

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, *Lucknow* BENCH

OA / TA / RA / CP / MA / PT 22188 of 20.....

Smt. S. L. Daus and others.....Applicant(S)

## Versus

..... Union of Indi9..... Respondent(S)

## INDEX SHEET

Serial No.	DESCRIPTION OF DOCUMENTS	PAGE
1.	check list	1-3
2.	order sheet	4-12
3.	Judgment copy 15/ 3/93	13-27
4.	Petition copy	28-42
5.	Annexure J	44-103
6.	Riyader affidavit	104-116

Certified that the file is complete in all respects.

3-C. Filed welded destroy

2016/2017

Signature of S.O.

Signature of Deal. Hand

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW.

O.A.No.22/88 (L)

115

Smt. S.L. Daur &  
Others :::::: Applicants

Vs.

Union of India &  
Others :::::: Respondents.

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

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. K. Obayya, A.M.)

The applicants who are 4 in number are employed in Research, Design and Standard Organisation of Railways (RDSO) at Lucknow. The applicant No.1 is senior Librarian (Rs.550-900), applicants 2 & 3 are Librarians (Rs.425-700) and applicant No.4 is Assistant Librarian (Rs.330-560). In this application they have prayed for declaration that the post of Asstt. Documentation Officer (ADO) be ear-marked exclusively for promotions of Library staff i.e. from the post of senior librarian and that the applicant No.1 be promoted to the post of A.D.O. and applicants No.2, 3 & 4 are promoted to the next higher posts. They have also prayed for quashing the Memo. dated 8/3/88 (Annexure-9) rejecting their joint representation for revision of Recruitment and Promotion Rules for the post of A.D.O. (Lib.).

2. The applicants being holders of degree in Library Science were qualified to take up service in the Library branch. Applicant No.1, entered service in RDSO as Librarian in 1958, and stood promoted as Senior Librarian in 1981. The applicant 2 joined service as Assistant Librarian and was promoted as Librarian in 1983. Applicant 3 entered service in 1978 as Assistant Librarian and in 1986 he was promoted as Librarian. Applicant 4's entry into services was in 1988 as Assistant Librarian.

3. According to the applicants prior to 1979 the cadre structure and channel of promotion of publication staff and Library Staff was separate. The post of librarian was the top-most post (Rs.550-900). Since there was no class II posts sanctioned prior to 1978, the Railway Board, in 1978 sanctioned certain Class II posts to the Library Cadre. One post of Asstt. Documentation Officer (Library) was allotted to R.D.S.O. and it was ear-marked for promotion from the library staff. But the respondents instead of allotting the new post to the library cadre made this as a common post for both the feeder cadres i.e. library cadre and publication cadre. The applicants made representation in this regard and urged that the newly created class II (ADO) be exclusively ear-marked for promotion of library staff only. They have pursued the matter at different levels and the matter was recommended by the administration. But ultimately their efforts proved futile and vide order dated 8/9/88 they were informed that their request cannot be agreed to and the rules which have been notified on 10/4/84 regarding appointment and promotion to ADO remained valid and they cannot be changed as the above rules were approved by the Railway Board in consultation with U.P.S.C. The contention of the applicants is that the post of A.D.O. (Library) is an upgraded post by surrendering one post to Assistant Librarian, as such this post belongs to Library Cadre. It is their further contention that Seniority, Channel of promotion of the two cadres being separate the merger is arbitrary and illegal, and this was done only to deny promotion to Library Cadre.

4. The respondents have opposed the case. It is pointed out that the applicants are working in the library

section under the Deputy Director (Documentation) and that one post of Chief Documentation Assistant which is a class III post was upgraded to Class II Gazetted Cadre and the same was operated in Library section. The recruitment and promotion rules for the said posts were framed and they were notified on 10/4/84 (Annexure -1). According to these rules, 2 posts of Asstt. Documentation Officer, one each in library and publication, are to be filled by selection from amongst eligible staff of library, publication and documentation of R.D.S.O. It is also stated that the cadre of librarian and Documentation Assistant is separate upto the level of senior librarian, senior Documentation Assistant and thereafter both these streams seek promotion to the post of Chief Documentation Officer (650-960). This was done in order to provide better promotional chances to library staff. The newly created post of Assistant Documentation Officer (Publication) and A.D.O.(Library) have to be filled in accordance with recruitment rules. The selection, however, could not take place as the case filed before the Allahabad Bench of the Administrative Tribunal in O.A. No.538/87 is pending and in the interests of work adhoc arrangement was made by promoting senior staff to these posts. The respondents deny that one post of Assistant Librarian was surrendered and one post of Assistant Documentation Officer (Library) was created and allotted to Library Cadre. It is stated that one post of Documentation Assistant was upgraded as Assistant Documentation Officer (Library). The respondent No.3 who was senior-most Chief Documentation Assistant was promoted as Assistant Documentation Officer on adhoc basis. It is also stated that both these posts i.e. Assistant Documentation Officer (Library) and Assistant

Documentation Officer (Publication) are inter-transferable. For the sake of convenience these posts have been designated as Assistant Documentation Officer (Library). It is also stated that senior Librarian is eligible for promotion as Chief Documentation Officer and therefrom they are also eligible for promotion as Assistant Documentation Officer. The representation of the applicants were not accepted, as upto the level of Senior Librarian there is no change of cadre and they can be promoted as Chief Documentation Officer. It is also stated that the applicants No.1 & 2 were eligible for the post of Assistant Documentation Officer and they were allowed to appear in selection test conducted on 29/6/86, but both of them failed to appear in the selection test. It is also stated that the function of documentation officer and librarian are inter-related and qualification required is also more or less the same. Therefore, taking into consideration these facts, in consultation with UPSC, rules were finalised and notified for the post of Documentation Officer (Library).

5. The respondent No.3 has also oposed the case by filing a separate written statement, wherein he has pointed out that the post of Chief Documentation Assistant is a post which is common to both documentation and also to library staff, and senior librarian and senior documentation assistants are eligible for promotion on the basis of seniority. In the rejoinder, the applicant 2 has denied the averments made in the counter and it is reiterated that the post of Assistant Librarian was surrendered and also it is pointed that the post of Assistant Documentation Officer is meant for library staff only and that the post of Chief Documentation Assistant is higher than that of

b

Senior Librarian. It is also stated that rules framed by the Railway Board do not apply to the post of A.D.O. (Library). Objection has also been taken to the promotion of respondent No.3 who has been promoted as A.D.O. as he is also one of the candidates, for the said post.

6. Parties' Counsels have been heard. As a clear factual position is obscured, by assertions and denials in the pleadings, we have carefully examined the supporting documents/references brought on record from both sides. The same document has been sometimes relied upon by both parties. The learned Counsel for the applicant contended that the post of ADO is ear-marked for library staff, as one of the Posts of Asstt. Librarian has been abolished, and the newly upgraded post cannot be offered to other branches. This position has been denied on behalf of respondents. The relevant order on this issue is order dated 27/4/81 (Annexure 10 to the Rejoinder and R-2 to Counter). It reads as follows:-

" Sub:- Upgradation of posts from Group 'C' (Cl.III) to Group 'B' (Cl.II) in the Documentation and Library Sections.

Ref:- Railway Board's letters No.PC.III/ 80/PS/UPG/1/dt. 28-3-80 and 30-1-81.

Out of 20 posts to be upgraded from Group 'C' (Cl.III) in the highest supervisory scale to Group 'B' (Cl.II), the element of upgradation of one post has been ear-marked to Doc. & Library Sections of RDSO vide Board's letter dt. 30-1-81 quoted above.

2. It is therefore notified that the upgraded post from Group 'C' (Cl.III) to Group 'B' (Cl.II) scale Rs.650-1200(RS) in the Doc. & Library is a permanent post of Chief Documentation Assistant, scale

Rs.650-950/RS upgraded as Assistant Doc.  
Officer (Library) on permanent footing.

.....  
.....

Sd/- (P.R.Rao)  
Dy.Director/E-1. "

From the above it is noticed that what has been upgraded is the post of Chief Documentation Assistant, and it cannot be said that one post of ADO was created against reduction of one post of Asstt. Librarian. So far as the rules are concerned, they have been notified on 10/4/84. Even if one Post of Assistant Librarian was abolished, it does not follow that the benefit of consequential upgradation should go to that section or branch. There is no question of "Quid pro Quo", in service matters. Placement of persons, utilisation of Posts is always the discretion of the administration prompted by considerations of overall interests of administration and Public Policy. Reference may be made to the case of M. Ramanath Pillai Vs. State of Kerala (1973 S.C. L & S p.660) wherein the Supreme Court held that creation of Posts or abolition of Posts is a policy matter. For these reasons we are of the view that the claims of the applicants for ear-marking ADOs post to the library cadre is untenable and without substance.

7. So far as the rules are concerned, the applicants have challenged the vires of the rules. It has been contended that these rules will not govern the promotion to the post of Assistant Documentation Officer. This contention *prima-facie* appears to be mis-conceived.

The rules known as Research, Design & Standard Organisation

(Group 'A' & 'B' recruitment)Rules, 1984, were notified on 10/4/84 by the Ministry of Railways (Railway Board) in exercise of the powers conferred under proviso to Article 309 of the Constitution of India with the consent of the President. These are comprehensive rules providing for recruitment, promotion, etc. of Group A & B posts of Deputy Director (documentation) and also Asstt. Documentation Officer. The post of A.D.O. is to be filled by promotion from amongst the departmental candidates working in Documentation & Library cadres through process of selection consisting of written and vivo-voce test. The requirements of educational qualification experience etc. are also indicated. So far as the post of Assistant Documentation Officer is concerned, the appointment is by selection by promotion failing which by direct recruitment. This post is open to the staff holding posts in grade of Rs.425-700 and above. As the rules have been notified under the Presidential consent there is no illegality or irregularity in this behalf. Reference may be made to the decision of the Supreme Court in the case of K. Subba Rao Vs. State of Andhra Pradesh (1988 S.C. 506) wherein it has been held that the rules made under article 309 have binding effect and that the state is enjoined to follow the rules scrupulously for making recruitment in accordance with rules. In the case of Durga Charan Mishra Vs. State of Orissa (1988 S.C. L & S 36) also it was held that the rules framed under articles 309 after consultation with Public Service Commission should be faithfully followed. That matter related to certain matters relating to challenge of judicial service rules. Merely because a particular rule does not favour a particular class of employees, that will not vitiate or invalidate the law.

B  
....

8. From the qualification prescribed for both the posts i.e. for library and documentation and publication, it is noticed that the qualification are more or less the same and also the posts are inter-transferable. It is also noticed that there were instances of such transfer from ADO(Lib.) to ADO(Pub.) and from A.D.O. (Pub.) to A.D.O. (Lib.). Cadres are no doubt separate upto a particular level, but beyond that both the cadres were merged. So far as the selection is concerned, the syllabus and other details were also notified and selection was on the basis of qualifying in the test and the applicants having been called for appearing in the examination, failed to appear in the same. As such their claim for promotion is without any basis. Unless they appear and qualify in selection, no right accrues to them for promotion as A.D.O. It would appear that selections and promotions to certain posts of A.D.Os and others have been challenged in O.A.No.544/87 and O.A.No.427/87 which are pending before this Tribunal. The controversy in these cases is different and these cases are not on the same subject as in the instant case before us. So far as this application is concerned, the reliefs prayed for cannot be granted, as the recruitment rules are valid and cannot be questioned. The applicants will become eligible for promotion if they come up in selections and not otherwise. The application has no merit and accordingly it is dismissed with no order as to costs.

  
Member (A)

  
Vice-Chairman.

Dated: 15/3/93, Lucknow.

(tgk)

Central Administrative Tribunal  
Lucknow Bench

File No. 1000  
Date 10/10/1994

Cause Title. O.A. 22/88 (L) 19

Name of Parties Smt. S. L. Dhar...Applicant  
....U.O. L. & O/H...Respondents

Part A

Sl.No.	Description of Documents	Page
1.	Check List	- - -
2.	Order Sheet	- - -
3.	Final Judgement	15/3/93
4.	Petition Copy	A4 - A12
5.	Annexure	A13 - A26
6.	Power	A27 - A42
7.	Counter Affidavit	A43 - A103
8.	Rejoinder Affidavit	A104 - A116

B- File

B117 - B218

C

C-File

C219 - C232

10/10/94  
S. L. Dhar

P. Narayan  
10/10/94

C.A. 22 of 88 (C)

Part. S. L. Disr. on C. O. And C.

Order Sheet

29.6.08

Notices issued

Hon' S. Zakeer Hossae, V.C.

Hon' A. John A.M.

Admit. C.A. By 27.5.08

R.A. 15 days

11.7.08 for orders or I.R.

Ans  
1416

20.7.08

Non-objection, Adv.

Sri L. P. Shukla for applicant.

Sri B. S. Randhawa for respondent

(R.D.S.P.). The learned Counsel for respondent wants time to file reply. Reply can be filed within 4 months. Response can be filed within fifteen days thereafter. Notice may be served on Sri Shukla by respondent within time and the case be listed for final hearing on

20/9/08.

Ans.

Ans

20.9.08

D.R

Sri V.K. Choudhury, Advocate

Sri A. K. Giri, Adv. files his power today & requests for some time to file reply. He may do so on

25.10.08. List this case on 25.10.08 for reply.

Ans.

(2)

A1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH AT LOCHNO.

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O.A./T.A. No. 22 198 8

Applicant(s)

Versus

Respondent(s)

Sr. No.	Date	Orders
	<u>25.10.88</u>	<p>Sri A.K. Saur &amp; Ors v/s Respondent &amp; Ors Re 24.11.88 &amp; Reply DR DR 25.10.88</p>
	<u>25.11.88</u>	<p><u>D.R (CJ)</u> As the cases of Sri A.K. Saur couple for respondent are adjourned to days list this case for 20.12.88.</p>
	<u>20/12/88</u>	<p><u>DR</u> today DR Reply filed on behalf of respondent No. 8. No hearing. Adjourned to 25/11/89. DR 20/12</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

(4)

A2

REGISTRATION NO. 22 of 1988

APPELLANT  
APPLICANT

VERSUS

DEFENDANT  
RESPONDENT

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
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7/9/89

Hon. Justice K. Nath, VC.  
Hon. K. J. Roman, AM.

Rejoinder has not been filed  
by the applicant. Since  
A.K. is present for the opposite  
parties is present. List  
for final hearing on 1/1/89  
and by that time rejoinder  
may be filed.

DR

AM.

VC.

No RA filed.  
Submitted to  
Court  
VK

RE

Hon' Mr. D.K. Agrawal, J.M.

1/11/89

No Division Bench is sitting.

List this case on 18-1-90 for hearing.

DR  
J.M.

10/11/89

(sns)  
No Setting of D/B. Adj. to 28-3-90.  
Both the Counsel of parties are present.

BOC

No RA filed  
Bench (4) 1,249

SFM

204

(6)

07.22.100

A3

24.2.92

No. Siting of D.B. adjm 24.2.92

✓

24.2.92

No. Siting of D.B. adjm

27.5.92

✓

27.5.92

Case not reached adjm

21.7.92

✓

21.7.92

No. Siting of D.B. adjm

26.8.92

✓

✓ OR

S. f. d. 26.8.92

✓ 25.8.92

Month Mr. Justice l c. Srinivas  
Month Mr. K. Chary Am

Arguments heard. Judgment -

referred.

✓

✓

15 - 3-92

Month Mr. Justice l c. Srinivas  
Month Mr. K. Chary Am

Judgment pronounced today  
with open court

✓  
Am

✓

✓

THE TAMIL NADU STATE INFORMATION COMMISSION  
LUDHIANA SECTOR  
BLOCK 1

C AND 32/88

199 (L)

199 (L)

Date of Decision

3/93

Smt. S. L. Dau &  
others

Petitioner.

Advocate for the  
Petitioner(s)

V. R. S.

L. D. L. & others

Respondent.

Advocate for the  
Respondents

Hon'ble Mr. Justice M. S. Divastava, V.C.

Hon'ble Mr. Krishnamurthy, A.M.

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

Vice-Chairman / Member

Application under Section 19 of the Administrative  
Tribunals Act, 1985

DATE OF FILING

29-4-89

OR

DATE OF RECEIPT

BY POST

REGISTRATION NO.

