN LAL

**PETITIONER.**

VS.

Union of India and Others -----

**RESPONDENT**

W . P . N O .

of 1980.

ANNEXURE NO. XVI

Dated Lucknow Feb- 21st, 1980.

TO,

1) The Chief Producer      2) The Administrative Officer } Films Division- Govt. of India, 24- Pedder Road, Bombay: 400.026.

**Subject:** Officiating/promotion in the post of Junior Booker/  
Upper Division Clerk in Films Division-Lucknow Branch.

Reference: My representation on dated 27-10-78 and reminder dated 13-12-1978

Through: Proper Channel.

sir,

Kindly refer to my application referred to above, in which I invited your kind attention towards discussion held with you during the course of your last visit to this branch in the year 1978, you had very kindly given me assurance that officiating chance of JUNIOR BOOKER would be provided to me upto any vacancy arises in this branch. But nothing has been heard from you upto now.

2) Besides, I am also to point out that the post of UPPER DIVISION CLERK in Lucknow Branch is lying vacant for appointment/promotion since last one year. Since I am the Senior most LDC in the branch and also belong to the Scheduled-Caste community, my case for promotion to the post of UPPER DIVISION CLERK may kindly be considered sympathetically.

In the circumstances stated above, I shall request your honour to kindly issue necessary instructions to the Administrative Officer to consider my request as above and issue orders sympathetically in my favour.

An early favourable reply in the matter is solicited.  
Thanking you,

Yours faithfully,

Rs/-  
( KRISHAN LAL )  
Bmt. LDC  
Lucknow Branch

U.P.C. Lucknow Branch

- 1) An advance copy is forwarded to the Chief Producer, Films Divn., Govt. of India, 24. Pedder Road, Bombay-26.
- 2) The Administrative Officer, Films Division-Bombay-26.

TRUE COPY

PETITIONER.

Sd/-  
( KRISHAN LAL )  
IDC :

12/49 45  
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.  
LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P. NO.

OF 1980.

ANEXURE NO. XXXX XX

NO. A 12021/21/79-Est. II  
FIIMS DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
GOVERNMENT OF INDIA

24-Pedder Road-Bombay-20  
Dated the 26th February,

MEMORANDUM

Subject: Promotion for the post of Jr. Booker/U.D.C.

With reference to ~~xxxxxx~~ his representation dated 21st February, 1980 on the subject noted above, Shri K. Pmt. Lower Division Clerk is informed that at present there is no vacancy of Junior Booker at Lucknow Branch. Hence it is not possible to consider his request for the post of Junior Booker. As regards promotion to the post of U.D.C., he is informed that his request will be considered as and when the turn comes for promotion to the post of Upper Division Clerk.

Sd/-

( S. N. SINGH )  
Asstt. Administrative Officer  
for Administrative Officer

Shri Krishan Lal,  
Pmt. Lower Division Clerk,  
Films Division,  
Lucknow.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.  
LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS -----

RESPONDENTS.

W.P. NO.

OF 1980.

ANNEXURE NO. XXXX XX

NO. A-12021/21/79-Est. II  
FILMS DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
GOVERNMENT OF INDIA

24 Pedder Road-Bombay-26.  
Dated the 26th February, 1980.

MEMORANDUM

Subject: Promotion for the post of Jr. Booker/U.D.C.

With reference to ~~xxxxxx~~ his representation dated the 21st February, 1980 on the subject noted above, Shri Krishan Lal Pmt. Lower Division Clerk is informed that at present there is no vacancy of Junior Booker at Lucknow Branch. Hence it is not possible to consider his request for the post of Junior Booker. As regards promotion to the post of U.D.C., he is informed that his request will be considered as and when his turn comes for promotion to the post of Upper Division Clerk.

Sd/-

( S. N. SINGH )  
Asstt. Administrative Officer  
for Administrative Officer.

Shri Krishan Lal,  
Pmt. Lower Division Clerk,  
Films Division,  
Lucknow.

TRUE COPY

PETITIONER

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD.

LUCKNOW BENCH LUCKNOW.

KRISHAN LAL

.....

PETITIONER.

Vs.

UNION OF INDIA AND OTHERS .....

RESPONDENTS.

W.P.NO.

OF 1980.

ANNEXURE NO. XXI

NO.A.12021/21/79-Estt.II  
FIIMS DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
GOVERNMENT OF INDIA

Hazratganj, Lucknow.  
Dated the 4th July, 1980.

ORDER

The following appointment are hereby ordered with immediate effect:-

1) Shri K.K.Chawla, Bmt. Junior Booker in Lucknow Branch is appointed to officiate as Sr. Booker in same branch office on ad-hoc basis until further orders vice Shri M.Mukhopadhyaya transferred to Calcutta.

Shri B.N.Yadav Bmt. Lower Division Clerk in Lucknow Branch is appointed to officiate as Jr. Booker on ad-hoc in same branch office vice Shri K.K.Chawla appointed as Senior Booker until further orders.

Sd/-

( S.N.SINGH )  
Asstt. Administrative Officer.

Attested

Sd/-

( G.K.D.NAG )  
BRANCH MANAGER  
FIIMS DIVISION  
Govt.of India  
Hazratganj, Lucknow.

TRUE COPY

PETITIONER.

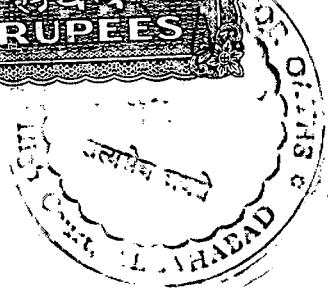
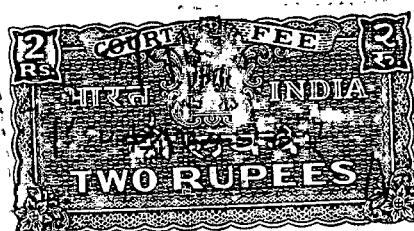
IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

Writ Petition No.

of 1980.