*J.K.S.*  
Signature

*f/ Registrar*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH AT LUCKNOW

1. Smt. S.L. Daur

2. Smt. G. Chatterjee

3. R.K. Dhingra

4. R.N. Sachan ..... Applicants

Versus

1. Union of India through the  
Secretary, Railway Board

2. Research, Design & Standard  
Organisation through the  
Director General

3. S.P. Sinha, Assistant Documen-  
tation Officer (Library)

..... Respondents

DETAILS OF APPLICATION

I. Particulars of the applicants:

(1) Smt. S.L. Daur  
Wife of Sri I.D. Daur  
Senior Librarian  
Research, Design & Standard Organisation  
Central Library, RDSO, Manaknagar, Lucknow  
C-47/1 Manaknagar, Lucknow.

...2.

*Smt. Daur*

-2-

(2) Smt. G.Chatterjee  
Wife of Sri K.K. Chatterjee  
Librarian  
Research, Design & Standard Organisation  
Central Library, RDSO, Manaknagar, Lucknow  
Akhtar Manzil, 130/14 J.C. Bose Marg, Lucknow

(3) R.K.Dhingra  
S/o Sri Ramsokh,  
Librarian,  
Research, Design & Standard Organisation  
Central Library, RDSO, Manaknagar, Lucknow  
House No.E-3271, LIG, Rajajipuram, Lucknow

(4) R.N. Sachan  
S/o Sri G.L. Sachan  
Asstt. Librarian  
Research, Design & Standard Organisation  
Central Library, RDSO, Manaknagar, Lucknow  
C-95/10, RDSO Colony, Manaknagar, Lucknow

#### II. Particulars of the respondents:

(1) Union of India  
through the Secretary, Railway Board  
Ministry of Railways, Rail Bhavan  
New Delhi

(2) Research, Design & Standard Organisation  
through its Director General, Manaknagar,  
Lucknow

(3) S.P. Sinha  
Asstt. Documentation Officer (Library)  
Central Library,  
Research, Design & Standard Organisation,  
Manaknagar, Lucknow

#### III. Particulars of the order against which application is made :

Arbitrary and illegal merger of the librarian cadre with the publication cadre. Arbitrary and illegal promotion of respondent No.3 of publication staff on the class II post of Asstt. Documentation Officer (Library) allotted by the Railway Board in the promotional channel for the staff in the library cadre. Denial of separate channel of promotion in class II post of Asstt. Documentation Officer (Library) to the library cadre in which the applicants are working by memorandum dated

*S. D. A. M.*

-3-

8.3.1988 by the Joint Director Administration-2  
for the Director General, RDSO.

IV. Jurisdiction of the Tribunal :

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

V. Limitation:

The applicants further declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunals Act 1985.

VI. Facts of the case :

The facts of the case are given below:-

1. That the applicant No.1 is B.A.(Hons.), B. Lib.Sc. She was recruited as Librarian in the year 1958 in the grade of Rs.425-700 (Authorised scale in erstwhile Central Standard Office) and on merger of Railway Testing Research Centre and Central Standard Office the seniority of the applicant alongwith other staff was fixed from the date of merger, that is, in September 1959. But the Respondent No. 2 arbitrarily fixed the seniority of the applicant from 1964 because the applicant had represented against the promotion of junior colleague in Lucknow who had joined in the year 1961 in the same grade and the applicant was not even called for the selection to the higher grade. The applicant was, however, promoted as Senior Librarian on 13.3.1981 in the grade of Rs.550-900 and is at present working in this grade.

S. Dawi

2. That the applicant No.2 is B.A., B.Lib.Sc. She joined the Research, Design and Standard Organisation (hereinafter referred to as RDSO) on 31.12.1965 as Asstt. Librarian and was promoted as Librarian on 14.9.1973 in the grade of Rs.425-700 and is working on the said post.

3. That the application No.3 is B.A., B.Lib.Sc. He joined RDSO as Assistant Librarian on 19.6.1978 in the grade of Rs.330-560 and promoted as Librarian on 2.6.1986 in the grade of Rs.425-700 and is working on the said post.

4. That the applicant No.4 is M.A., B.Sc., B.Lib.Sc. He joined RDSO on 29.7.1980 as Asstt. Librarian in the grade of Rs.330-560 and is at present working on the said post.

5. That the above applicants are working under respondent Nos. 1 and 2 in the library cadre, Central Library, RDSC, Lucknow.

6. That prior to 1979 the cadre structure and channel of promotion of the publication staff and library staff were separate and as such the number of vacancies was separately allotted in both the cadres. This is evident from the revised Recruitment and Promotion Rules applicable to class III technical staff. These Rules separately categorise the designation, scale of pay and channel of promotion in the library cadre and according to chart No.1 along with the said Rules separate avenues of promotion of the library staff have been indicated. A photostat copy of the said chart No.1 showing separate

*S. Dau*

avenues of promotion of library staff is filed as  
Annexure -1 Annexure No.1.

7. That since in the aforesaid library cadre there was no class II post, the Railway Board in the year 1978 sanctioned 14 class II upgraded posts to ease stagnation and one of the posts was exclusively earmarked for the library cadre, that is, Asstt. Documentation Officer (Library).

8. That the library cadre, which was separate from the publication cadre, was arbitrarily merged with the publication cadre and members of the staff in the publication cadre, although junior in service to members of the staff in the library cadre, were shown senior to the latter in the combined seniority list. The applicants aggrieved by this illegal and arbitrary merger of the two cadres made various representations for keeping the two cadres separate and making the avenue of promotion upto class II posts of Asstt. Documentation Officer (Library) available to the members of the library cadre only.

9. That the respondent No.2 without taking any decision on the applicants representation continued to promote staff from publication cadre to the sanctioned class II post of Asstt. Documentation Officer (Library) exclusively earmarked by the Railway Board for the library staff.

10. That in the library cadre there is no post in the grade of Rs.650-960 which is the highest class III post and the highest post of the Senior Librarian

*S. D. A. M.*

-6-

in this cadre is in the grade of Rs.550-900. On the other hand, there are three class III posts in the grade of Rs.650-960 in the publication/documentation cadre.

11. That a joint representation by the applicants dated 1.10.1981 was made to the Hon'ble Minister for Railways, Railway Board, New Delhi, for delinking of the newly created post of ADO Library from the documentation/publication cadre and making the same available exclusively for promotion to the library staff and further requested that both the cadres, that is, the library cadre and the publication cadre be separate upto class II level. A photostat copy of the applicants representation dated 1.10.1981 is filed as Annexure No.2.

12. That by letter dated 9.11.1981 from the Under Secretary (E), Railway Board, to the Director General, RDSO, Lucknow, it was decided that the recently upgraded post in class II and operated as ADO Library in RDSO should exclusively be in the direct channel of promotion to the library staff and not to be linked with the documentation cadre. It was further directed that since the channel of promotion to class II for documentation is already available both the categories should be kept separate upto class II level. A photostat copy of the letter dated 9.11.1981 is filed as Annexure

Annexure -3

No.3.

13. That on the basis of the aforesaid letter dated 9.11.1981 the matter was considered by the Director General, respondent No.2, and it was decided to have one

*Shrawan*

post of ADO Library earmarked for the library side only. Accepting the above position, respondent No.2 ordered for the separation of the post of ADO Library and making the same available for promotion of library staff exclusively and the said decision was forwarded to the Railway Board by letter No.E II/ES/ER/0/Lib. dated 2.1.1982. From the aforesaid letter it is evident that the respondent No.2 accepted setting apart the post of ADO Library for promotion of library staff only. Consequentially amendments in the recruitment and promotion rules were forwarded to the Railway Board. The aforesaid decision relating to the saction of class II post of ADO Library earmarked exclusively for promotion of library staff is in the record of the Railway Board and respondents may be directed to produce the same before this HonIble Tribunal.

14. That the post of ADO Library is an upgraded post which has resulted from surrendering one post of Asstt. Librarian due to upgradation with the result that the number of working hands in the library cadre remains the same. With the creation of the post of ADO Library the work among the existing 4 posts in the library cadre was redistributed. As the ADO Library post is an upgraded post of Senior Librarian, he was required to shoulder some of the responsibilities which the Senior Librarian was performing. Consequently necessary changes were made in the duty list of the staff in the library section by circular dated 5.6.1987 which was circulated to all concerned officers and staff of the RDSO. A true copy of the extract of the circular

Swain

dated 5.6.1987 relating to the upgraded post of ADO Library is filed as Annexure No.4.

Annexure-4

15. That the draft of recruitment and promotion rules for the library cadre, particularly in respect of promotion to the upgraded post of ADO Library, was sent for approval of the Railway Board in 1982. But no decision thereon has been taken.

16. That in spite of the aforesaid decision of respondents 1 and 2 to have the separate channel of promotion and not to merge the publication cadre with the library cadre, the respondent No.2 arbitrarily and illegally posted respondent No.3, who belongs to the publication cadre, to the post of ADO Library, thus depriving the legitimate avenue of promotion of the applicants who belong to the library cadre. Respondent No.3 belonging to the publication cadre could not have been posted as ADO Library as he was already working on the post of ADO Publication on adhoc basis and was illegally transferred to the post of ADO Library on adhoc basis in September, 1987. Thus the legitimate right and the only avenue of promotion to class II post earmarked for the library cadre was denied to the applicants jeopardizing their future chance of promotion altogether.

17. That there is a separate seniority list for the publication cadre and the library cadre and for the applicants belonging to the library cadre the only avenue of promotion is in accordance with Annexure No.1 and because the class II post of ADO Library has been created by upgrading and surrendering one post from the library

Sudam

cadre itself there is no justification for inducting persons from the publication cadre and appointing on the post of ADO Library. It amounts to denial of the only avenue of promotion to the class II post to the library staff.

18. That the aforesaid action of treating the post of ADO Library as a common post available for promotion to the publication staff also is wholly arbitrary and is only a one way traffic. The said post on the basis of the existing structure of the two cadres, that is, publication and library, is liable to be filled only by members of the publication cadre due to the higher intervening class III post in the grade of Rs.650-960 in the publication cadre. The highest class III post in the library cadre being that of Senior Librarian in the grade of Rs.550-900, the next higher class II post of ADO Library is always liable to be filled by promotion from the publication cadre in the grade of Rs.650-960. This is wholly arbitrary and unjust and amounts to discrimination of the library cadre in violation of Articles 14 and 16 of the Constitution of India.

19. That the applicant No.1 made a representation dated 30.4.1983 to the Director General, RDSO, that she had been working for the past two years as Senior Librarian in the grade of Rs.550-900 and requested that she be transferred to the equivalent post of Senior Documentation Assistant publication in the grade of Rs.550-900 so that she may become familiar with the working on the publication side so as to be entitled

S. D. Aw

for promotion to the post of Chief Documentation Asstt. in the grade of Rs.650-960 and finally to the class II post of ADO Library. A true copy of the representation dated 30.4.1983 by applicant No.1 is filed as Annexure

Annexure-5

No.5. Similar request was made by applicant No.2 by her letter dated 4.5.1982, a true copy of which is filed as Annexure No.6. Both the requests were turned down.

Annexure-6

A true copy of the memorandum dated 5.8.1983 rejecting the request of applicant No.2 for being posted as Senior Documentation Assistant (Publication) is filed as Annexure No.7.

Annexure-7

20. That the Dy. Director Documentation by his letter dated 13.12.1984 in reference to the staff posting order No.441 dated 11.7.1984 submitted that applicant No.1 working as Senior Librarian may be promoted to work against the post of S.D.A. Library for which no other suitable candidate is available and also since the scales of pay for both S.D.A. Library and Senior Librarian are the same, that is, Rs.550-900. It was also submitted that applicant No.2 may be consequently promoted as Senior Librarian and applicant No.4 may be given a chance to work as Librarian. The aforesaid request was also turned down which clearly shows that persons belonging to the library cadre are being discriminated against in matters of promotion and that the avenue of promotion to the post of ADO Library has been for ever closed to them which amounts to discrimination in the matter of promotion of the applicants in violation of Articles 14 and 16 of the Constitution of India. A true copy of the letter dated 13.12.1984 by the Dy.

S. D. A. M.

Annexure-8

Director Documentation is filed as Annexure No.8.

21. That by memorandum dated 8.3.1988 in reference to the applicants' joint representation dated 26.8.87 regarding recruitment and promotion rules for the post of ADO Library, the applicants were informed that the aspect of framing separate rules for the ADO Library has not been accepted by the Railway Board and the revision of the recruitment and promotion rules is not considered necessary. A photostat copy of the memorandum dated 8.3.1988 is filed as Annexure No.9. The representation has been illegally and <sup>arbitrarily</sup> rejected.

22. That respondent No.3 by virtue of holding the post of ADO Library, although on adhoc basis, is entitled to write the annual confidential reports of the applicants and also making report on the assessment of their work.

23. That the applicants have an unblemished record of service and they fulfil the requisite qualifications for promotion to the next higher posts in the library cadre. Applicant Nos. 1 and 2 particularly are eligible for the post of ADO library as they fulfil the requisite prescribed qualifications. The applicants being aggrieved by the memorandum dated 8.3.1988 by which they were informed that their representation for making the post of ADO Library available for promotion to the Library cadre has not been accepted by the Railway Board and the consequent revision of rules is not considered necessary and having no alternative efficacious remedy available have preferred this claim petition.

Swami

### VII. Relief Sought

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

- (i) To issue a suitable order declaring that the post of ADO Library belongs exclusively to the library cadre and is available for promotion of library staff from the next lower post of Senior Librarian.
- (ii) To issue a suitable order directing the respondents to promote applicant No.1 Smt. S.L. Daur working as Senior Librarian as ADO Library.
- (iii) To issue a suitable order that the applicant Nos. 2,3 and 4 be respectively promoted to the post in the next higher grade in the library cadre.
- (iv) To issue a suitable order or direction quashing the order dated 8.3.1988 (Annexure No.9) issued by the Jt. Director Administration-2 for Director General insofar as it rejects the applicants claim for making the post of ADC library available for promotion of the library staff only.
- (v) To pass any other order or direction deemed just and proper in the circumstances of the case.
- (vi) To award the costs of the claim petition to the applicants.

S. Daur

VIII. Interim order

Pending final decision on the application, the applicants pray for the following interim order :-

(i) The respondent No.3 S.P.Sinha belonging to the publication cadre and working on the post of ADO Library on purely adhoc basis may not be regularised and confirmed on the said post of ADC Library. Respondent No.3 may be further restrained from writing annual confidential reports of the applicants or from making any report of the assessment of applicants' work and the same may be done by an officer superior to him.

IX. Details of the Remedies Exhausted :

The applicants declare that they have availed of the remedy available by way of representation to the Railway Board, Rail Bhawan, New Delhi through proper channel the Director General of RDSO Lucknow, which has been rejected by the order dated 8.3.1988 (Annexure No.9).

X. Matter not pending with any other court, etc.

The applicants further declare that the matter regarding which this application is made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

XI. Particulars of Bank Draft/Postal Order in respect of the Application Fee:

1. Name of the Bank on which drawn —
2. Demand Draft No. —

OR

1. Number of Indian Postal Order- DP 062406

Spanw

-14-

2. Name of the Issuing Post Office - G.P.O., Lucknow
3. Date of issue of Postal Order - 27-4-1988
4. Post Office at which payable *at Allahabad*

### XII. Details of Index

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

In verification :

I, Smt. S.L. Daur, wife of Sri I.D. Daur, working as Senior Librarian, Research, Design & Standard Organisation, Central Library, RDSO, Manaknagar, Lucknow, resident of C-47/1 Manaknagar, Lucknow, do hereby verify that the contents from I to XII are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place : Lucknow  
Date : 29-4-1988

*S.Daur* Signature of the applicant.

*S.Daur*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH AT LUCKNOW

Registration No. /1988

Smt. S.L. Daur & others ..... Applicants

Versus

Union of India & another ..... Opp. Parties

Details of Index

Pages

1. Chart No.1 showing separate avenues of promotion of library staff. 16
2. Applicants representation dated 1.10.1981 to the Hon'ble Minister for Railways for delinking of the newly created post of ADO Library from the documentation/publication cadre. 17 to 20
3. Letter dated 9.11.1981 from the Under Secretary (E), Railway Board, to the Director General, RDSO, Lucknow deciding that the upgraded post of ADO Library should exclusively be in direct channel of promotion to the Library staff. 21
4. Extract of the circular dated 5.6.1987 relating to upgraded post of ADO Library. 22
5. Representation by applicant No.1 dated 30.4.1983 to the Director General, RDSO, for transferring her to the equivalent post of Senior Documentation Assistant Publication. 23 & 24
6. Representation by applicant No.2 dated 4.5.1982 to the Director General, RDSO, for giving an opportunity to work as Senior Documentation Assistant Publication. 25 & 26
7. Memorandum dated 5.8.1983 rejecting the request of applicant No.2 for being posted as Senior Documentation Assistant Publication. 27
8. Letter dated 13.12.1984 by the Dy. Director Documentation submitting that applicant No.1 be promoted against the post of SDA and applicant No.2 be consequently promoted as Sr. Librarian. 28 & 29
9. Memorandum dated 8.3.1988 informing the applicants that the aspect of framing separate rules for the ADO Library has not been accepted by the Railway Board and also that the revision of the recruitment and promotion rules is not considered necessary. 30

18  
Smt. S.L. Daur

Before the Central Administrative Tribunal 16  
Lucknow

A20

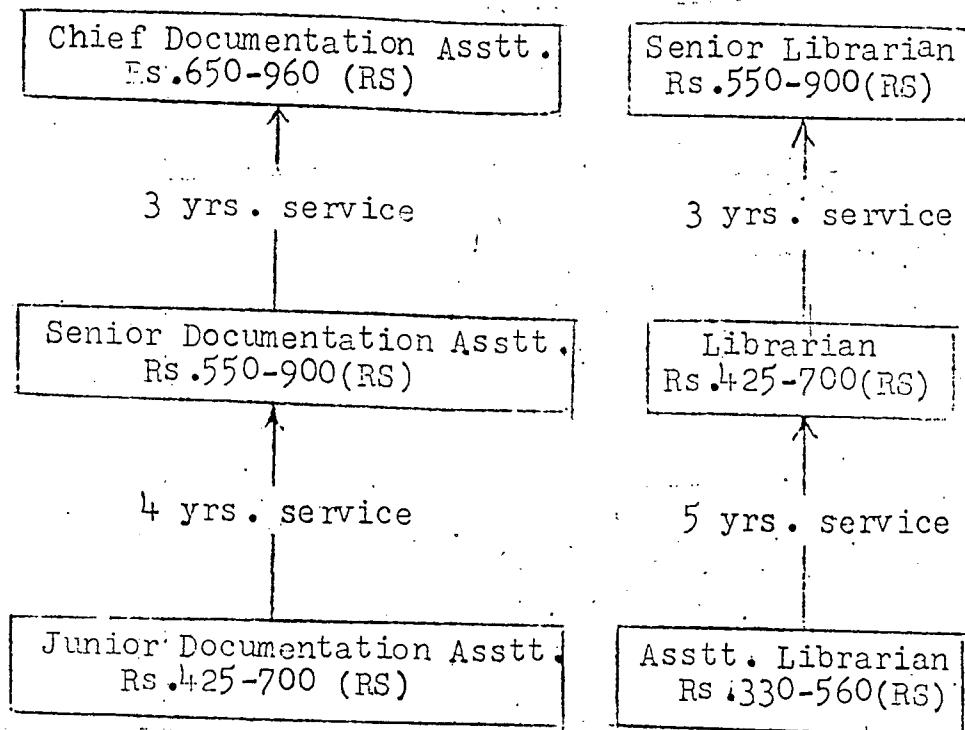
Registration of 1988

Smt S. L. Daur & others ————— Applicants  
v/s  
Union of India & others ————— opp Parties

ANNEXURE NO 1

Chart No. 1

Chart showing avenue of promotion of  
Documentation/Publication/Library staff



Attested  
Vikas Tripathi

S. Daur

Before the Central Administrative Tribunal  
Lucknow

17

Registration No. of 1988

A29

Smt. S. L. Daur & others — Applicants

Union of India & others <sup>VS</sup> — opp. Parties

ANNEXURE NO 2

Board file ERB/1/81/46/6

The recently upgraded post in Class - III & operated as ADO/ Lib. in RDSO should exclusively be the direct channel of promotion to the library staff and not to be linked with documentation cadre, since the channel of promotion to class-II for documentation cadre is already available. Both the categories should be kept separate up to class-II level.

Attested  
Nakshatra Shinde

S. Daur

The Hon'ble Minister for Railways,  
Railway Board,  
New Delhi

(Through Proper Channel)

Sir,

Sub: The new R&P Rules for Librarians  
in RDSO.

We, the Librarians/RDSO beg to submit the following few facts for the perusal of your goodself and request your honour to intervene and get our grievances redress and oblige:

2. Prior to 1979 the R&P Rules applicable to the staff of Library and Documentation Sections were quite distinct and separate. The qualifications, pay scale, the cadre structure and channel of promotions, for both the categories were altogether different and independent. To illustrate, a chart showing the nos. of posts and pay scale and channel of promotion for both the categories is attached as Annexure 'A'.

3. As the documentation is a subject of library science we had been therefore all along requesting the Admin. for consideration of our promotions to documentation side from the very beginning but our requests were never considered for promotional prospects. The reason being different qualification and experience prescribed for both the sets of staff. As a consequence of this, the staff working on documentation side were getting quicker promotions in higher grades due to having a number of higher grade posts, whereas the library having a very tight compartment of promotion had been stagnating in their initial grades.

4. Unlike Railway Board there was no post of Librarian Class II in RDSO and the Admin. had been requesting the Board to create one post of Librarian in Class II to remove the stagnation. The Board had not been agreeing to the repeated requests of the Admin. due to ban on creation of new posts. However, in 1978 the Board sanctioned 10 upgraded post in Class II for RDSO to be distributed where the stagnation is visible. The Board also directed the RDSO Admin. that out of these 10 Class II posts one post can be given to Library, so that the stagnation of library staff can be removed but to our dismay nothing was done in this direction. Meanwhile, instead of opening the independent channel of promotion for the library staff by allotting one Class II post the R&P Rules were changed in 1979, thereby sealing our future career by adding one more step to the Sr. Librarian's post for promotion to CDS(650-960/-) and thereafter to seek further promotion to Cl. II alongwith SDMs. The staff of documentation as well as library represented

*S. D. A. M.*

- 2 -

against such arbitrary and irrational decision which was not based on sound grounds. To our disappointment, our representations were not even considered and also not replied too. As a consequence thereof we the library staff having far longer length of service stagnated only in one grade, and automatically became juniors to all the staff of documentation section who had higher grades and quicker promotional prospects than library staff.

5. Recently the Board have sanctioned one post of ADD Doc./Lib. Cl.II to remove the stagnation of library staff but due to the new R&P Rules in Sept., 1979 only the CDA's are entitled to this post. The new rules have resulted in a great hardship to the library staff for which we ~~they~~ had been representing to the ~~Govt.~~ from very beginning. Thus, with the existing rules the career of the library staff have been demarred for ever as a result of introduction of one additional category of CDA before promotion to Class II post and linking us with Doc. staff which will never put us at par with Documentation staff despite the fact that we have been stagnating ~~xx~~ in the initial lower scales for 18 - 22 years.

6. In view of the above facts stated above, we request your good offices to intervene in the matter and restore the old R&P Rules and Class II post of ADD/Lib. sanctioned recently, exclusively be earmarked to the Sr. Librarian to have independent channel of promotion for the library staff in their line to remove the existing stagnation in the interest of justice and equity.

For this act of your kindness and generosity we shall remain ever indebted to your benign honour.

Thanking you,

Yours faithfully,

DA/One Chart.

Librarian/ RDSO

Dated: 1.10.1981

S. D. A. W.  
(S. L. DAUR) Mrs  
Sr. Lib.

G. Chatterjee Mrs

Lib.

R. K. Dhangri  
Lib.

R. S. Sachan

(R. N. Sachan)...

Attested  
Yashwant Singh

S. D. A. W.

Annexure 'A'THE CADRE STRUCTURE & CHANNEL OF PROMOTION  
PRIOR TO 1979 R&P RULES.

<u>DD(Doc) Class-I</u>		<u>1 post.</u>	
<u>Documentation Section.</u>	<u>No. of post.</u>	<u>Library</u>	<u>No. of post</u>
ADO(P) Cl.-II	1 post	Librarian Cl.-II	Nil.
CDA (650-960)	4 posts.	Sr. Librarian (550-900)	1 Post.
SDA (550-900)	5 posts.	Librarian (425-700)	2 Posts.
JDA (425-700)	3 posts.	Asstt. Librarian	2 Posts.

Qualification:

BSc. or B.A., Maths

Qualification:B.A. with Diploma/Degree  
in Library/Science.Annexure 'B'AS PER NEW R&P RULES AFTER  
MARCH' 1979.

<u>DD(Doc) Cl.-I</u>		<u>1 post</u>	
<u>No. of post</u>			<u>No. of post</u>
ADO(P) Cl.-II	1 post	Sr. Librarian (550-900)	1 post.
ADO/Doc/Lib.	1 post.		
CDA (650-960)	3 posts.	Librarian (425-700)	2 posts.
SDA (550-900)	5 posts.	Asstt. Librarian (330-560)	1 posts
JDA (425-700)	3 posts.		

Attested  
Kamlesh

Sudan

Before the Central Administrative Tribunal  
Lucknow

Registration No. of 1988  
Smt. S. L. Daur & Others ————— Applicants  
Union of India & others ————— opp. Parties  
COPY ANNEXURE NO 3  
MOST URGENT

21

A 33

Government of India  
Ministry of Railways (Railway Board)

No. ERB-1/81/46/1

Dated: 9.11.81

The Director General  
RDSO  
Lucknow

Sub: Channel of promotion for Librarian

Ref: Your letter No. A/R/RT/TS dated 22.9.81

The papers were put up to the Minister for Railways who have minuted on the case as under:-

The recently upgraded post in class II and operated as ADO/Lib in RDSO should exclusively be in the direct channel of promotion to the Library staff and not to be linked with documentation cadre. Since the channel of promotion to class II for documentation cadre is already available. Both the categories should be kept separate upto class II level.

Your comments on the above minutes may kindly be furnished to this office urgently, indicating if there will be any objection to implement the same.

DA/nil

Sd.....

(R.L. Agarwal)  
Under Secretary (E) I  
Railway Board

S. L. Daur

Analyst

R.D.S.O. Ministry of Railways  
LUCKNOW.

Attested  
Kanwarjeet Singh

S. Daur

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

Registration No. /1988

Smt. S.L. Daur &amp; others ..... Applicants

Versus

Union of India &amp; another ..... Opp. Parties

Annexure No.4

R.D.S.O.

5.6.87

The post of ADO/Library is an upgraded post which has resulted in surrendering one post of Asstt. Librarian due to upgradation, with the result that the total number of working hands in the library remains the same. With the posting of ADO/Library, it is considered essential to re-distribute the work amongst the 4 librarians for the smooth functioning of the library. As ADO/Library's post is an upgraded post of Sr. Librarian, he is supposed to shoulder some of the responsibilities which the Sr. Librarian was performing.

With the posting of ADO/Library, the following changes are made in the duty list of staff of the library Section:-

1. ADO/Library: He will be overall incharge of the Library Section and will be personally responsible for -
  - .1 Maintenance of catalogue cards in the catalogue cabinets.
  - .2. Maintenance of book cards of publications transferred to sectional libraries directoratewise in the catalogue cabinets.
  - .3 Maintenance of order cards directoratewise in the cabinet and to return the order cards to the directorate concerned on receipt of books, publications in the library.
  - .4 General cleanliness, maintenance of attendance register and dead stock register.
  - .5 Passing of bills with the help of UDC.
  - .6 Audit and Inspection reports.
  - .7 Items of confidential nature.
  - .8 Distribution and marking of dak with the help of LDC.

xx

xx

xx

xx

xx

xx

Sd/- Illegible  
(H.N. Srivastava)  
DD/Doc.

All concerned Officer & staff  
to please note.

*S.L.Daur*  
*Attested*  
*Kanakipathak*

## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

Registration No. /1988

Smt. S.L.Daur &amp; others ..... Applicants

Vs.

Union of India &amp; another ..... Opp. Parties

Annexure No.5

To,

The Director General,  
R.D.S.O.,  
Lucknow.

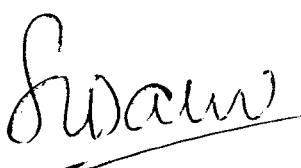
Dear Sir,

Sub: Transfer to Documentation Section as  
Senior Documentation Assistant (Publi-  
cation).

Sometime ago the librarians made a strong representation for the bifurcation of Documentation and Library Section, so that the present stagnation of the librarians can be taken care of and also that they can have an avenue of promotion to class II Cadre. Inspite of waiting for a considerable time no action seems to have been taken in this direction. Therefore, I request that the following arrangement be favourably considered.

For the past two years I have been working as Senior Librarian in the grade Rs.550-900. My next promotion is to the post of Chief Documentation Assistant (Grade Rs.650-960) as per existing R & P Rules. Almost for all of my career in the R.D.S.O., I have been working as a librarian and I am conversant with all aspects of library working.

It is my apprehension that when the time comes for my promotion to the post of Chief Documentation Assistant I would be at a disadvantage, because the post of Chief Documentation Assistant involves not only documentation work but also the control of documentation assistants being purely publication work. For the purpose of the acclimatizing myself with publication work it has occurred to me that it is an opportune time to post me as Senior Documentation Assistant (Publication) grade Rs.550-900. It so happens that after the relieve of the present ADO/Doc. one post of S.D.A. will fall vacant in the publication Section.



...2.

-2-

I request that I may be operated against this post. From the administrative point of view there are two advantages namely ,

- (a) There is no question of posting me in a higher grade.
- (b) I would be acquiring a working knowledge of Publication work which will stand me in good stead in RDSO when the time comes for my promotion as CDA.

It is pertinent to mention here that as there is a joint seniority of Library and Publication staff at the CDA level at present and as such my acquiring a working knowledge of publication section is essential.

I would urge that my application be considered favourably and that I may be given an early reply to my request.

Thanking you,

Yours faithfully,

ADO/DOC  
DD/DOC  
Sr. Dy. D.G.

Sd/- Illegible  
30.4.83  
Sr. Librarian

TRUE COPY

Attested  
Kavita Shukla

Swami

## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

Registration No.

/1988

Smt. S.L. Daur &amp; others ..... Applicants

Versus

Union of India &amp; another ..... Opp. Parties

Annexure No. 6

TO,

The Director General,  
R.D.S.O.,  
Lucknow.

THROUGH PROPER CHANNEL

Sir,

Sub: Application for the vacant post of  
SDA in publication section.

I have come to know from a reliable source that one post of SDA in publication section was lying vacant & now the ~~selection~~ selection of that post is going to be cancelled due to non availability of suitable candidate & those who are available, they have not completed five years experience. I would request your goodself to consider my case favourably as I am working in the library for the last 17 years. At present I am working in the grade of Rs.425-700 & I am having good experience in my field. Recently I have qualified the test of Sr. Librarian held on 17.4.82. If I am offered to get the opportunity to work as SDA in publication section I shall try my best to pick up the job.

I have also come to know that library & publication section is going to be merged shortly. If it is true it will be a good opportunity for me to shift in publication section.

I may mention it here that one SDA from publication section has been taken on loan in the library for better work. Similarly if I am also adjusted on adhoc basis & given me the opportunity to serve in publication section I would be good help to them.

I can assure you with the help of long library experience, I will be able to perform publication handling work.



-2-

If you consider me suitable for the above post, kindly consider my case favourably & I may be given the opportunity for adhoc promotion till such time the suitable candidates are available. I shall remain grateful to you.

Thanking you,

Yours faithfully,

Dated : 4.5.82

Sd/- Illegible  
(Mrs Gauri Chatterjee)  
Librarian/RDSO

DD/Doc

SO(E-IV)

TRUE COPY

Attested  
Gauri Chatterjee

Gauri

## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

Registration No.

/1988

Smt. S.L. Daur &amp; others ..... Applicants

Vs.

Union of India &amp; another ..... Opp. Parties

Annexure No. 7

A/EP 1081

5.8.83

MEMORANDUM

With reference to her application dated 30.4.83 requesting for her posting as Sr. Doc. Asstt.(Pub), Smt. S.L. Daur Sr. Librarian is informed that her request has been considered, it is regretted that the same has not been agreed to.

DA: Nip.

Sd/- Magan Lal  
for Director General  
Dt. 5.8.83

Smt. S.L. Daur  
Sri Librarian  
Lib. Section  
RDSO/Lucknow.