1980  
AFFIDAVIT  
4/7/76  
HIGH COURT  
ALLAHABAD



Sri Krishna Lal.....Petitioner.

Versus

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

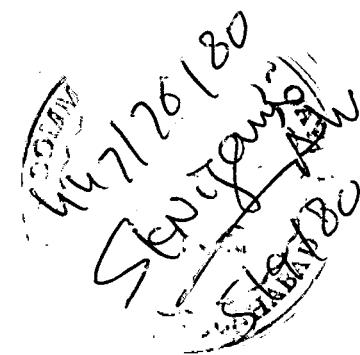
A F F I D A V I T.

Sri Krishna Lal, aged about  
39 years, son of late Sri  
Jagga Nath, resident of House  
No. 281/352, Mawaiya, Lucknow.

.....Petitioner...  
DEPONENT.

Verdict

I, the deponent abovenamed, do hereby



High Court  
Petition No. 4/7/76/80  
SRI KRISHNA LAL  
Dependent  
Allahabad

A3  
2

48  
52

-2-

solemnly affirm and state on oath as under:-

1. That the contents of paras 1 to 25 of the accompanying Writ petition are true to my own knowledge.
2. That the Annexures I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX and XXI are the true copies which have been compared with the originals.

Krishna Lal  
DEPONENT

LUCKNOW:

DATED: SEPTEMBER 5<sup>th</sup>, 1980.

VERIFICATION

I, Krishna Lal, the deponent do hereby verify that the contents of paras 1 and 2 of the affidavit are true to my own knowledge. No part of it is false and nothing material has been conceal. So help me God.

*On 5th September 1980*  
Signed and verified this affidavit on this  
5<sup>th</sup> day of September 1980 at Court's Compound,  
Lucknow.

Krishna Lal  
DEPONENT

I identify the deponent  
who has signed before me.

*Advocate*

~~145~~  
3

53

-3-

Solemnly affirmed before me on 5/9/80  
at 12:30 A.M./P.M. by Sri Krishna Lal, the  
deponent, who is identified by Sri P.K.Khare,  
Advocate, High Court, Allahabad, Lucknow Bench,  
Lucknow.

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

Scn. J. A. D.  
E. No. 1  
Date 5/9/80  
S. No. 1  
S. No. 1  
S. No. 1

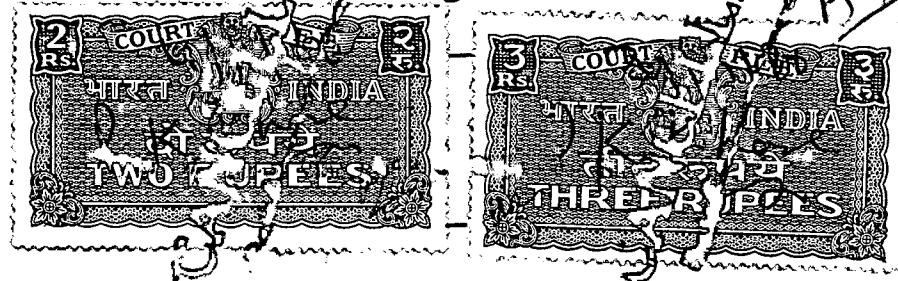
5/9/80  
Scn. J. A. D.  
S. No. 1

ब अदालत श्रीमान  
वादी मुद्दई  
प्रतिवादी (मुद्दालेह)

High Country  
Luc Knock Bench, buckknock

वकालतनाम

## Writ Petition



Sri Krishna Lal

वाढी (मुद्दई)  
(अपीलान्ट)

## बनाम Union of midwives प्रतिवादी

## प्रतिवादी [मुद्दालेह] (रेस्पॉडेन्ट)

ने मुकद्दमा सन् १६ पेशी की ता० P. K. Kher  
ऊपर लिखे मुकद्दमा में अपनी और से श्री  
H. C. Sankarappa H. C. Sankarappa एडवोकेट, महोदय  
वकील

को अपना वकील नियुक्त करके प्रतिज्ञा [इकरार] करता हूँ और लिखे देता हूँ इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रूपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रूपया जमा करें या हमारी या विपक्षी [फरीकसानी] का दाखिल किया रूपया अपने या हमारे हस्ताक्षर-युक्त [दस्तखती] रसीद में लेवें या पेच नियुक्त करें। वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अद्य ऐरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी। इसलिए यह वकालतनामा दिया कि प्रमाण रहे और समय पर काम आवें।

हस्ताक्षर १ .....  २

3

8

हस्ताक्षर

संस्कृत

सात्री (गवाह)

.....साक्षी (गवाह):

हिन्दूका

‘माह’

संख्या १५

४८०

9 in the Hon'ble High Court of Judicature at  
ब अदालत श्रीमान Lucknow . महोदय

वादी(मुहर्ई) प्रतिवादी (मुद्दाप्रेष्ट) का वक्तालतनामा  
Writ Petition No. 3301 of 1980



Sri Krishna Lal बनाम

Union of India & others प्रतिवादी (मुद्दाप्रेष्ट)

नाम अदालत	मुकदमा	क्रमांक
	नं०	

नं० मुकदमा सन् १९ पेशी की ता० १९ ई०  
ऊपर लिखे मुकदमा में अपनी ओर से श्रीउमेश कुमार श्रीवार्षि  
Sri Umesh Kumar Srivastava एडवोकेट  
महोदय  
कल्पना

को अपना वकील नियुक्त करके प्रतिज्ञा [इकरार] करता हूँ और  
लिखे देता हूँ इस मुकदमा में वकील महोदय स्वयं अथवा अन्य  
वकील द्वारा जो कुछ पैसवी व जवाबदेही व प्रश्नोत्तर करें या अन्य  
कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी  
जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल  
दाका तथा अपील व निगरानी हमारी ओर से हमारे या अपने  
हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें  
या कोई रुपया जमा करें या हमारी या विपक्षी [फरीकसानी] का  
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त [दस्तखती]  
प्रसीद से लेवें या पंच नियुक्त करें - वकील महोदय द्वारा की  
गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिए  
यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर

Accepted काम आवे ।

Umesh Kumar Srivastava

रमेश कुमार श्रीवार्षि

एडवोकेट

प.र. घर्यांग रोड पुल मार्ग लाल, लखनऊ सान्धी (गवाह)

हस्ताक्षर Ramycd 01  
0.8.1980

सान्धी (गवाह)

दिनांक २९

महीना

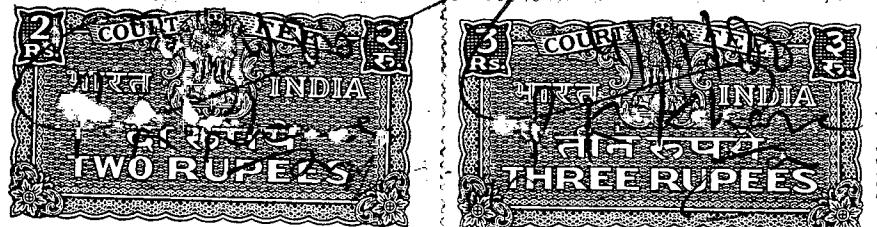
१९८२ ई०

AS (56)  
Cmss No 6596(6) - 1980 Asst

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW.

Writ Petition No 3345 of 1980



2nd Jesh  
11/11/80

Sri Krishna Lal, aged about 39  
years, son of late Sri Jagga Nath,  
resident of House No. 281/352,  
Mawaiya, Lucknow.

.....Petitioner.

Versus

1. The Union of India through  
Secretary, Ministry of Information  
and Broadcasting, New Delhi.
2. Chief Producer, Films Division,  
Government of India, 24, Poddar  
Road, Bombay - 26.
3. Branch Manager, Films Division,  
Hazratganj, Lucknow.

Received police for today  
Jesh 2. Jined  
for ops 163  
12/11/80

4. Sri B.N.Yadav, adult in age,  
father's name not known to the  
petitioner, Junior Booker, Films  
Division, Hazaratganj, Lucknow.

.....Respondents.

APPLICATION FOR STAY

To,

The Hon'ble Justice and his companion Judges  
of the aforesaid Court.

The humble petition on behalf of the peti-  
tioneer abovenamed, most respectfully sheweth as  
under:-

That for the reasons disclosed in the  
accompanying writ petition it is most respectfully  
prayed that this Hon'ble Court may graciously be  
pleased that further promotions on the posts of  
junior Booker may not be effect amongst the  
persons working in the cadre of Lower Division  
Clerk till the disposal of this writ petition, and  
such other orders may also be passed as this Hon'ble  
Court may deem fit and proper in the circumstances  
of the case.

LUCKNOW:

DATED: ~~20~~ NOV 4, 1980.

(P.K.KHARE)

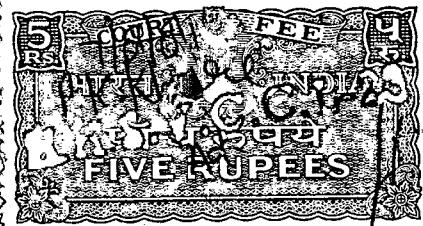
ADVOCATE,

COUNSEL FOR THE PETITIONER.

Franklin D. Roosevelt Library

Comm No. 7779 (C) 101

12/2/1987



Kishan Lal

3/11/09 - - - - - Kellogg BS

Union of Radicals in Bedford

W.P.A. no 3381 of 80

## Application for Condonation of Delay

The following are named most respectful  
States as under:

- (1) That the above case is decided today  
with that (T).
- (2) That the petition can help  
the steps in time.
- (3) That the petition is helping the steps  
for removing the respondent no. 2.

to confirm it is proposed that  
the said Mandate Cont. may graciously  
be pleased to condone the delay in  
fixing the day after next  
the same on record.

— *W. C.* —

Detd 3/9/81

Conselho de Fazenda

(59)  
P6  
2

In the Hon'ble High Court of Judicature at-  
Lucknow.

Writ Petition No. 3301 of 1980

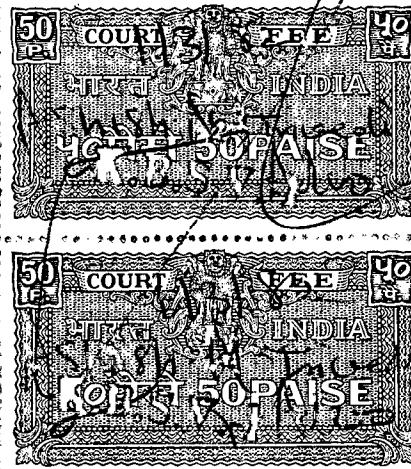
Sri Krishna Lal — Petitioner  
— VS —  
Union of India & others — opp. parties

In the above noted case  
I am filing herewith Vakalatnama  
on behalf of opposite party no. 4,  
which may be kept on record.

Umesh Kumar Srivastava  
(Umesh Kumar Srivastava)  
Advocate  
Counsel for opp. party no. 4

Lucknow  
Dated: 29-1-82

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



Civil Misc. Appln.no. 2219 (C) (W) of 1982

Union of India and others .... Applicants

In re

Writ Petition no. 3301 of 1980

Krishnalal .... Petitioner

Versus

Union of India and others .... Opp. Parties.

Application for condonation of delay in filing  
the counter affidavit on behalf of OP 1 to 3

The applicants abovenamed most respectfully  
beg to state as under:

1. That the aforementioned writ petition was  
admitted by this Hon'ble Court on 25.3.1981 and the opp.  
parties 1, 2 and 3 were granted 6 weeks time to file the  
counter affidavit.

2. That the counsel for the opposite party no. 1  
3 prepared the parawise comments and were sent to the  
opposite party no. 3 for onward transmission to the  
Administrative Officer, Films Division, Bombay for gett  
the same vetted by the Law Ministry of the Government of  
India.

3. That after the receipt of the duly vetted dr  
counter affidavit the fair counter affidavit was prepar  
and was sent to the Administrative Officer, Films Dvn.  
Government of India, Bombay.