True Copy

Attested  
Yashvir Singh

S. Daur

## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

Registration No.

/1988

Smt. S.L. Daur &amp; others ..... Applicants

Vs.

Union of India &amp; another ..... Opp. Parties

Annexure No.8

Central Library

R.D.S.O.

No.L/Staff

Dated : 13.12.1984

Sub: Filling up of the vacancy consequent to promotion of Shri V.S.L. Srivastava as CDA/DCC.

Ref: Staff posting order No.441 dt. 7.11.84.

Shri V.S.L. Srivastava, has been promoted to the post of CDA/Doc w.e.f. 23.11.1984 and since no alternative arrangement vice him has been suggested in the office order, the post of SDA(Lib) previously held by him has fallen vacant. The following transfer/promotion in chain of promotion of Shri V.S.L. Srivastava are suggested so that the work of the library does not suffer for want of an incumbent to the post of SDA(Library):-

1. Mrs.S.L. Daur, Sr. Librarian may be permitted to work against the post of SDA/Lib. (Previously held by Shri V.S.L. Srivastava) for which no other suitable candidate is available. As the scales of pay for both SDA/Lib and Sr. Librarian are similar i.e. Rs.550-900, no financial loss shall be incurred by Mrs. S.L. Daur, if she is allowed to work against the post of SDA/Library.

2. Mrs. Gauri Chatterjee being the senior most librarian and as she has put in more than 19 years service in the Library itself, may be promoted as Sr. Librarian vice Mrs. S.L. Daur till such time the regular selection is made.

....2.

*S. Daur*

-2-

3. Shri R.N. Sachan, Asstt. Librarian may be given a chance, in the chain vacancy, to work as Librarian vice Mrs. Gauri Chatterjee as was done in the case of Mrs. Manju Malhotra & Shri S.K. Doreja, in the publication section.

Dy. DG. is requested to approve the above proposal to give incentives to the Librarians.

Dy. Dir. Gen.

Sd/- Illegible  
(H.N. Srivastava)  
Deputy Director/Documentation  
13.12.1984

TRUE COPY

Visited  
Chandigarh

Swami

Registration No. of 1988

ANR

Smt. S. L. Daur & others — Applicants

Union of India & others — Opp. Parties

ANNEXURE NO 9



टेलीफोन } 50567 & 50017  
Telephones }

तार : रेल मानक लखनऊ  
Telegram : 'RAILMANAK' LUCKNOW

भारत सरकार — रेल मंत्रालय

अनुसंधान अभिकल्प और मानक संगठन

Government of India — Ministry of Railways  
RESEARCH DESIGNS & STANDARDS ORGANISATION

पत्र संख्या No. EII/ES/PRO/Lib(Pt.)  
Our Reference.....

लखनऊ-226 011-दिनांक 5-3-1988  
LUCKNOW-226 011-Date.....

MEMORANDUM

In reference to their joint representation dated 26-8-1987, regarding R&P Rules for the post of ADO/Library, Smt. S.L.Daur and other signatories are informed that the R&P Rules for Assistant Documentation Officer, issued vide Board's letter No. ERBI/77/44/24 Vol.III dated 10-4-84, were approved by the Railway Board and UPSC. The aspect of framing separate rules for ADO/Lib, has not been accepted by Railway Board in consultation with UPSC. Revision of R&P Rules is not considered necessary.

S/No  
(I.A.Khan)  
Jt. Director/Admn-II  
for Director General

Smt. S.L.Daur,  
Sr. Librarian,  
RDSO/Lucknow

Smt. Gauri Chatterjee,  
Librarian, RDSO, LKO

Sh. R.K.Dhingra,  
Librarian, RDSO, LKO

Sh. R.N.Sachan,  
Asstt.Librarian,  
RDSO/Lucknow

Attested  
Kamal Nath Singh

ब अदालत श्रीमान

महोदय

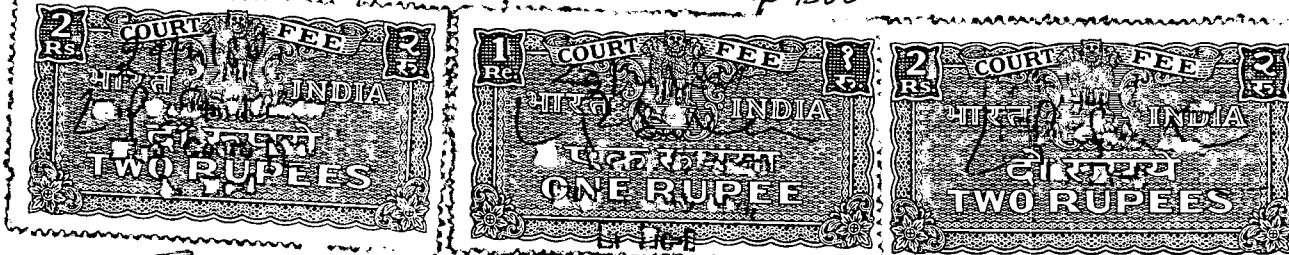
443

वादी (मुद्रा)  
प्रतिवादी (मुद्रालेह)

का वकालतनामा

Registration No

of 1980



Smt S. L. Daur & others

वादी (मुद्रा)

वनाम  
Union of India & others

प्रतिवादी (मुद्रालेह)

नं० मुकदमा सन् १९ पेशी की ता० १९ ई०  
ऊपर लिखे मुकदमा में अपनी ओर से श्री

Shri L. P. Shukla, Advocate

एडवोकेट महोदय

C-700 Sector-2 Manager  
Lucknow

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 रुपया 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 रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का  
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती)  
रसीद से लेवें या पंच नियुक्त करे - वकील महोदय द्वारा की  
गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं  
यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी  
अपने पैरोकार को भेजता रहूगा अगर मुकदमा अदम पैरवी  
में एक लरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मे-  
दारी मेरी वकील पर न होगी । इसलिए यह वकालतनामा  
लिख दिया कि प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर

① S. L. Daur (S. L. Daur)

② L. Chatterjee

③ R. K. Dutt

④ (R. N. Sachan)

नाम मुकदमा नं० फरीकेन्द्र

Accepted  
Nashik

साक्षी (गवाह)..... साक्षी (गवाह).....  
दिनांक..... महीना..... सन्.....

Before the Central Administrative Tribunal  
Circuit Bench, Lucknow

AU4

Written Statement on behalf of Respondents 1 & 2

IN

Registration No. 22 of 1988 (L)

Smt. S.L.Daur and others .. Applicants

Vs.

Union of India and others .. Respondents

I, S.Bhatia, s/o late Shri U.C.Bhatia, aged about 54 years, resident of C-77/2, Manak Nagar, Lucknow do hereby solemnly affirm and most respectfully showeth as under:

I. That the deponent is working as Deputy Director/Establishment-I in the Research, Designs and Standards Organisation, Lucknow (hereinafter referred to as RDSO) and as such he is fully competent to affirm the Affidavit on behalf of Respondents Nos. 1 & 2.

II. That the deponent has carefully gone through the relevant records relating to the instant case and has acquainted with the facts and circumstances of the case deposed below:

III. Before dealing with the para-wise reply of the Petition, the Respondents are placing the entire background as well as the brief history of the

  
By. Director-Establishment,  
R. D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW

case herein below:

That the Petitioners are working as Sr. Librarian, Librarian and Assistant Librarian in the Library Section of R.D.S.O., Lucknow. They are working under the Deputy Director (Documentation) and this post is lying vacant at present. In April 1981, one post of Chief Documentation Assistant which ~~was~~ is a Class III post was upgraded to Class II Gazetted cadre and the same was operated in the Library Section of this Organisation as Assistant Documentation Officer(Library). With the operation of this post, it was considered proper to frame the Recruitment and Promotion Rules for the said post. Accordingly the draft R & P Rules were sent to the Railway Board for approval in consultation with the Union Public Service Commission. The R & P Rules were finally approved and notified vide Notification No.ERBI/77/44/24 Vol.III dt. 10-4-84 and a copy of the same is annexed as Annexure R-1. According to these R & P Rules, two Class II posts of Assistant Documentation Officers, one each in Publication & Library Wings are to be filled by positive act of selection from amongst the eligible staff of Library, Documentation and Publication Sections of R.D.S.O. These R & P Rules are not exclusively either for Documentation/Publication or Library staff.

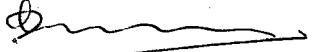
  
By: Director Establishment,  
R. D. S. O., Ministry of Railways  
Almabagh, LUCKNOW-5

The para-wise comments on the Petition are given as under:

IV. That the contents of paras I, II, III & IV of the Petition call for no comments as these are only a matter of record.

V. That the contents of para V of the petition are wholly misconceived and are vehemently denied. The petition is highly time-barred and is liable to be dismissed on this ground alone. The cause of action arose to the petitioners much prior to coming into force of Central Administrative Tribunal Act, 1985.

VI(1) That in reply to para VI(1) of the application, it is stated that the contents are partially denied. Smt. S.L. Daur, having qualifications as B.A.(Hons.) and Diploma in Library Science was appointed as Librarian scale Rs.160-350/PS on 4-10-58. She was promoted as Sr. Librarian scale Rs.550-900/RS on ad hoc basis w.e.f. 13-3-62 followed by regularisation w.e.f. 29-4-82. The other allegations made in this para are irrelevant for the purposes of this case. Smt. G. Chaterjee having qualifications as B.A./B.Lib.Sc. was appointed as Asstt. Librarian scale Rs.150-300/AS on 31-12-65. She was promoted as Librarian scale Rs.425-700/RS on ad hoc basis w.e.f. 14-9-73 followed by regularisation w.e.f. 3-10-74.

  
By. Director Establishment,  
D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5

VI(3),  
(4),  
(5) That the contents of paras VI(3, 4, 5)  
of the application need no comments.

VI(6) That the contents of para VI(6) of the application are not admitted in the form they stand. It is, however, submitted that as per extant R & P Rules, the channel of promotion of the Class III staff working in Library, Publication and Documentation Sections of R.D.S.O. is as under:

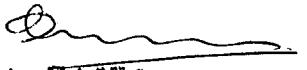
Chief Documentation Assistant  
(650-960/RS)

Sr. Doc. Asstt. (550-900/RS)	Sr. Librarian (550-900/RS)
Jr. Doc. Asstt. (425-700/RS)	Librarian (425-700/RS)
	Asstt. Librarian (330-560/RS)

Anything contrary to the above is denied.

VI(7) That the contents of para VI(7) of the application are denied. It is stated that in April 1981, 20 Class III posts were upgraded in Cl. II (Gazetted cadre) and out of which one post of Chief Documentation Assistant was upgraded as Assistant Documentation Officer (Library) in Class II scale Rs. 650-1200/RS vide RDSO Note No. EI/S/ORG/1(UPG) dated 27-4-81 (copy at Annexure R-2)

VI(8) That in reply to the contents of para VI(8) of the petition, it is submitted that the cadre of Librarians and Documentation Assistants

  
By. Director Establishment,  
R. D. S. O., Ministry of Railway,  
Alambagh, LUCKNOW-3

is separate upto the level of Sr.Librarian and Sr.Documentation Assistant in scale Rs.550-900/RS. Thereafter employees from both the streams seek promotion to the post of Chief Documentation Assistant in scale Rs.650-960/RS. This was done to provide better avenue of promotion to the Library staff for higher grade.

VI(9) That the contents of para VI(9) of the petition are denied. It is stated that the two posts, one each of Assistant Documentation Officer (Library) and Assistant Documentation Officer (Publication) in RDSO, are for the time being filled on ad hoc basis by seniormost staff pending regular selection which has to be finalised after finalisation of case No.533 of 1987(P.K.Misra Vs. Union of India) which is pending in this Hon'ble Tribunal at Allahabad as for both these posts of Assistant Documentation Officers there are common R & P Rules.

VI(10) That the contents of para VI(10 of the petition call for no comments.

VI(11, 12 & 13) That in reply to the contents of paras VI(11, 12 & 13) of the petition, it is submitted that it is difficult at this stage to offer comments specifically as the old papers/Files on the subject are not available. These facts have already been brought to the notice of this Hon'ble Tribunal in the case of

  
Dy. Director Establishment,  
R. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW-5

Sri P.K.Misra Vs. Union of India in Regn. No. 533 of 1987.

VI(14) That in reply to the contents of para VI(14) of the petition it is stated that the same are denied to the extent that no post of Asstt. Librarian was surrendered. However, one post of Chief Doc<sup>g</sup> Asstt. scale Rs.650-960/Rs was upgraded as Asstt. Documentation Officer (Library) as will be evident from Annexure R-2.

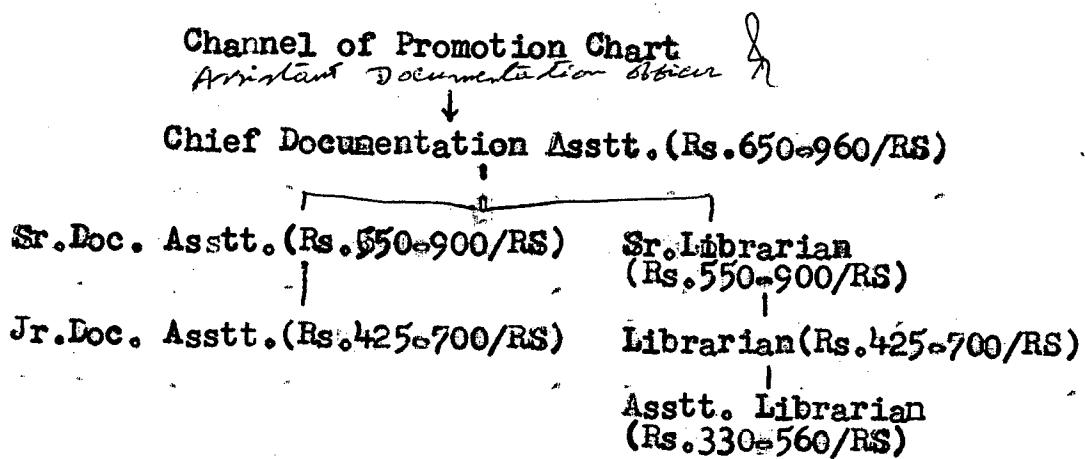
VI(15) That in reply to the contents of para VI(15) of the petition it is submitted that the Rules for the two posts of Asstt. Doc. Officers were sent to the Railway Board and the R & P Rules have been notified vide Railway Board's Notification No. ERBI/77/44/24 Vol. III dt. 10-4-64 with the approval of U.P.S.C. All the other allegations made in paragraph under reply are irrelevant and denied.

VI(16) That in reply to the contents of para VI(16) of the petition, it is submitted that as already explained in reply to the contents of para 6(ix) of the petition, Respondent No.3 was promoted as Asstt. Documentation Officer/Pub. on ad hoc basis by virtue of his being the seniormost Chief Documentation Assistant, which post according to the R & P Rules is to be filled by staff

  
Dy. Director Establishment,  
& D.S.O., Ministry of Railways  
Alambagh, LUCKNOW-5

from Library as well as from Documentation Wing. As per the R & P Rules, both the posts are interchangeable and there is no objection for Respondent No.3 to work as Asstt. Documentation Officer/Lib. also. It is pertinent to point out that these two posts of Asstt. Documentation Officers for convenience of identity have been designated as Asstt. Documentation Officer(Pub.) and Asstt. Documentation Officer(Lib.).

VI(17, 18) That in reply to the contents of paras VI(17) and VI(18) of the petition, it is stated that the same are denied as it is not only misleading but also far from the truth. Senior Librarian is eligible for promotion as Chief Documentation Asstt. in scale Rs.650-960/RS in addition to being eligible for promotion as Asstt. Documentation Officer as will be seen from the Channel of Promotion Chart of the two categories which is as follows:



As such, to the post of Chief Documentation Asstt. (the post which has been upgraded as

U. Director Establishment,  
R. D. S. O., Ministry of Railways  
Almora, LUCKNOW-8

Asstt. Documentation Officer/Lib. ) the staff of the Library as well as the staff of the Publication are eligible.

VI(19, 20) As regards paras VI(19, 20) it is stated that the request of Applicants No.s 1 & 2 was not accepted as according to the R & P Rules, for the post of Sr.Documentation Asstt., Sr. Librarians are not eligible but Sr.Librarian can always go for the higher post of Chief Documentation Asstt. It is pertinent to mention that Applicants No. 1 & 2 are, however, made eligible for the post of Asstt. Documentation Officer and they were given chance to appear in the selection which was held on 29 & 30-6-87 but they failed to appear in the selection & did not take the ~~came~~ chance.

VI(2) As regards para VI(21) it is submitted that the functions of Documentation & Library are inter-related and the qualifications prescribed for various non-gazetted categories in the Library as well as Documentation are more or less the same; therefore, after taking all these aspects into consideration and also the administrative convenience, it was considered necessary in consultation with the U.P.S.C. to have the same rules for the posts of Asstt. Documentation Officers for Library & Publication Wings.

VI(22) As regards para VI(22), Respondent No.3 is entitled to write Confidential Reports of his staff who are directly placed under his control and as such there is no bar that he being in ad hoc position cannot write Confidential Reports of his staff.

VI(23) As regards para VI(23) it is submitted that Applicant Nos. 1 & 2 are eligible for the post of Asstt. Documentation Officers and they can either be posted in the Library or Publication Section according to the convenience and requirements of the Administration, and as such cannot exclusively claim the post of Asstt. Documentation Officer/Lib. since the R & P Rules for both the posts of Asstt. Documentation Officers framed by Rly. Board in consultation with the U.P.S.C. are common.

VII (A) That the petitioner is not entitled to any of the reliefs claimed.

(B) That the petition is highly time-barred and is liable to be dismissed on this ground alone.

(C) That all the grounds taken by the petitioner are not tenable in law and the petition is liable to be dismissed as such.

(D) That the petitioner's petition is frivolous, vexatious & liable to be dismissed.

Place:

Date: 25-1-89,

Deponent

By Director Establishment,  
R. D. S. O., Ministry of Railways  
Alambagh, LUCKNOW-5

Verification

I, S.Bhatia, Deputy Director/Establishment-I,  
Research Designs and Standards Organisation, Lucknow  
do hereby verify that the contents of paragraphs  
I to VII are based on perusal of <sup>available</sup> official records  
and legal advice received. No part of this reply  
is false and nothing material has been concealed.

Place: LUCKNOW

  
Deponent

Date: 25-1-89.

By: Director Establishment,  
R. D. S. O., Ministry of Railway  
Alambagh, LUCKNOW-5

(8)	(9)	(10)	(11)	(12)	(13)
महां नेफिन उसके पास जिसी मान्यताप्राप्त विश्वविद्यालय की कम से कम स्नातक की डिप्लोमा भी पुस्त- कालय विज्ञान में डिप्लोमा या समकक्ष डिप्लोमा प्रवर्ष होना चाहिए ।	2 वर्ष पदोन्नति हारा भीर उसके न होने पर, सीधी मर्फी हारा	पदोन्नति: जिसी प्रतेक्षण या पुस्तकालय में कार्य करने वाले प्रेड 'ग' कर्मचारियों (जिपिलीय कर्म- चारियों से भिन्न) के वि- भागीय चयन (जिसमें सा- मारणतः एक लिखित परीक्षा भीर भौतिक परीक्षा शामिल होती) के माध्यम से । चयन ऐसे कर्मचारियों में से किया जाएगा जो संसोचित वेतन- मान में न्यूनतम 425 रु वाले प्रेड या उससे कमे प्रेड में समूह 'ग' के पदों पर नियमित रूप से कार्यत हों बगते कि उन्होंने कम से कम तीन वर्ष की गैर भास- किमिक सेवा की हो भीर 560 रु के बारें पर पहुँच गए हों ।	पामूह 'ध' विगायीय पदोन्नति: संसिद्धि तीन निवेशक/प्रपर निवेशक टिप्पणी:— स्थायीकरण से संबंधित विभागीय पदो- न्नति संसिद्धि की कार्य- वाहियाएँ घन्तोदेन के लिए भायोग को भेजी जायेगी यदि भायोग उहैं घन्त- ोदित नहीं करता है तो संघ सोक सेवा भा- योग के प्रध्यवदा या सरस्य की प्रध्यवता में एक नयी बैठक भायो- जित की जाएगी ।	सीधी भर्ती के समय संघ सोक सेवा भा- योग से प्राप्त होना प्रावधान है ।	

**MINISTRY OF RAILWAYS**  
**(Railway Board)**

New Delhi, the 10th April, 1984

**G.S.R. 452.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the Group 'A' and Group 'B' posts of Deputy Director (Documentation) and Assistant Documentation Officer in the Research, Designs and Standards Organisation, Lucknow of the Ministry of Railways, namely:—

1. Short title and commencement.—(i) These rules may be called the Research Designs and Standards Organisation (Group 'A' and Group 'B'), Recruitment Rules, 1984.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts, classification and scale of Pay.—The number of said posts, their classification and the scale of pay attached thereto, shall be as specified in columns 12 to 4 of the Schedule annexed to these rules.

3. Method of Recruitment, age limit, qualifications etc.—The method of recruitment, age limit, qualifications and other matters relating to the said posts, shall be as specified in columns 5 to 13 of the said Schedule.

[सं० ६ आर वी-१/७७/४४/२४-ता० III]

#### 4. Disqualifications : No person —

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person;

shall be eligible for appointment to any of the said posts.

Provided that the Central Government may, if satisfied, that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to Relax.—Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the candidates belonging to the Scheduled Castes and the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

By. Director Establishment,  
R. D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5

(1)	(2)	(3)	(4)	(5)	(6)	(6A)	(7)
Assistant Documentation Officer.	3*	General Central Service Group 'B' gazetted (non-ministerial).	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Selection	Not Exceeding 30 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Govt.) Note : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).	No	Essential : (i) Master's degree in Physics/Chemistry/Mathematics of a recognised University or equivalent. (ii) Degree or equivalent diploma in Library Science of a recognised University or Institute. (iii) 3 years' experience in a responsible capacity in a Library of standard.
		Subject to variation.					Note : 1. Qualifications are relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified. Note 2 : The qualification(s) regarding experience is/are relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging to Scheduled castes and Scheduled Tribes if at any stage of selection, the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.
							Desirable : (i) Master's degree in Library Science of a recognised University or equivalent (ii) Experience of documentation work in a responsible capacity. (iii) Working knowledge of any of the modern European language other than English.
8	9	10	11	12	13		
No. But must possess atleast Bachelor's degree and degree or equivalent diploma in Library Science of a recognised University or equivalent.	2 years	By promotion failing which by direct recrt.	Promotion : Through departmental selection (which shall include ordinarily a written test and a viva-voce (test) of Grade 'C' staff (other than Ministerial staff) working in a documentation and Library. The Selection shall be made from among the staff	Group 'B' D.P.C. Three Directors/Additional Directors. Note : The proceedings of the Departmental Promotion Committee relating to confirmation shall be sent to the Commission for a approval. If, however,	Consultation with the U.P.S.C. necessary while making direct recrt.		

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION  
MANAK BHAVAN LUCKNOW-11.  
No. E1/S/ORG/1(UPG).

Dated: 27-4-81.

A56

Sub:- Upgradation of posts from 'Group 'C' (Cl.III) to Group 'B' (Cl.II) in the Documentation and Library Sections.

Ref:- Railway Board's letters No. PCIII/80/PS/UPG/1 dt. 28.3.80 and 30.1.81.

Out of 20 posts to be upgraded from Group 'C' (Cl.III) in the highest supervisory scale to Group 'B' (Cl.II), the element of upgradation of one post has been earmarked to Doc. & Library Sections of RDSO vide Board's letter dt. 30.1.81 quoted above.

2. It is therefore notified that the upgraded post from Group 'C' (Cl.III) to Group 'B' (Cl.II) scale Rs.650-1200(RS) in the Doc & Library is a permanent post of Chief Documentation Assistant, scale Rs.650-960/RS upgraded as Assistant Doc. Officer(Library) on permanent footing.

3. Consequently the following further upgradations within group 'C' (Cl.III) are made to ensure corresponding reduction in the base grade instead of highest supervisory category in the Doc & Lib sections in terms of Railway Board's letter dt. 28.3.80 quoted above.

S.No.	Category of post to be upgraded.	No. of posts.	Category of post as upgraded.	No. of posts.
1.	Asstt. Librarian Rs.330-560	1	Librarian Rs.425-700	1
2.	Librarian 425-700	1	Sr.Librarian 550-700	1
3.	Sr.Librarian Rs.550-900	1	Chief Doc. Asstt. 650-960	1

4. Accordingly the permanent sanctioned strength of these categories in the Doc & Library (including publication), before and after upgradation will be as under:-

S.No.	Category	No. of posts (permanent)	
		Before upgradation	After upgradation
1.	Asstt.Librarian(Rs.330-560)	2	1
2.	Librarian(Rs.425-700)	2	2
3.	Sr.Librarian(Rs.550-900)	1	1
4.	Chief Doc. Asstt.(Rs.650-960)	5	5
5.	Asstt.Doc.Officer/Library Rs.650-1200	-	1 (excludg. one post of ADD/P under DDP).

5. This has the approval of the Dy. Director General.

Dy. Director Establishment,

R. D. S. O., Ministry of Railways

(P. R. Rao)

Dy. Director/E-1

JDF/RDSO/TFO.

Alambagh, LUCKNOW-5

Copy to:- 1. The Audit Officer, RDSO/TFO. 2. SOE-3. 3. CA  
4. DDB-2 5. SOE-4 6. DD/Doc. 7. DD/Pub. 8. Dy. DG

(P. R. Rao)

Dy. Director/E-1

filed today

h  
9/12

AS7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

WRITTEN STATEMENT

On behalf of

SURESH PRAKASH .....OPPOSITE PARTY

IN

Registration No. OA 22 of 1988(L)

District: Lucknow

1. Smt. S.L. Daur
2. Smt. G. Chatterjee
3. Sri R.K. Dhingra
4. Sri R.N. Sachan

.....Applicants

Versus

1. Union of India through the Secretary, Railway Board.
2. Research Designs & Standards Organisation through the Director General.
3. S.P. Sinha, Asstt. Documentation Officer(Library),

.....Respondents.

Written Statement of Respondent No. 3 Suresh Prakash, aged about 45½ yrs., son of late Sri Onkar Prakash Sinha, presently working as Asstt. Documentation Officer/Library, Research Designs & Standards Organisation (R.D.S.O.), Lucknow-226 011.

.....Deponent

I, deponent, above named do hereby solemnly affirm and state as follows:

1. That the deponent is at present working as Asstt. Documentation Officer/Library in the office of Research Designs & Standards Organisation (R.D.S.O.), Ministry of Railways, Lucknow which is a post falling in the Group 'B' (Class II) category in the cadre of Documentation, Library

*Suresh*  
9/12/88

& Publication Group of RDSO. The deponent has been working on the post of Asstt. Documentation Officer (ADO) in RDSO since 21.6.1982 on adhoc basis as ADO/Publication and ADO/Library.

2. That the deponent has read the copy of Application filed by Smt. S.L. Daur and others before this Hon'ble Tribunal. The deponent has fully understood the contents thereof, and he is in a position to reply the same.
3. That the correct name of the deponent is 'Suresh Prakash' and not 'S.P. Sinha' as mentioned in Application of Smt. S.L. Daur and others. The deponent has never written surname "Sinha". It is a pity on the part of the Applicants who do not know the correct name of their immediate controlling officer.
4. In order that the Hon'ble Tribunal may appreciate fully the correctness of the facts of the case, the deponent may kindly be allowed to submit a brief history of the case as an introduction hereunder before the parawise comments are offered:

Brief History of the Case

Research Designs and Standards Organisation (R.D.S.O.) being the only R&D Organisation of the Indian Railways consists of main disciplines of Civil, Mechanical, Electrical, S&T and Metallurgical & Chemical Engineerings and other Support Groups of General Administration (GA), Documentation, Library & Publication (DLP),

*Suresh  
9/12/88*

Stores, Finance & Accounts, etc. enjoying the self-contained unique status as another world body of R&D functions.

While the Group 'C' (Class III) staff of the main disciplines and Support Groups are patterned to diversify into large number of Directorates and Groups for a specialized approach viz. Mechanical Disciplines diversifies into Motive Power, Carriage, Wagon, Engine Development & Testing Directorates, the Group 'B' (Class II) posts of this discipline are combined in a single discipline in a common seniority to serve all the five Directorates. Similarly all the main disciplines are controlled for posts in Group 'B' (Class II) and above.

In the same manner while the Group 'C' (Class III) staff of Documentation & Library Streams seek their own promotions upto the level of Sr. Documentation Assistant and Sr. Librarian respectively in their own Streams but from the level of Chief Documentation Assistant (CDA) and Group 'B' (Class II) level a combined seniority in the cadre of Documentation, Library & Publication (DLP) Group has been patterned for which the Recruitment & Promotion Rules existed as obtaining on all the other main disciplines of RDSO.

This characteristic of separately structuring seniority in Group 'C' (Class III) to a certain level of a Stream and then for Group 'B' (Class II) posts the seniority being broad-based amongst

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9/14/88

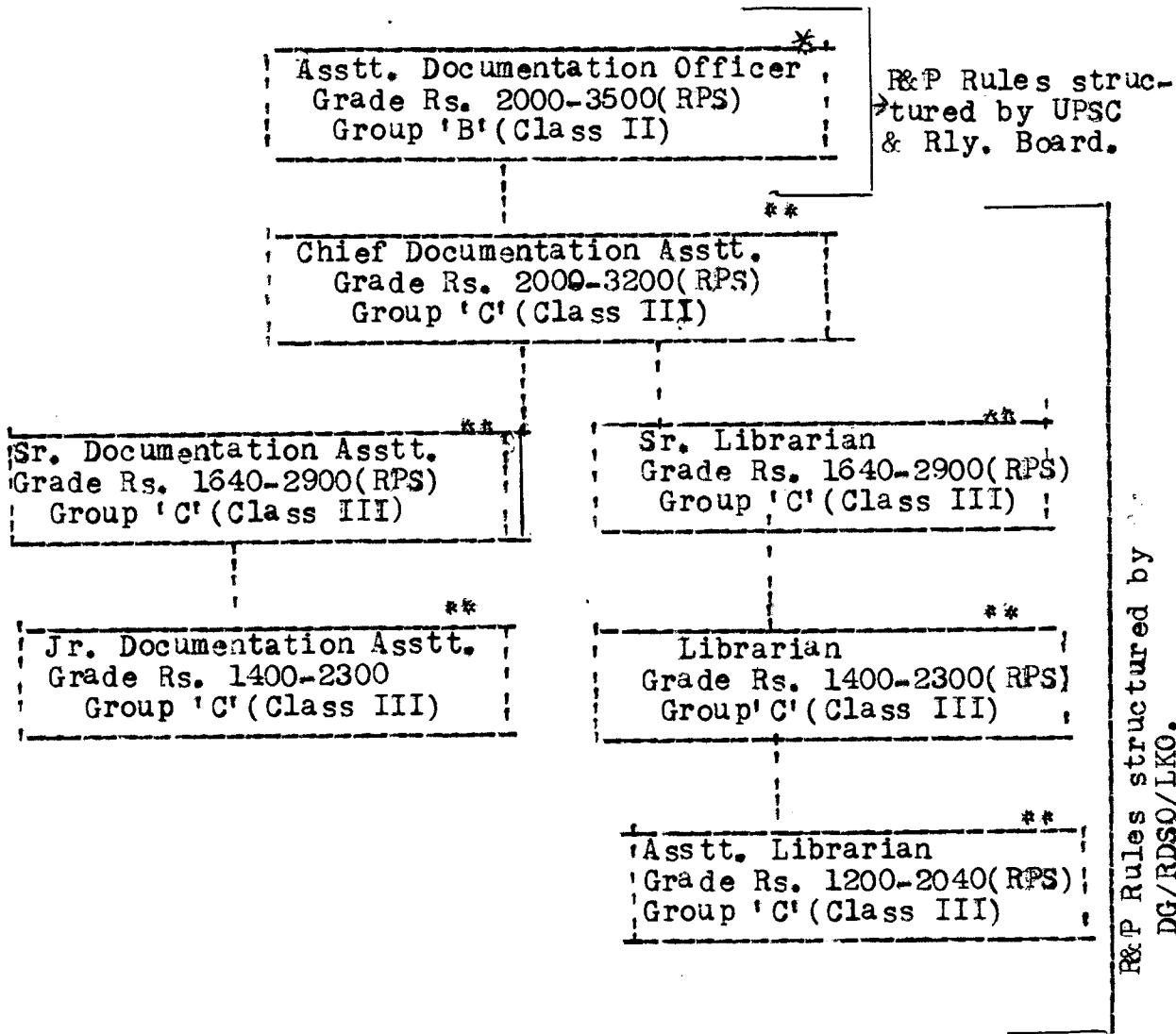
certain such Streams in a combined and composite structure is left to the wisdom of Union Public Service Commission (UPSC) & Railway Board drawing close integrity with other similar National Bodies for the uniform growth; thereby structuring R&P Rules for Group 'B' (Class II) posts being under the control and guidance of UPSC and the R&P Rules for Group 'C' (Class III) posts being controlled and guided by Director General/R.D.S.O. only. Therefore the characterisation of the structuring of R&P Rules for Group 'B' (Class II) posts in all the major disciplines of RDSO as well as Documentation, Library & Publication (DLP) Group is beyond the jurisdiction of any arbitration, and this unique position obtaining is only the valuable ingradient that holds any National Body with proper officers' content.