HT  
22/9/81

Plsck D Dvncd  
AB

AT 61  
2/8/82

2.

4. That the duly sworn counter affidavit has been received and is being filed without any further loss of time.

5. That the delay in filing the counter affidavit is bonafide, not deliberate and is ~~being fixed~~ liable to be condoned.

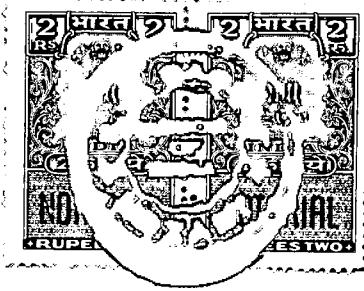
Wherefore, it is prayed that the delay in filing the counter affidavit may kindly be condoned and the said is liable to be taken on record.

Lucknow: Feb. 3/3/1982

Abhish D. Dived  
Counsel for the Applicat

A2/3 (62)

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



Counter Affidavit on behalf of  
Opposite parties No.1, 2 and 3.

In re

Writ Petition No. 3301 of 1980

Krishnalal .... Petitioner

Versus

Union of India and others .... Opp. Parties

I, N. N. Sharma,  
aged about 53 years, son of  
Sri Brij Kishore Sharma  
(Designation) Administrative Officer  
Office Films Division, Government of India  
do hereby solemnly affirm and  
state as under:

1. That the deponent is the Administrative Officer, Films Division, Government of India, Bombay and is fully conversant with the facts deposed to herein.
2. That the deponent has read the writ petition filed by the petitioner and has understood the contents thereof.
3. That in reply to the contents of paragraph 1 of the writ petition it is stated that Sri Krishan Lal was appointed as Lower Division Clerk in the ~~Office~~ Branch of this Division at Lucknow with effect from 26.8.1964. Sri Krishan Lal has also passed B. Degree examination.

1st page, corrs.  
Attestor

S. Sharma  
Deponent

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4. That in reply to the contents of paragraph 2 of the writ petition it is stated that Sri Krishan Lal was appointed in substantive capacity in the post of LDC with effect from 26th August, 1966. However, it is not correct that the career of Sri Krishan Lal, LDC remained unblemished. The annual confidential reports of Sri Krishan Lal, LDC for the years 1967-68, 75-76, and 1978 were not satisfactory.

5. That in reply to the contents of paragraph 3 of the writ petition it is stated that LDC working in Films Division are permitted to be appointed to the post of Jr. Booker is not correct. According to the Recruitment Rules for the post of Jr. Booker 50% of the posts are filled up from amongst Film Shippers working in Films Division who have put in 5 years service and 50% by Direct Recruitment. As such the post of Jr. Booker cannot be treated as promotion post for Lower Division Clerks. No doubt against the Direct ~~Recruitment~~ Recruitment quota of 50% not only Lower Division Clerks but also any category of staff who fulfill the prescribed qualifications can apply and can be considered on merit and not because they are working as Lower Division Clerks in Films Division. The post of Upper Division Clerks is 100% promotion post and is filled up on Seniority cum fitness basis from amongst Lower Division Clerks who have put in 5 years service in the grade.

6. That in reply to the contents of paragraph 4 of the writ petition it is stated that no Lower Division Clerk is considered for the post of Jr. Booker and no such panel for the post of Jr. Booker from Lower Division Clerks is formed.

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

2nd page, corrs.

Attester

Re:   
Deponent

A7  
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64  
SF

8. That in reply to the contents of paragraph 6 of the writ petition it is stated that for filling up the 9 posts of Jr.Booker (8 direct and 1 promotion) the posts were advertised by the Central Employment Exchange on 19.11.1977. The interview for the post of Jr.Booker for departmental candidates as well as outside candidates was held on 12.5.1978, 16.5.1978 and 17.5.1978. The Departmental Promotion Committee met on the above dates and drew up a panel for the post of Jr.Booker. From this panel the undermentioned officials were appointed as Jr.Bookers against the 9 posts as under vide office order no.A-12021/4/76-Est.II dated 21.7.1978 :

Sr.No.	Name of official	Place	Dt.of appt. as Jr.Booker
1.	Sri J. Gimamony	Trivandrum	25.5.78
2.	" O.A. Sankuru	"	"
3.	" E.C. Yatta	Nagpur Br.	"
4.	" K. Kasiappa	Bangalore Br.	"
5.	" Mohan Raj	Hyderabad Br.	24.7.78
6.	" H.S. Saraf	Dist.Wing,Bombay	"
7.	" P.N. Sankaran	Bangalore Br.	"
8.	" J.L. Chikhekar	Distt. H.O.	"
9.	" H.S. Vaity	"	"

The following Film Shippers were also appointed as Jr.Bookers against the promotion quota vide this office order no.A-12021/4/76-Est.II dated 30.5.78 which are as under :-

1.	Sri G.K. Shedge	Bombay	1.6.1978
2.	" Ashit B. Charaborthly	Calcutta	From the date he assumes charge

3rd page, corrs.  
Attestor

S. Anna  
Deponent

AJ  
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SF  
6

9. That in reply to the contents of paragraph 7 of the writ petition it is stated that the interview of Sri Krishan Lal, LDC for the post of Jr. Booker was held on 20.3.70 at Lucknow Branch by the Departmental Promotion Committee consisting of Branch Manager, Salesman and Sr. Booker. Though he was found fit for the post of Jr. Booker the Branch Manager, Lucknow has pointed out vide his letter no. Admn.2/68/L dated 1.4.70 that Sri Krishan Lal takes leave frequently and this fact has been indicated in his annual report. In view of this we had written to Branch Manager, Films Division, Lucknow vide this office D.O. letter no.2/1/68-Est.II dated 25.5.1972 that the case of Sri Krishan Lal would be placed before the selection committee and we wanted the Branch Manager's views on the suitability of Sri Krishan Lal for the post of Jr. Booker. The Branch Manager, Films Division, Lucknow vide his letter no. BM Per/72/L dated 12/13.6.72 informed that there is no improvement in Sri Krishan Lal in taking frequent leave. The Departmental Promotion Committee consisting of Administrative Officer (2) O.C.D. (3) Asstt. Admin. Officer met on 14.7.1972 to consider the suitability of Sri Krishan Lal for the post of Jr. Booker. The DPC did not consider him suitable for the post of Jr. Booker as per minutes of the D.P.C. enclosed. Sri Krishan Lal LDC was informed accordingly vide this office Memo no.2/1/68-Est.II dated 18.7.72.