In the context of the foregoing paras the position obtaining with regard to Documentation, Library & Publication (DLP) Group in R.D.S.O. for Group 'C' (Class III) and Group 'B' (Class II) posts is submitted hereunder in an explanatory chart:-

(contd. on page 5)

Queed  
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-5-



R&P Rules structured by  
DG/RDSO/LKO.

\* R&P Rules for the post are framed by Railway Board in consultation with UPSC. There is no vertical entry to the post of ADDs but by a selection in which the Staff of both Documentation Stream and Library Stream are eligible to appear.

\*\* R&P Rules are framed by the Director General, R.D.S.O.

*Shivaji  
9/12/84*

-6-

Under the R&P Rules it is amply evident that the persons in Library Stream including the Petitioners are entertained even upto Group 'B' (Class II) cadre in Documentation, Library & Publication Group. In fact earlier Shri Pratap Singh, the then Sr. Librarian of the Library Stream was promoted to the post of Asstt. Documentation Officer and even the petitioners Smt. S.L. Daur & Smt. G. Chatterjee, under the same R&P Rules were called to appear in the selection for the post of Asstt. Documentation Officer (ADO) alongwith other staff of Documentation Stream.. Thus the petitioners Smt. S.L. Daur and others on one hand are enjoying benefits under the R&P Rules meant for Group 'B'(Class II) and Group 'C'(Class III) and on the other hand erroneously and fictitiously frustrating the RDSO Administration before the Hon'ble Tribunal with no tangible facts of injustice or a dispute. However, the orders quoted by the petitioners against which the Application is made are so vague and presumptive that no firm case or injustice could be founded which needs intervention of the Hon'ble Tribunal.

5. In the background of the foregoing introduction submitted, the deponent offers hereunder his parawise comments as required at the sametime the deponent is praying for the dismissal of the Application as no case could be established by the Petitioners under the jurisdiction of the Hon'ble Tribunal.

*Shri S.  
9/11/88*

- i) That in reply to contents of Paragraph No. VI.1 of the application, it is submitted that the points raised by Smt. S.L. Daur and others are quite irrelevant to the case. However, it is pointed out that she is not possessing the degree of "B.Lib.Sc." as claimed by her in this paragraph, and she is an arts graduate.
- ii) The contents of Paragraph Nos. VI.2, VI.3 and VI.4 of the Application do not call for any comments except that Applicant No. 2 Smt. G.D. Chatterjee and Applicant No. 3 Shri R.K. Dhingra are arts graduates.
- iii) That in reply to the contents of the Paragraph No. VI.5 of the Application, it is stated that applicants are also working under deponent who is their immediate controlling officer. This fact has not been mentioned.
- iv) That in reply to the contents of the Paragraph No. VI.6 of the Application, it is stated that there are only two Streams- 'Documentation' and 'Library' - in the Publication, Documentation and Library Group in RDSO. There is no Stream like 'Publication' in this Group; Publication being one of the functions of Documentation Stream. This fact is also evident from Annexure-I of their Application. The Documentation Asstts. of the Documentation Stream are posted in the Publication/Library/Documentation Sections depending on the workload of each section.



v) That the contents of Paragraph No. VI.7 of the Application are misleading and incorrect and hence denied. Railway Board did not sanction any Group 'B' (Class II) upgraded post exclusively for 'Library Stream' in the year 1978. In fact in the year 1981, Railway Board vide their letter No. PCIII/80/PS/UPG/1 dt. 30.1.81 sanctioned the upgradation of 20 highest supervisory scale of Rs. 840-1040(RS), Rs. 650-960(RS) & Rs. 700-900(RS) posts in RDSO to Group 'B' (Class II) out of which one post was earmarked to Documentation & Library Section (copy annexed at Annexure A-1). Consequently Director General, RDSO vide their notification No. EL/S/ORG/1 (UPG) dt. 27.4.81 notified that the upgraded post of Group 'C' (Class III) scale Rs. 650-960 (RS) to Group 'B' (Class II) scale Rs. 650-1200(RS) in the Documentation & Library Section is a permanent post of Chief Documentation Assistant scale Rs. 650-960(RS) upgraded as Asstt. Documentation Officer/Library on permanent footing (copy annexed at Annexure A-2).

vi) The contents of Paragraph No. VI.8 of the Application are far from the truth and are denied. As already explained, there is no Stream like 'Publication' in the Publication, Documentation & Library Group in RDSO. Documentation Asstts. are working in all the three sections i.e. Publication/Documentation/Library Sections depending on the need and workload. Documentation is a part of Library Science only and hence same basic qualifications have been prescribed for

*Subed  
9/12/85*

Annexure A-1

Annexure A-2

recruitment of staff both in Documentation and Library Streams in RDSO. This fact may be seen from R&P Rules for these Streams, issued by DG/RDSO vide Office Order No. 24 of 1987

Annexure A-3 (copy annexed at Annexure A-3). The unification of these two Streams 'Library' and 'Documentation' in RDSO was done vide Addendum No. 1 to Office

Annexure A-4 Order No. 7 of 1979 (copy annexed at Annexure A-4).

This unification of Streams was done as per the 'general policy decision' of the Railway Board

(DG/RDSO's memo No. A/R/RT/TS(Pt.) dt. 22.1.80

Annexure A-5 copy annexed at Annexure A-5) and which gave a channel of promotion to Sr. Librarian in scale Rs. 550-900 (RS) to the post of Chief Doc. Asstt. in scale Rs. 650-960 (RS) as requested by the staff of Library Stream from time to time.

Immediately after this unification of Library and Documentation Streams Shri Pratap Singh the then Sr. Librarian who was stagnating, was promoted to the post of Chief Documentation Asstt. and Smt. S.L. Daur, Librarian was promoted as Sr. Librarian vice him and other lower category of Library Stream staff were also promoted in chain vide DG/RDSO's SPO

Annexure A-6 No. 100 of 1981 (copy annexed at Annexure A-6).

Had this unification of Library and Documentation Streams not been done Sri S.C. Adlakha, the then senior most Sr. Documentation Assistant scale Rs. 550-900 (RS) of the Documentation Stream would have been promoted to the post of Chief Documentation Asstt. scale Rs. 650-960 (RS) in place of Shri Pratap Singh and Sri Pratap Singh

*Queed  
27/12/86*

-10-

would have retired as Sr. Librarian and Smt. S.L. Daur (Applicant No. 1) would have been promoted to the post of Sr. Librarian only in the year 1984 instead of 1981 i.e. after the superannuation of Shri Pratap Singh in 1984. Subsequently, in August 1981 Shri Pratap Singh being a reserved community candidate, was again promoted to the post of Asstt. Documentation Officer/Library only after working for five months on the post of Chief Documentation Asstt. vide DG/RDSO's Officers' Posting Order No. 105 of 1981 (copy annexed at Annexure A-7). Had this unification of Library and Documentation Streams not been done the deponent would have been promoted as Asstt. Documentation Officer in 1981 soon after the upgradation of one post of Chief Documentation Asstt. Thus, the chances of promotion of staff of Documentation Stream were offset at the cost of staff of Library Stream to that extent.

Recruitment Rules for the two posts of Asstt. Documentation Officer(ADO)/(ADO/P & ADO/L) were enforced from 5.5.1984 after their publication in the Gazette of India, Part II, Section 3, Sub-Section (i) dt. 5.5.1984 vide Railway Board's notification No. ERB-I/77/44/24-Vol.III dt. 10.4.84 (copy annexed at Annexure A-8). After publication of these rules, all the staff of Library Stream requested twice the RDSO Administration to immediately hold the selection for the Class II (Group 'B') posts of ADO vide their application

Annexure A-8

  
9/12/86

-11-

dt. 26.6.84 and 10.9.84 (copies annexed at Annexure A-9 & A-10). Conceding their demands RDSO Administration held the selection in which two of the Applicants Smt. S.L. Daur, Sr. Librarian and Smt. G. Chatterjee, Librarian who were falling under the zone of consideration were also called (DG/RDSO's notice No. E-II/ES/PR/o (Lib) dt 18.5.87 copy annexed at Annexure A-11).

Annexure A-11

It is quite surprising that after accruing the benefit of unification of two streams 'Documentation and Library' for such a long time the Applicants who belong to the Library Stream now want a separate cadre that too with a Group 'B' (Class II) post of Asstt. Documentation Officer/Library which has been created by upgradation of a permanent post of Chief Documentation Asstt. of Documentation Stream.

vii) The contents of Paragraph No. VI.9 of the Application are incorrect and are emphatically denied. As already explained in Para 5.(VI) above there is no Stream like 'Publication' in the Documentation, Library & Publication <sup>Group</sup> in RDSO. Railway Board did not earmark any Group 'B' (Class II) post exclusively for the Library Staff. After <sup>following</sup> the Instructions laid down by the Railway Board, the post of Asstt. Doc. Officer/Library came into existence from 27.4.81 by upgrading the post of Chief Documentation Asstt. and Shri Pratap Singh, who was promoted as Chief Doc. Asstt. from the post of Sr. Librarian on 3.3.1981

*Subd  
17/12/85*

was again promoted and posted as ADO/Library w.e.f. 14.8.81 vide DG/RDSO's Officers' Posting Order No. 105 of 1981 being a reserve community candidate.

viii) The contents of Paragraph No. VI.10 of the Application are matter of record and hence need no reply. However it is clear from the contents of this Paragraph that by unifying the Streams of 'Documentation' and 'Library' Sr. Librarian grade Rs. 550-900(RS) got the channel of promotion to three posts of Chief Documentation Asstts. grade Rs. 650-960(RS) which resulted in better avenue of promotion to the staff of Library Stream. Had this unification of 'Documentation' and 'Library' Streams not been done Sr. Librarian would have been deprived off this opportunity of promotion in Grade Rs. 650-960(RS) and Grade Rs. 650-1200(RS) blocking the channel of other staff of Library Stream.

ix) The contents of Paragraph No. VI.11 of the application need comments from Respondent Nos. 1 and 2. However it is clear from para 3 of Applicants' Application to Rly. Board placed as Annexure II of Application that 'documentation' is a part of 'library science' and librarians had all along been requesting for the unification of their Stream with Documentation Stream in RDSO in order to have better chances of promotion.

x) The contents of Paragraph No. VI.12 of Application again need comments from ~~Respondent~~<sup>Respondent</sup>

*Shri*  
9/12/86

Nos. 1 & 2 in the absence of any notification to this effect. However, after perusal of Annexure III A of the Application it is clear from its para 3 that only comments were invited from RDSO and no decision was taken on the subject. Moreover the bonafide of contents of this letter also needs confirmation as the same has been attested by one Shri I.D. Daur who is the husband of ~~one of the~~ Applicant No. 1 Smt. S.L. Daur.

xi) The contents of Paragraph No. VI.13 of the Application are denied. Respondent No. 2 i.e. DG/RDSO is not the competent authority to order for the separation of post of ADO/Library and making the same available to library staff exclusively. Railway Board is the competent authority for all such matters who turned down the proposal keeping in view the recommendations of Railway Reforms Committee and Union Public Service Commission. Moreover there are only four posts of librarians in various grades and there will be very limited or no choice for selection.

xii) That the contents of Paragraph No. VI.14 of the Application are misleading and are denied. The post of Asstt. Doc. Officer/Library has been created by upgrading a permanent post of Chief Documentation Asstt. of Documentation Stream. That the duty list enclosed as Annexure 4 to the Application, is not an official order as official order together with organisation charts can only be relied upon. However, any officer can lay down under the control



and guidance of sectional instructions to the staff working under him for the efficient and smooth working of the section. So the Duty List in question is to be viewed only in the nature of local guidance so that abuse of such duty list in suppression of any office order can not take place. Therefore, to support this duty list no office orders were issued by the competent authority and hence no comments are offered. The Applicants can quote only such office orders, if any.

xiii) That the contents of Paragraph No. VI.15 of the Application need comments from Respondent No. 2. However, it is pointed out that a lot of deliberations and ground works had been done on the issue of 'unified' vis-a-vis 'bifurcated' structures of 'Library' and 'Documentation' Streams by responding and taking into account not only the staff representations on either side but also the policies enunciated by Railway Board. So this issue was settled once for all during 1983 itself and in such a settlement all staff representations on either side i.e. 'Library' and 'Documentation' Streams and other valued relevant observations formed the base for the formation and framing of Recruitment Rules for the post of Deputy Director (Documentation) and Asstt. Documentation Officer in RDSO (Group A and B) Recruitment Rules-1984) which came into force w.e.f. 5.5.1984. The staff of 'Library Stream' requested RDSO Administration twice

*Subd*  
9/12/88

to hold the selection for two posts of Asstt. Documentation Officer immediately after the Recruitment Rules came into force on 5.5.1984.

xiv) That the contents of Paragraph No. VI.16 of the Application are denied. The post of Asstt. Doc. Officer/Library was being occupied by one Shri P.K. Misra of Documentation Stream before deponent took over the same on 18th August 1987 in terms of Officers' Posting Order No. 45 of 1987 (COPY annexed at Annexure A-12). The Deponent is working in Group 'B' (Class II) post of Asstt. Documentation Officer (ADO) from June 1982 as ADO/Publication and was subsequently transferred to the post of ADO/Library in August 1987.

xv) That the contents of Paragraph No. VI.17 of the Application are not correct and hence denied. Applicants belonging to Library Stream are having avenue of promotion to the post of Chief Documentation Asstt. in scale Rs. 650-960(RS) in accordance with the chart showing a combined channel of promotion to both the Documentation and Library Streams (DG/RDSO/LKO's Addendum No. 1 to Office Order No. 7 of 1979). The post of Asstt. Documentation Officer/Library was created by upgrading a permanent post of Chief Documentation Asstt. of Documentation Stream and hence the staff of Library Stream cannot have a claim over the post of Asstt. Documentation Officer/Library exclusively for themselves. The post of Asstt. Librarian in scale Rs. 330-560(RS) being lowest in the Documentation and Library Streams was surrendered in the chain upgradation to fulfil the requirement of the order of Rly. Board.

*Suresh  
A71/10/88*

-16-

xvi) That the contents of Paragraph No. VI.18 of the Application are incorrect and hence denied. It has already been mentioned in earlier paras that staff of Library Stream who were having avenue of promotion only upto the post of Sr. Librarian in scale Rs. 550-900(RS) according to Annexure I of the Application are now having avenue of promotion to the post of Chief Documentation Asstt. in scale Rs. 650-960(RS) and thereby to the post of ADO in scale Rs. 650-1200(RS). It is pointed out here that the first promotion to the post of Asstt. Doc. Officer/Library on its creation was effected by promoting Sr. Librarian who was promoted as Chief Documentation Asstt. on the first hand and then to the post of Asstt. Doc. Officer/Library. Thus making the post of ADO/Library common to both Documentation Asstt. and Librarians is itself keeping up the requisite equality provisions in the Constitution and does not violate any constitutional provisions in this context.

xvii) That the contents of Paragraph No. VI.19 of the Application need comments by Respondent No. 2. However, it is pointed out that Sr. Librarian/Librarian cannot be promoted/transferred to the post of Sr. Documentation Asstt./Jr. Documentation Asstt as Librarians and Documentation Asstts. are having different Streams below the post of Chief Documentation Asstt. and both the Streams are having separate set of R&P Rules.

xviii) That the contents of Paragraph No. VI.20 of the Application have already been replied in

*Reed*  
9/12/86

Para 5 (xvii) above.

xix) That the contents of Paragraph No. VI.21 of the Application is matter of record and needs no comments.

xx) That the contents of Paragraph No. VI.22 of the Application are admitted and it is added that these contents being the very function of the post of Asstt. Documentation Officer no comments could be given by the deponent or by the Applicants as any deliberations about the function and duties of any particular post is beyond the scope of either the Applicants or deponent, more so in the case of subordinate staff with respect to the Confidential/ Assessment Reports since ~~no~~one can be a judge in his own case. However, superior officers over Deponent are structured in such an assessment for review and acceptance.

xxi) That the contents of Paragraph No. VI.23 of the Application are partly accepted. Applicants Nos. 1 and 2 being eligible to sit in the selection were called to appear in the selection of Group 'B' (Class II) post of Asstt. Documentation Officer (ADO) held on 29th & 30th June 1987 but they did not avail the opportunity to become ADO on their own accord. How then can the Petitioners prove for not being given opportunity for Library Stream staff with Documentation Stream staff for Group 'B' (Class II) post, is a mistatement alleged to confuse the Hon'ble Tribunal and the Respondents. As in reality the Petitioners have no case to approach the Hon'ble Tribunal at all.

*Suresh*  
9-12-88  
(Suresh Prakash)  
Deponent

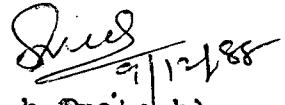
Lucknow

Dt. 9-12-88

Verification

I, Suresh Prakash son of Late Onkar Prakash working as Assistant Documentation Officer/Library in the Office of Research Designs and Standards Organisation, Lucknow resident of LD/102 B, Manak Nagar, Lucknow do hereby verify that the contents of Para Nos. 1 to 5 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place: Lucknow

  
(Suresh Prakash)  
Deponent

Dated: 9-12-88

A75

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH AT LUCKNOW

Registration No. 22/88(L)

Smt. S.L. Daur & others-----Applicants  
Vs.  
Union of India & others-----Opposite Parties

Details of Index

A-1 Railway Board's letter No. PC III/80/PS/UPG/1 dt. 30.1.81 sanctioning upgradation of 54 Group 'C' posts on Railways in the highest supervisory scales to Group 'B' (20 posts in RDSO out of which one earmarking for "Documentation and Library").

A-2 DG/RDSO/Lko's notification No. Eq/S/ORG/1(UPG) dt. 27.4.81 notifying the upgradation of a permanent post of Chief Documentation Assistant as Asstt. Documentation Officer on permanent footing.

A-3 DG/RDSO/Lko's Office Order No. 24 of 1987 notifying Recruitment & Promotion Rules of Group 'C' staff of RDSO including the staff of Documentation & Library Streams.

A-4 DG/RDSO/Lko's Addendum No. 1 to Office Order No. 7 of 1979 notifying the revised R&P Rules for Chief Documentation Asstt. and Sr. Librarian under which Sr. Librarian had been provided the channel of promotion to the post of Chief Documentation Assistant.

A-5 DG/RDSO/Lko's memo No. A/R/RT/TS(Pt) dt. 22.1.80 informing that the revised R&P Rules for the post of Chief Documentation Assistant and Sr. Librarian issued vide Addendum No. 1 to Office Order No. 7 of 1979 have been framed by the DG/RDSO in confirmty with the general policy decision taken by the Railway Board.

A-6 DG/RDSO/Lko's Staff Posting Order No. 100 of 1981 dt. 3.3.1981 promoting Shri Pratap Singh, Sr. Librarian to the post of Chief Documentation Assistant and Smt. S.L. Daur, Librarian to the post of Sr. Librarian.

A-7 DG/RDSO/Lko's Officers Posting Order No. 105 of 1981 dt.14.8.81 promoting Shri Pratap Singh, Chief Documentation Assistant to the post of Asstt. Documentation Officer/Library.

A-8 The Gazette of India- Part II-Section-3- Sub-Section (i) dt. 5.5.1984 in which the Railway Board's notification No. ERB-1/77/44/24-Vol. III dt. 10.4.84 notifying

*Quoted 1/1/84*

the Recruitment Rules for the post of Deputy Director (Documentation) and Asstt. Documentation Officer in R.D.S.O. were published.

A-9 Application of Library staff dt. 26.6.84 requesting DG/RDSO for holding selection for the post of Asstt. Documentation Officer in RDSO as per notified Recruitment Rules.

A-10 Application of Library Staff dt. 10.9.84 requesting DG/RDSO for holding selection for the post of Asstt. Documentation Officer in RDSO as per notified Recruitment Rules.

A-11 DG/RDSO/Lko's notice No. E-II/ES/PR/0(Lib) dt. 18.5.87 notifying the dates for the selection of the post of Asstt. Documentation Officer in RDSO in which Smt. S.L. Daur, Sr. Librarian and Smt. G. Chatterjee, Librarian also called to appear.

A-12 DG/RDSO/Lko's Officers' Posting Order No. 45 of 1987 transferring P.K. Misra, ADO/Library to the post of ADO/Publication and Suresh Prakash, ADO/Publication to the post of ADO/Library.

*Suresh*  
9/10/88

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(Railway Board)

No. PC III/80/PS/UPG/1

New Delhi, dt. 30.1.81

The Director General,  
RDSO/Lucknow  
and others.

Sub: Restructuring of Group 'C' cadres-  
Upgradation of Group 'C' posts to  
Group 'B' on Indian Railways.

Further to this Ministry's letter of even number dated 28.3.80 sanction of the Ministry of Railways is communicated to 54 Group 'C' (Class III) posts in the highest supervisory scales of Rs. 840-1040, Rs. 650-960, Rs. 700-900 in all departments including cash & Pay and in scale Rs. 500-900 in the Accounts Department being upgraded to Group 'B' (Class II) in scale Rs. 650-1200 and Rs. 840-1200 respectively as per details given in the enclosed statement.

2. The other conditions laid down in this Ministry's letter of even number dated 28.3.80 remain unchanged.

3. This has the sanction of the President and issued with the concurrence of the Finance Directorate of the Ministry of Rlys.

4. Hindi version will follow.

Sd/- G.S. Thirumalai  
Jt. Director Establishment  
(R&A)  
Rly. Board.

*Sreed  
1/1/88*

A78

Statement showing the details of upgradation from  
Group 'C' to Group 'B' (enclosure to Rly. Board's  
letter No. PC III/80/PS/UPG/1 dated 30.1.81)

R.D.S.O.

Civil Engineering Deptt. -----	6 posts
Traffic Department -----	1 post
Mechanical Engineering Deptt.-----	4 posts
Accounts Department -----	1 post
Signal & Telecommunication Deptt.-----	4 posts
Electrical Engineering Deptt.-----	3 posts
Documentation and Library -----	1 post

---

20 posts.

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Grand Total 54

*Signed  
9/12/86*

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DEPTONS & STANDARDS ORGANISATION  
MANAK NAGAR LUCKNOW-11.  
No.E1/S/ORG/1(UPG).

Dated: 27-4-81.

A79

Sub:- Upgradation of posts from Group 'C' (Cl.III) to Group 'B' (Cl.II) in the Documentation and Library Sections.

Ref:- Railway Board's letters No.PCIII/80/PS/UPG/1 dt. 28.3.80 and 30.1.81.

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Out of 20 posts to be upgraded from Group 'C' (Cl.III) in the highest supervisory scale to Group 'B' (Cl.II), the element of upgradation of one post has been earmarked to Doc. & Library Sections of RDSO vide Board's letter dt. 30.1.81 quoted above.

2. It is therefore notified that the upgraded post from Group 'C' (Cl.III) to Group 'B' (Cl.II) scale Rs.650-1200(RS) in the Doc & Library is a permanent post of Chief Documentation Assistant, scale Rs.650-960/RS upgraded as Assistant Doc. Officer(Library) on permanent footing.

3. Consequently the following further upgradations within group 'C' (Cl.III) are made to ensure corresponding reduction in the base grade instead of highest supervisory category in the Doc & Lib sections in terms of Railway Board's letter dt. 28.3.80 quoted above.

S.No.	Category of post to be upgraded.	No. of posts.	Category of post as upgraded.	No. of posts.
1.	Asstt. Librarian	1	Librarian	1
	Rs.330-560		Rs.425-700	
2.	Librarian 425-700	1	Sr.Librarian 650-700	1
3.	Sr.Librarian	1	Chief Doc.	1
	Rs.550-900		Asstt. 650-960	

4. Accordingly the permanent sanctioned strength of these categories in the Doc & Library (including publication) before and after upgradation will be as under:-

S.No.	Category	No. of posts (permanent)	
		Before upgradation	After upgradation
1.	Asstt. Librarian (Rs.330-560)	2	1
2.	Librarian (Rs.425-700)	2	2
3.	Sr.Librarian (Rs.550-900)	1	1
4.	Chief Doc. Asst. (Rs.650-960)	5	5
5.	Asstt. Doc. Officer/Library Rs.650-1200	-	1 (excludg. one post of ADO/P under DDP).

5. This has the approval of the Dy. Director General.

(P. R. Rao)  
Dy. Director/E-1

JDF/RDSO/LKO.

Copy to:- 1. The Audit Officer, RDSO/LKO. 2. SOE-3. 3. CA  
4. DDP-2 5. SOE-4 6. DD/Doc DD/Doc DD/Pub Dy.DG

(P. R. Rao)  
Dy. Director/E-1

Surendra  
27/4/81

7/4/81

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

OFFICE ORDER NO. 24 OF 1982

Sub: Rules for Recruitment and Promotion of  
group 'C' staff of RDSO.

One copy each of the R&P Rules for 28 categories of posts,  
as per list attached, is enclosed. These may please be replaced  
for the existing R&P Rules.

2. These rules will be applicable from 27.10.87 and all  
future recruitment and promotion will be made strictly in  
accordance therewith.

3. These rules may be given wide publicity amongst the  
staff.

  
( K.P. Saksena )  
for Director General

DA: R&P Rules, as per list.  
Lucknow- 226 011  
Dt. 4.12.87  
File No. A/R/RT/TS.

DISTRIBUTION

- i) As usual for Office orders.
- ii) The Hony. Secy., RDSO Class III Staff Association.
- iii) Notice Board.

  
Saksena  
4/12/87

## RECRUITMENT AND PROMOTION RULES

A81

Designation and scale of pay: Chief Documentation Assistant,  
Scale Rs.2000-3200

Method of recruitment: Normally by promotion of Senior Documentation Assistant/Senior Librarian working in RDSO, on selection basis. In case of non-availability of suitable departmental candidates, by transfer of suitable staff from Zonal Rlys./Production Units or by direct recruitment, both on selection basis.

2. Minimum qualifications and/or experience:

i) for promotion of departmental candidates. Three years' service as Senior Documentation Asstt./Senior Librarian in RDSO.

ii) for transfer from Zonal Rlys./Production Units. Same as for direct recruitment.

iii) for direct recruitment. i) Degree or its equivalent in any branch of Engineering OR M.Sc. in Physics/Chemistry (with Physics and Mathematics in B.Sc)/Mathematics- in both cases 3 yrs. experience in documentation work.

OR

B.Sc. in Physics, Chemistry and Mathematics with 8 years' experience in documentation work.

OR  
Diploma or its equivalent in any branch of Engineering with five years' experience in documentation work.

ii) Master's Degree in Library Science from a recognised Institute/ Organisation.

OR  
Associateship of INSDOC/DRTC.

3. Age limit for direct recruitment.

25 to 35 years.

4. Channel of promotion:

a) From: Senior Documentation Asstt., scale Rs.1640-2900 and Senior Librarian, scale Rs.1640-2900.

b) To: As per rules.

.....

*Queed 9/1/86*

## RECRUITMENT AND PROMOTION RULES

Resignation and scale of pay: Senior Documentation Assistant  
Scale Rs.1640-2900.

1. Method of recruitment: Normally by promotion of Junior Documentation Assistant in RDSO on Selection basis. In case of non-availability of suitable departmental candidates, by transfer of suitable staff from Zonal Rlys/Production Units or by direct recruitment, both on selection basis.

2. Minimum qualifications and/or experience:

- i) for promotion of departmental candidates. Three years' service as Junior Documentation Assistant in RDSO.
- ii) for transfer from Zonal Rlys/Production Units. Same as for direct recruitment.
- iii) for direct recruitment. i) Degree or its equivalent in any branch of Engineering OR M.Sc. in Physics (with Physics and Mathematics in B.Sc)/Mathematics. Experience in documentation work will be treated as additional qualification.

OR

Diploma or its equivalent in any branch of Engineering OR B.Sc. in Physics, Chemistry and Mathematics, in both cases 3 years experience in documentation work.

- ii) Bachelors' degree in Library Science from a recognised Institute/Organisation.

OR

Associateship of INSDOC/DRTC

3. Age limit for direct recruitment. 20 to 35 years.

4. Channel of promotion:

- a) From: Jr. Documentation Assistant, scale Rs.1400-2300
- b) To: Chief Documentation Asstt., Rs.2000-3200.

.....

*Final  
9/10/88*

A80

## RECRUITMENT AND PROMOTION RULES

Designation and scale of pay: Junior Documentation Assistant  
scale Rs.1400-2300

1. Method of recruitment: By direct recruitment from outside  
on selection basis or by transfer of  
suitable staff from Zonal Railways/  
Production Units on selection basis.

2. Minimum qualifications  
and/or experience:

i) for promotion of  
departmental candidates. --

ii) for transfer from Zonal  
Rlys./Production Units. Same as for direct recruitment.

iii) for direct recruitment

- i) B.Sc. in Physics, Chemistry and Mathematics.
- ii) Degree/Diploma in Library Science from a recognised Institute/  
Organisation/University.
- iii) Experience in documentation work  
will be treated as an additional  
qualification.

3. Age limit for direct  
recruitment. 20 to 30 years.

4. Channel of promotion

- a) From: Direct recruitment.
- b) To: Senior Documentation Asstt.,  
scale Rs.1640-2900.

*Subd 9/10/88*

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1784

## RECRUITMENT AND PROMOTION RULES

Designation and scale of pay:

Senior Librarian/scale  
Rs. 1640-2900(RPS)

1. Method of recruitment:

Normally by promotion of Librarians working in RDSO on Selection basis. In case of non-availability of suitable departmental candidates, by transfer of suitable staff from Zonal Railways/Production Units, or by direct recruitment, both on selection basis.

2. Minimum qualifications and/or experience:

i) for promotion of departmental candidates

3 years' service as Librarian in RDSO.

ii) for transfer from Zonal Rlys./Production Units.

Same as for direct recruitment.

iii) for direct recruitment:

a) BSc in Physics, Chemistry and Mathematics.

OR

Diploma or equivalent in any branch Engineering.

OR

MSc in Physics/Maths/Chemistry (with Physics and Mathematics in BSc)

b) Degree or equivalent diploma in Library Science from any recognised University. Candidates having Master's degree in Library Science or training in Documentation/Reproduction/ Information Retrieval will be preferred.

c) Good Knowledge in German/French/Russian/Japanese will be preferred.

d) At least 8 years' working experience in a responsible capacity in a scientific/technical library in case of candidates having BSc or Diploma as their basic qualification and 5 years' similar experience in case of candidates having post-graduate degree in Science.

3. Age limit for direct recruitment:

20 to 35 years

4. Channel of promotion:

a) from Librarian (Rs. 1400-2300(RPS))

b) to - Chief Lib. Assistant  
scale Rs. 2000-3200(RPS)

*Freeze*  
*Approved*

## RECRUITMENT AND PROMOTION RULES

1785

Designation and scale of pay: Librarian, scales. 1400-2300(RPS)

• Method of recruitment: Normally by promotion of Assistant Librarian, working in RDSO on selection basis. In case of non-availability of suitable departmental candidates, by transfer from Zonal Railways/ Production Units or by direct recruitment both on selection basis.

• Minimum qualifications and/or experience:

- for promotion of departmental candidates. 3 years' service as Assistant Librarian in RDSO.
- for transfer from Zonal Railways/Production Units. Same as for direct recruitment.
- for Direct recruitment:
  - BSc with Physics, Chemistry and Mathematics.  
OR  
Diploma or equivalent in any branch of Engineering.  
OR  
MSc in Physics/Chemistry (with Physics and Mathematics in BSc).
  - Degree or equivalent Diploma in Library Science from a recognised University/ Institute. Preference will be given to candidates having M.Lib.Science.
  - At least 5 years' experience of classification by UDC scheme, cataloguing, indexing and other technical work of a scientific technical Library in case of candidates having BSc or Diploma in Engineering: 2 years' similar experience in case of candidates having M.Sc. as their basic qualification.  
Knowledge of foreign language specially French, German, Japanese or Russian will be treated as an additional qualification.