10. That in reply to the contents of paragraph 8 of the writ petition it is stated that no minutes of the Selection Committee were prepared for the post of Jr. Booker is not correct. He was not found fit for the post of Jr. Booker by the Departmental Promotion Committee.

11. That the contents of paragraphs 9 and 10 of the writ petition are not disputed.

4th page, corrs.  
Attestor

Ramya  
Deponent

12. That in reply to the contents of paragraph 11 of the writ petition it is stated that Sri Krishan Lal was suitably informed vide this office memorandum dated 4th April, 1975 vide paragraph (III) with reference to his representation dated 4th April 1975 that in 1972 when he had applied for the post of Jr. Booker in response to an advertisement his case was duly considered by the Selection Committee but he was not found suitable for appointment to the post. In this connection it may further be stated that Sri Krishan Lal LDC had also taken up the matter directly with the Secy., Scheduled Caste Uplift Union U.P. State Branch, Lucknow. He was informed vide para 2 of this office memorandum referred to above that it has been observed that he has also been bringing outside influence in matters arising out of his service, which is against the provisions of rule 20 of the Central Civil Service (Conduct) Rules, 1964. He was also warned that he should desist from doing so in future (copy of office memorandum dated 4.4.1975 is relevant) since the post of Jr. Booker and Upper Division Clerk were to be filled on adhoc basis as Local arrangement in Films Division, Bombay the following officials were appointed as Jr. Booker on adhoc basis purely as a local arrangement as detailed in Annexure VIII :

1. Mum.S.H. Rupani appointed as Jr. Booker w.e.f. 16.1.74
2. Sri T.N. Kulla appointed as Jr. Booker w.e.f. 16.1.74
3. Sri C.Vijayaraghavan appointed as Jr. Booker w.e.f. 16.1.74

The above officials were later reverted as being appointed on adhoc basis.

13. That in reply to the contents of paragraphs 12 and 13 of the writ petition it is stated that Lower Division Clerks mentioned by him were promoted as Jr. Booker on adhoc basis purely as a local arrangement.

5th page, corresp.

Attestor

Sh. Anna  
Deponent

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14. That in reply to the contents of paragraph 14 of the writ petition it is stated that the LDCs were selected as Jr. Bookers as they had applied for the post in response to advertisement issued against the Direct Quota. The question of considering Sri Krishan Lal LDC therefore, does not arise.

15. That in reply to the contents of paragraphs 15 to 19 of the writ petition it is stated that in response to the advertisement published on 19.11.77 Sri Krishan Lal did not apply in response to this office circular dated 21.9.76 calling for applications from LDCs willing to be considered for appointment as Jr. Bookers alongwith Direct candidate. Hence, he could not be called for interview on 17.5.78. Sri Krishan Lal LDC was informed accordingly vide Office Memo dated 10.7.1978.

16. That in reply to the contents of paragraphs 20 to 23 of the writ petition it is stated that the post of Jr. Bookers fell vacant vice Sri K.N. Chawla who was appointed as Sr. Bookers on adhoc basis Sri Krishan Lal was also considered for the post by the D.P.C. but Sri B.N. Yadava who was on the panel was found fit for appointment who was appointed on purely adhoc basis to the post of Jr. Bookers vide office order dated 4.7.1980.

17. With reference to paragraphs 24 and 25 of the writ petition it is stated that the allegations made in these paras are denied. The points stated in these paras have been explained hereinabove. It is, therefore, prayed that the writ petition should be dismissed with costs.

Lucknow

Ramya  
Deponent

I, the deponent abovenamed to hereby verify that the contents of paragraphs 1 to 17 ----- of the affidavit are true to my personal knowledge and the contents of paragraphs 6th page, corrs.

Attestor

Ramya  
Deponent

A7  
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(68)

of affidavit are true to my information derived from the records which are believed by me to be true and the contents of paragraphs 1 to 17 ----- of the affidavit are based on legal advice. No part of it is false and nothing material has been concealed. So help me God.

solemnly affirmed and  
signed before me at

this ~~31st day of August, 1981~~

R. A. Gagrat, 2nd of Jan. 1982

R. A. Gagrat  
Deponent

BEFORE ME  
R. A. GAGRAT  
NOTARY  
UNION OF INDIA  
G. GAGRAT & CO.,  
ALI CHAMBERS,  
N. MASTER ROAD,  
DOMDAY-409 923  
dd-1-82

Last page, Corrs.

Before me

J. S. NAYAR  
Attesting Officer 3/1/82  
(J. S. NAYAR)  
ASSISTANT ADMINISTRATIVE OFFICER 22/1/82  
FILMS DIVISION  
Ministry of Information & Broadcasts  
Government of India  
24, Peddar Road, Bombay-26. 22/1/82



In the Hon'ble High Court Lucknow  
Bench, U.K.

W.L. No 3301 of 1980 AT  
11

Filed today

DR -

16/3/82

Krishna Lal vs petitioner

Union of India - opp. party

In the above noted case I am  
filing the Bench copy here  
with attached.

DR -  
16/3/82

Akhil D. Arived  
As  
Counsel for opp. party

AT  
22/9/81

Bench Copy A7  
70  
12

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

Civil Misc. Appn. no. (U) of 1982

Union of India and others .... Applicants

In re

Writ Petition no. 3301 of 1980

Krishnalal .... Petitioner

Versus

Union of India and others .... Opp. Parties.

Application for condonation of delay in filing  
the counter affidavit on behalf of OP 1 to 3

The applicants abovenamed most respectfully  
beg to state as under:

1. That the aforesaid writ petition was  
admitted by this Hon'ble Court on 25.3.1981 and the opp.  
parties 1, 2 and 3 were granted 6 weeks time to file the  
counter affidavit.

2. That the counsel for the opposite party no. 1  
3 prepared the parawise comments and were sent to the  
opposite party no. 3 for onward transmission to the  
Administrative Officer, Films Division, Bombay for getting  
the same voted by the Law Ministry of the Government of  
India.

3. That after the receipt of the duly voted draft  
counter affidavit the fair counter affidavit was prepared  
and was sent to the Administrative Officer, Films Divn.  
Government of India, Bombay.

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AP (7)  
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2.

4. That the duly sworn counter affidavit has been received and is being filed without any further loss of time.

5. That the delay in filing the counter affidavit is bona fide, not deliberate and is being filed without being liable to be condemned.

Wherefore, it is prayed that the delay in filing the counter affidavit may kindly be condoned and the same is liable to be taken on record.

Lucknow: Feb. 23, 1982

Akhilesh Dinesh  
Counsel for the Appellee

72  
B.P. by

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

Counter affidavit on behalf of  
Opposite parties no.1 to 3

In re

Writ Petition no. 3301 of 1980

Krishnalal

.....Petitioner

Versus

Union of India and others

....Opp. Parties.

I, N.N.Sharma, aged about  
53 years son of Sri Brij  
Kishore Sharma, Administr  
ve Officer, Office Films  
Division, Government of  
India, do hereby solemnly  
affirm and state as under

1. That the deponent is the Administrative Officer  
Films Division, Government of India, Bombay and is fully  
conversant with the facts deposed to herein.

2. That the deponent has read the writ petition filed  
by the petitioner and has understood the contents thereof.

3. That in reply to the contents of paragraph 1 of  
the writ petition it is stated that Sri Krishan Lal was  
appointed as Lower Division Clerk in the Distribution Branch  
of this Division at Lucknow with effect from 26.8.1964.

Sri Krishan Lal has also passed B.A Degree examination.  
1st page, corrs.  
Attestor

Deponent

73  
A/15

2.

4. That in reply to the contents of paragraph 2 of the writ petition it is stated that Sri Krishan Lal was appointed in substantive capacity in the post of LDC with effect from 26th August, 1966. However, it is not correct. the career of Sri Krishan Lal, LDC remained unblemished. annual confidential reports of Sri Krishan Lal, LDC for years 1967-68, 75-76 and 1978 were not satisfactory.

5. That in reply to the contents of paragraph 3 of writ petition it is stated that LDC working in Films Division are permitted to be appointed to the post of Jr. Booker is not correct. According to the Recruitment Rules for the post of Jr. Booker 50% by Direct Recruitment. As such the post of Jr. Booker cannot be treated as promotion post for Lower Division Clerks. No doubt against the Direct Recruitment quota of 50% not only Lower Division Clerks but also any category of staff who fulfill the prescribed qualifications can apply and can be considered on merit and not because they are working as Lower Division Clerks in Films Division. The post of Upper Division Clerks is 100% promotion post which is filled up on Seniority cum fitness basis from amongs the Lower Division Clerks who have put in 5 years service in the grade.

6. That in reply to the contents of paragraph 4 of the writ petition it is stated that no Lower Division Clerk is considered for the post of Jr. Booker and no such panel for the post of Jr. Booker from Lower Division Clerks is formed.

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

2nd page, corrs.  
Attestor

Deponent

3.

8. That in reply to the contents of paragraph 6 of writ petition it is stated that for filling up the 9 posts Jr. Booker (8 direct and 1 promotion) the posts were advertised by the Central Employment Exchange on 19.11.1977. The interview for the post of Jr. Booker for departmental candidates as well as outside candidates was held on 12.5.1978, 16.5.1978 and 17.5.1978. The Departmental Promotion Committee met on the above dates and drew up a panel for the post of Jr. Booker. In this panel the undermentioned officials were appointed as Bookers against the 9 posts as under vide office order 12021/4/76-Est. II dated 21.7.1978:

S.NO.	Name of official	Place	Dt. of appt. Jr. Booker
1.	Sri J. Sigamony	Trivandrum	25.5.78
2.	O.A. Sankuru	"	"
3.	E.C. Yatta	Nagpur Br.	"
4.	K. Kasiappa	Bangalore Br.	"
5.	Mohan Raj	Hyderabad Br.	24.7.78
6.	M.S. Saraf	Dist. Wing. Bombay	"
7.	P.N. Sankaran	Bangalore Br.	"
8.	J.L. Chunekar	Distt. H.O.	"
9.	H.S. Vaity	"	"

The following Film Shippers were also appointed as jr. Bookers against the promotion quota vide this office order no. 12021/4/76-Est. II dated 30.5.78 which are as under:-

1.	Sri G.K. Shedge	Bombay	1.6.1978
2.	" Ashit B. Charaborthy	Calcutta	From the assumes

3rd Page, corrs.  
Attestor

Deponent

AJ  
75

9. That in reply to the contents of paragraph 7 of the writ petition it is stated that the interview of Sri Krishna Lal, LDC for the post of Jr. Booker was held on 20.3.70 at Lucknow Branch by the Departmental Promotion Committee consisting of Branch Manager, Salesman and Sr. Booker. Though he was found fit for the post of Jr. Booker the Branch Manager, Lucknow has pointed out vide his letter no. Admn. 2/68/L dated 1.4.70 that Sri Krishna Lal takes leave frequently and this fact has been indicated in his annual report. In view of this we had written to Branch Manager, Films Division, Lucknow vide this office D.O. letter no. 2/1/68-Est. II dated 25.5.72 that the case of Sri Krishan Lal would be placed again before the selection committee and we wanted the Branch Manager's views on the suitability of Sri Krishan Lal for the post of Jr. Booker. The Branch Manager, Films Division, Lucknow vide his letter no. BM per/72/L dated 12/13.6.72 informed that there is no improvement in Sri Krishan Lal in taking frequent leave. The Departmental Promotion Committee consisting of Administrative Officer(2) OCD(3) Asstt. Admn. Of met on 14.7.72 to consider the suitability of Sri Krish Lal for the post of Jr. Booker. The DPC did not consider suitable for the post of Jr. Booker as per minutes of the P.C. enclosed. Sri Krishan Lal LDC was informed according to this office Mrmo no. 2/1/68-Est. II dated 18.7.72.

10. That in reply to the contents of paragraph 8 of the writ petition it is stated that no minutes of the Selection Committee were prepared for the post of Jr. B is not correct. He was not found fit for the post of Jr. Booker by the Departmental Promotion Committee.

11. That the contents of paragraphs 9 and 10 of writ petition are not disputed.

4th page, Corrs.  
Attestor

Deponent

A/1  
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76

12. That in reply to the contents of paragraph 11 the writ petition it is stated that Sri Krishan Lal was suitably informed vide this office memorandum dated 4th April, 1975 vide paragraph (III) with reference to his representation dated 4th Feb. 1975 that in 1972 when he had applied for the post of Jr. Booker in response to an advertisement his case was duly considered by the Selection Committee but he was not found suitable for appointment to the post. In this connection it may further be stated that Sri Krishan Lal LDC had also taken up the matter directly with the Secy., Scheduled Caste Uplift Union State Branch, Lucknow. He was informed vide para 2 of the office memorandum referred to above that it has been observed that he has also been bringing outside influence in matters arising out of his service, which is against provisions of rule 20 of the Central Civil Service (Cond Rules, 1964. He was also warned that he should desist from doing so in future (copy of office memorandum dated 4.4.75 is relevant) since the post of Jr. Booker and Upper Division Clerk were to be filled on adhoc basis as Local arrangement in Films Division, Bombay the following officials were appointed as Jr. Booker on adhoc basis purely as a local arrangement as detailed in Annexure VIII:

1. Kum. S. H. Rupani appointed as Jr. Booker w.e.f. 16.1.74
2. Sri A. N. Mulla, appointed as Jr. Booker w.e.f. 16.1.74
3. Sri C. Vijayaraghavan appointed as Jr. Booker w.e.f 18.1.74

The above officials were later reverted as being appointed on adhoc basis.

13. That in reply to the contents of paras 12 and 13 of the writ petition it is stated that Lower Division Clerks mentioned by him were promoted as Jr. Booker on adhoc basis purely as a local arrangement.

5th page, corrs.  
Attestor

Deponent

AP 77  
UH

6.

14. That in reply to the contents of paragraph 14 of the writ petition it is stated that the LDCs were selected as Jr. Bookers as they had applied for the post in response to advertisement issued against the Direct Quota. The question of considering Sri Krishan Lal LDC therefore, does not arise.

15. That in reply to the contents of paragraphs 19 of the writ petition it is stated that in response to the advertisement published on 19.11.77 Sri Krishan Lal did not apply in response to this office circular dated 21.9.76 calling for applications from LDCs willing to be considered for appointment as Jr. Booker alongwith Direct candidate. Hence, he could not be called for interview 17.5.78. Sri Krishan Lal LDC was informed accordingly vide office Memo dated 10.7.78.

16. That in reply to the contents of paragraphs 23 of the writ petition it is stated that 1 post of Jr. Booker fell vacant vide Sri K.K. Chawla who was appointed as Booker on adhoc basis. Sri Krishan Lal was also considered for the post by the DPC but Sri B.N. Yadava who was on the panel was found fit for appointment who was appointed on purely adhoc basis to the post of Jr. Booker vide office order dated 4.7.80.

17. With reference to paragraphs 24 and 25 of the writ petition it is stated that the allegations made in these paras are denied. The points stated in these paras have been explained hereinabove. It is, therefore, pray that the writ petition should be dismissed with costs.

Lucknow

Deponent

I, the deponent abovenamed do hereby verify that the contents of paragraphs 1 to 17 of the affidavit are true to my personal knowledge and the 6th page, corrs.  
Attestor

Deponent

AP 20  
28

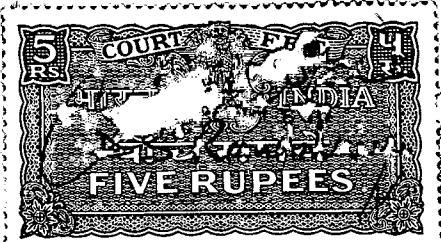
7.

contents of paragraphs of the affidavit are true to my information derived from the records which are believed by me to be true and the contents of paragraphs 1 to 17 of the affidavit are based on legal advice. No part of it is false and nothing material has been concealed. So help me God.

Deponent

Solemnly affirmed and signed before me at this 22nd of Jan. 1982

Last page, Corrs.



IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLHABAD  
LUCKNOW BENCH, LUCKNOW.

CIVIL MIS. APPLN. NO. 10930 (W) OF 1982.

UNION OF INDIA AND OTHERS .... APPLICANTS  
(O.P. 1 to 3 )

In re

WRIT PETITION NO. 3301 of 1980

KRI SHAN LAL ..... PETITIONER

VERSUS

UNION OF INDIA AND OTHERS ..... OPPOSITE PARTIES.

APPLICATION FOR LEAVE TO FILE THE SUPPLEMENTARY  
COUNTER AFFIDAVIT.

....

The applicants/opposite parties 1, 2 and 3 above named  
most respectfully beg to state as under:

1. That the account of bonafide inadvertance there have  
been typographical errors in paragraph 5 of the counter  
affidavit on behalf of the opposite parties 1, 2 and 3.
2. That for the facts and circumstances stated in the  
accompanying affidavit it is most respectfully prayed that the  
facts stated in the accompanying supplementary counter affidavit  
may be read alongwith the counter affidavit and the same may  
be taken on record.

*Diwan Singh Randhawa*

LUCKNOW.

(DIWAN SINGH RANDHAWA)

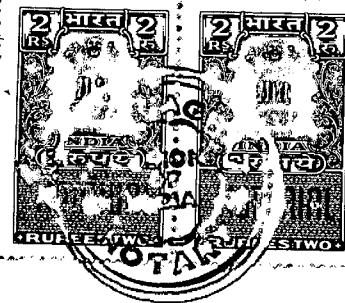
DATED:

ADVOCATE

OCTOBER 18, 1982.

SENIOR STANDING COUNSEL, CENTRAL GOVERNMENT  
COUNSEL FOR THE APPLICANTS.

19



In the Hon'ble Court of Judicature at Allahabad,

(Lucknow Bench) Lucknow

PO  
2

Supplementary Counter Affidavit

-----  
In re

Writ Petition no. 3301 of 1980

Krishan Lal

... Petitioner

Versus

Union of India and others

... Opp. Parties.

I, N.N.Sharma, aged about years, son of Sri Brij Kishore Sharma, Administrative Officer, Office Films Division, Govt. of India, do hereby solemnly affirm and state as under:

1. That the deponent is the Administrative Officer, Office Films Division, Government of India, Bombay and is conversant with the facts deposed to herein.

2. That on account of the bona fide inadvertence there have been typographical error in paragraph 5 of the counter affidavit which has been filed in this Hon'ble Court on behalf of opposite parties 1 to 3.

3. That in paragraph 5 in the second sentence starting with the word "according to the recruitment for the post of Junior Booker", the following words have not been typed, "as 50% of posts are filled up from the Film Shippers working in the Films Division who have completed 5 years service and" In the last sentence as per the it is stated

1st page, corrs. /

Ramya  
Deponent

Attestor

"The post of Upper Division Clerk is 100% promotion post." The said fact had been incorrectly stated on account of bonafide inadvertance and the correct position is that the posts of Upper Division Clerk are to be filled, <sup>from</sup> 25% amongst those Lower Division Clerks who qualify in a departmental test and 75% which are to be filled from amongst Lower Division Clerks on Seniority-cum-fitness basis who have put in 5 years service in the grade.

4. That the facts stated in the foregoing paragraphs are very material and relevant for a fair and just disposal of the writ petition and as such the contents of paragraph 5 of the earlier counter affidavit as it ought to have been, are being stated hereunder:

"5. That in reply to the contents of paragraph 3 of the writ petition it is stated that Lower Division Clerks working in Films Division are permitted to be appointed to the post of Junior Booker is not correct. According to the Recruitment Rules for the post of Junior Booker, 50% of posts are filled up from amongst Film Shippers working in Films Division who put in 5 years service and 50% by Direct Recruitment. As such the post of Junior Booker cannot be treated as promotion post for Lower Division Clerks. No doubt against the Direct Recruitment quota of 50% not only Lower Division Clerks but also any category of staff who fulfill the prescribed qualifications can apply and can be considered on merit and not because they are working as Lower Division Clerks in Films Division. The posts of Upper Division Clerks are to be filled 25% from amongst those Lower Division Clerks who qualify in a Departmental Test and 75% posts are to be filled ~~from~~ 2nd page, corrs.

Ramya  
Deponent

Attestor

from amongst Lower Division Clerks on Seniority-cum-fitness basis who have put in 5 years service in the grade. "

Solemnly affirmed and  
signed before me at BOMBAY  
this 6<sup>th</sup> day of May, 1982

R. A. Gagrat  
Deponent

Before me

*R. P. Parmar*  
Attesting Officer  
(R. P. PARMAR)  
SUPERINTENDENT

Print Division  
Ministry of Information & Broadcasts  
Government of India  
24-Peddar Road, Bombay-26

~~BEFORE ME~~

R. A. GAGRAT  
NOTARY  
UNION OF INDIA  
C/O. GAGRAT & CO.,  
ALI CHAMBERS,  
N. MASTER ROAD,  
BOMBAY-400 023  
6-5-82



Last page, corrs.

In the Hon'ble High Court of judicature at Allahabad  
(Sitting at Lucknow) (P3)

Writ Petition no 3301 of 1980

AG  
J

Krishan Lal

Petitioner

vs

Union of India and Others - Opp Parties

In the above noted writ  
Petition no 3301 of 1980 Power is  
filed for opposition party no 1 to 3

Dated 11/10  
18.10.82

Dhananjaney Adv.  
(D. S. Randhawa) <sup>Advocate</sup>  
Senior Standing Counsel  
(Central Govt)  
Lucknow

A.Y.O. 85

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W.P. No. 3851 of 1978  
 Sri Krishnayal vs. The Union of India

Date	Note of progress of proceedings and routine orders	Date to which case is adjourned
1	2	3
11-11-80	Hon. K. S. Varma, J. Hon. S. C. Mathur, J. Put up in ordinary course. C.M.A. No. (596) 2070 Stay.. Put up along with the writ petition. Sd. K. S. V. Sd. S. C. M.	11-11-80
21-1-81	21.1.81 Sd. J. L. Do. Baruah Cor P. 65AC. (wds for on Hon. C. J. Hon. J. L. J. Motu Lege-Agym 24.1.81	R F

## ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W. P. No. 3301

of 1980

vs.

A/10  
6/86  
D

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
	<p>NOV 10 1980 FEE REPORT in W. P. No. 6596/80 Ch. M. App. No. 6596/80</p> <p>The Counsel for Petitioner/applicant has not taken steps for service of O.P.D. No. 4 within time allowed under Rules of Court.</p>	
	SUBMITTED	Kers 9/4/81
3-9-81	<p>3.9.81 21.10.81 fix O.P.D. - 9-6-81 fix adj.</p> <p>Mr. P. S. J. Mr. Sharma J. Shandur Boyle 378/81</p>	
9.9.81	<p>Writ in P. C. P. dt 9.6.81 affr order</p> <p>Mr. K. N. S. J. Mr. Sharma J.</p> <p>No time left. Adjourned B.O. etc.</p>	
15-9-81	<p>Mr. K. N. S. J. Mr. Sharma J.</p>	