• Age limits for direct recruitment. 20 to 30 years.

• Channel of promotion:

- from- Assistant Librarian, scale Rs. 1200-2040(RPS)
- to- Senior Librarian, scale Rs. 1640-2900(RPS)

*Brueg  
9/17/86*

## RECRUITMENT AND PROMOTION RULES

Designation and scale of pay.

Assistant Librarian  
scale Rs. 1200-2040 (RPS)

#### 1. Method of recruitment

By direct recruitment on selection basis.

2. Minimum qualifications  
and / or experience:

i) for promotion of departmental candidates

ii) for transfer from Zonal Rlys/Production Units.

iii) fc. rect recruitment

a) BSc with Physics, Chemistry and Mathematics.

OR

Diploma or its equivalent in any branch of Engineering.

b) Degree or equivalent Diploma in Library Science from a recognised Institute/Organisation/University.

c) Working knowledge of foreign language specially French, German, Japanese or Russian will be treated as additional qualification.

### 3. Age limits for direct recruitment:

20 to 30 years.

#### 4. Channel of promotion

a) from- Direct recruitment

b) to - Librarian, scale  
Rs. 1400-2300(RPS)

Steve  
9/12/88

GOVERNMENT OF INDIA-MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

Addendum No.1 to Office Order N.7 of 1979

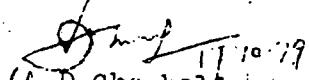
Sub: Revised Rules for Recruitment and Promotion  
of group 'C' Staff in RDSO.

17/8/79

The R&P Rules pertaining to categories of Chief Documentation Assistant, Scale Rs.650-960(RS) and Senior Librarian, Scale Rs.550-900(RS) have further been revised and the revised R&P Rules together with avenue of promotion chart are enclosed for information & guidance.

2. These revised rules will be effective from immediate effect and all future recruitment & promotions will be made strictly in accordance therewith.

3. These revised rules may be given wide publicity amongst the concerned staff.

  
(A.D.Ghoshal)  
for Director General.

DA:R&P Rules together  
with avenue of  
promotion chart.

Lucknow-226011  
Dated: 17-10-79  
(File N:A/R/RT/TS(Pl.))

Distribution

1. As usual for office orders                    2. Notice Board

  
9/12/86

RECRUITMENT AND PROMOTION RULES

A88

Designation and Scale of pay:

Chief Documentation Assistant  
Scale Rs.650-960 (RS)

1. Method of recruitment:

Normally by promotion of Sr.Doc. Asstt./Senior Librarian working in RDSO, on selection basis. In case of non-availability of suitable departmental candidates by transfer of suitable staff from zonal railways/production units or by direct recruitment, both on selection basis.

2. Minimum qualifications and/or experience

i) for promotion of departmental candidates

3 years' service as Sr.Doc Asstt./ Senior Librarian in RDSO.

ii) for transfer from Zonal Rlys./Production Units.

Same as for direct recruitment.

iii) for Direct Recruitment.

i) Degree or its equivalent in any branch of Engineering OR M.Sc. in Physics/Chemistry/Mathematics- in both cases 3 years' experience in documentation work.

OR

B.Sc. in Physics/Chemistry/Mathematics with 8 years' experience in documentation work.

OR

Diploma or its equivalent in any branch of Engineering with five years' experience in documentation work.

ii) Post graduate training in Documentation and Reprography or Associateship of INSDOC/DRTC.

25 to 35 years.

3. Age limits for direct recruitment:

4. Channel of promotion:

a) from - Sr.Documentation Asstt./ Senior Librarian, scale Rs.550-900(RS).

b) to - As per rules.

*Green*  
9/12/88

## RECRUITMENT AND PROMOTION RULES

### Designation and scale of pay

Senior Librarian/scale Rs.550-900(RS) 189

#### 1. Method of recruitment:

Normally by promotion of Librarians working in RDSO on selection basis. In case of non-availability of suitable departmental candidates, by transfer of suitable staff from zonal railways/production units, or by direct recruitment, both on selection basis.

#### 2. Minimum qualifications and/or experience:

i) for promotion of departmental candidates: 3 years' service as Librarian in RDSO.

ii) for transfer from zonal Railways/Production Units. Same as for direct recruitment.

iii) for Direct recruitment: a) B.Sc. in Physics, Chemistry or Geology, and Mathematics.

OR

Diploma or equivalent in any branch of Engineering.

OR

M.Sc. in any branch of Science and technology.

b) Degree or diploma in Library Science from any recognised university. Candidates having Master's degree in Library Science or training in Documentation/Photography/Information Retrieval will be preferred.

c) Good knowledge in German/French/Russian/any other foreign language will be preferred.

d) At least 8 years' working experience in a responsible capacity in a scientific/technical library in case of candidates having B.Sc. or diploma as their basic qualification and 5 years' similar experience in case of candidates having post-graduate degree in Science.

#### 3. Age limits for direct recruitment:

20 to 35 years.

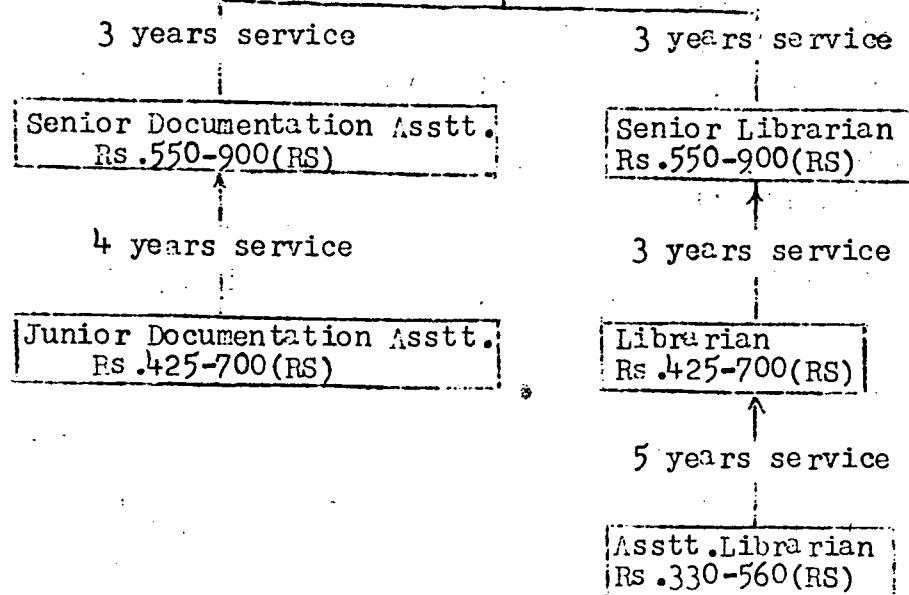
#### 4. Channel of promotion:

a) from - Librarian(Rs.425-700/RS)

b) to - Chief Doc. Assistant Scale Rs.650-960(RS).

*Guiby*  
9/12/88

Chief Documentation Asstt.  
Rs.650-960(RS)



*Reed*  
~~9/11/78~~

190

# Annexure A-5

191

रायर : रेलमानक-लखनऊ  
Telegrams : 'RAILMANAK' LUCKNOW



टेलीफोन [ 50567 & 50017  
Telephones [  
टेलेक्स [ 535-330-RDSO IN.  
Telex [

भारत सरकार - रेल मंत्रालय  
अनुसंधान अभिकल्प और मानक संगठन  
GOVERNMENT OF INDIA - MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

पत्र संख्या

Our Reference No .A/R/RT/TS(Pt.)

लखनऊ-226011-दिनांक

LUCKNOW-226011-Dated 22.1.80.

## MEMORANDUM

Shri Suresh Prakash, Chief Documentation Assistant, is informed that the issues raised by him in his application dated 11.1.80 have been examined in detail and it has been decided that he has no case for consideration by the Railway Board. The revised Recruitment and Promotion Rules for the posts of Senior Librarian and Chief Documentation Assistant framed with the approval of Director General are in confirmity with the general policy decision taken by the Board. Shri Suresh Prakash is further informed that the advance copy submitted by him to the Railway Board without first exhausting the official channels is not in order and he should refrain from adopting such a course of action in future.

NO. 22/80

DA. 11.

(Naunut Lal)  
for Director General.

Shri Suresh Prakash,  
Chief Documentation Assistant,  
RDSO/Lucknow.

*Suresh  
9/1/80*

Annexure A-6Research Designs & Standards OrganisationStaff Posting Order No.100 of 1981.

In consequence of Shri H.Devas, CDA/JL being promoted as ADO(P) vide O.P.O. No.24 fo 1981, the following adhoc promotions for a period not exceeding 3 months in the above chain are ordered w.e.f. 25.2.81(FN):-

- i) Shri Pratap Singh, Sr.Librarian is promoted as Chief Doc.Asstt., scale Rs.650-960(RS). He will continue to look after the library affairs and will be under DD/Doc.I.
- ii) Smt. S.L.Daur, Librarian is promoted as Sr.Librarian, scale Rs.550-900(RS) vice Shri Pratap Singh.

2. The above staff should note that they will be entitled to pay and allowances of higher grades only after they complete 22 days continuous service in higher posts. The above promotions are purely on adhoc basis and the incumbents will have no claim on the posts against regular/short term vacancies in future. The charge reports may be sent to SO/E-IV early through their controlling officer.

*Magan Lal*  
(Magan Lal) 3/3/81  
for Dy. Director General

File No.E/AP/DSL/C1.III-Tech/79  
Dated: 3.3.1981  
Manak Nager/Lucknow-11

Distribution

Pay/Dy.DG, DD/Doc.I, DD/Doc.II, DDE-II, ADO(P), SO/E-III, SO/A,  
SO(Rect/Pass), SO/Hindi, JDP, Conf.Section, Sh. Pratap Singh, CDA,  
Smt. S.L.Daur, Sr.Librarian, P/Files of staff concerned.

*Reed*  
9/12/88

( Hindu viwan will file)

Government of India  
Ministry of Railways  
Research, Designs and Standards Organisation  
OFFICERS POSTING ORDER NO 105 OF 81

Sh.H.Devas, Chief Documentation Asstt. who was promoted to officiate as ADO(P) in cl.II in terms of OPO No.24 of 81h/s been further allowed to continue in the same capacity on long term adhoc basis.

Sh.Pratap Singh,CDA is promoted to officiate as Asstt.Doc.Officer(Lib) in cl.II on adhoc basis for a period of six months on trial basis subject to review of his performance after six months unless the offg. promotion terminates earlier.

(Auth: DG's orders dt.11.8.81 in file No.EII/ES/OP/DOC)

File No.EII/ES/OP/Doc  
Lucknow-11 Dt. -8-81

(B.R.Sharma) *Br. C*  
for Director General

DD(P),DD(Doc),SO(EIII)-2 copies,JDF-2 copies,SO(EIV)  
SO(A),CA,ADE/Tele,Secy to DG,PA/DY DG,SO(Pass),DD/Admn  
Estate Sup,Notice Board,S/Sh.H.Devas and Pratap Singh,  
CDA,RDSC/Lucknow.

*Sh. Devas*  
9/12/81

(8)	(9)	(10)	(11)	(12)	(13)
मर्द लेकिन उसके पास किसी मान्यताप्राप्त विश्वविद्यालय की कम से कम स्नातक की डिप्लोमा और पुस्त- कालय विज्ञान में डिप्लोमा या समकक्ष डिप्लोमा अवश्य होना चाहिए।	2 वर्ष	प्रोफेशनल डारा और उसके म- होने पर, सीधी भर्ती डारा	प्रोफेशनल नियमित प्रोफेशनल कार्य करने वाले प्रेड 'ग' कर्मचारियों (नियमित कर्म- चारियों से निष्प्रभावित) भारतीय व्यवसाय (नियमित सा- माजिक व्यवसाय तथा व्यापक होनी) के माध्यम से। व्यवसाय ऐसे कर्मचारियों में से किया जाएगा जो संघोचित वेतन- मात्र में व्यूनतम 425 रु. वाले प्रेड या उससे ऊचे प्रेड में समूह 'न' के पदों पर नियमित रूप से कार्यरत हों यथात् कि उन्होंने कम से कम तीन वर्ष की भौतिक कार्यकारी सेवा की हो और 560 रु के बराबर पर पहुंच गए हों।	समूह 'द्व' विभागीय प्रोफेशनल नियमित प्रोफेशनल कर्मचारियों (नियमित कर्म- चारियों से निष्प्रभावित) भारतीय व्यवसाय प्रो- फेशनल समिति की कार्य- वाहिका अनुभोदन के लिए यात्रों को भेजी जायेगी यदि आपांग उहूं घनु- भोदित नहीं करता है तो संघ लोक सेवा या- योग के अध्ययन या सदस्य की अध्यक्षता से एक नयी बैठक आयो- जित की जाएगी।	सीधी भर्ती के समय संघ लोक सेवा या- योग से परामर्श करता आवश्यक है।

[सं० ई वार वी-1/77/44/24-वा० III]

अजय जोहरी, सचिव, रेलवे बोर्ड एवं पंद्रेन संयुक्त सचिव, भारत सरकार

#### 4. Disqualifications : No person,—

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person;

shall be eligible for appointment to any of the said posts.

Provided that the Central Government may, if satisfied, that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to Relax.—Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the candidates belonging to the Scheduled Castes and the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

*Sreed  
27/4/84*

PARS

No. of post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of Service admissible under rule 30 of the C.C.S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)	(6a)	(7)

1. Deputy Director	1*	General Central Service Group	Rs. 1100-50- 1600	Selection	Not applicable	Not applicable	Not applicable
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(Documentation) (1983)

'A' Gazetted

(Non-Ministerial)

\*Subject  
to varia-  
tion de-  
pendent  
on work-  
load.

Whether age and educational qualifications prescribed or direct recruits will apply in the case of Promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by deputation/transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U.P.S.C. is to be consulted in making rectt.
--	-----------------------------	---	--	--	---

(8)	(9)	(10)	(11)	(12)	(13)
Not applicable	2 years	By promotion	Promotion Assistant Documentation officer with 8 years' service in the grade rendered after appointment thereto on a regular basis.	Group 'A' Departmental Promotion Committee 1. Chairman/Member, Union Public Service Commission—Chairman. 2. Two Directors from Railway Board—Members.	Consultation with the U.P.S.C. necessary while selecting an officer for appointment.

Note : The proceedings of the Departmental Promotion Committee relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the Departmental Promotion Committee to be presided over by the Chairman or a Member of the Union Public Service Commission shall be held.

*Prasad*  
9/1/88.

(1)	(2)	(3)	(4)	(5)	(6)	(6a)	(7)
2 Assistant Documentation Officer.	3* (1983)	General Central Service Group 'B' gazetted (non-ministerial).	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Selection	Not Exceeding 30 years. (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Govt.) Note : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).	No	Essential : (i) Master's degree in Physics/Chemistry/Mathematics of a recognised University or equivalent. (ii) Degree or equivalent diploma in Library Science of a recognised University or Institute. (iii) 3 years' experience in a responsible capacity in a Library of standard.
		*Subject to variation.					Note 1 : Qualifications are relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified.
							Note 2 : The qualification(s) regarding experience is/are relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging to Scheduled castes and Scheduled Tribes if at any stage of selection, the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.
							Desirable : (i) Master's degree in Library Science of a recognised University or equivalent (ii) Experience of documentation work in a responsible capacity. (iii) Working knowledge of any of the modern European language other than English.
8	9	5	10	11	12	13	
No. But must possess atleast Bachelor's degree and degree or equivalent diploma in Library Science of a recognised University or equivalent.	2 years	By promotion failing which by direct recrt.	Promotion : Through departmental selection (which shall include ordinarily a written test and a viva-voce (test) of Grade 'C' staff (other than Ministerial staff) working in a documentation and Library. The Selection shall be made from among the staff	Group 'B' D.P.C. Three Directors/Additional Directors.	Note : The proceedings of the Departmental Promotion Committee relating to confirmation shall be sent to the Commission for a approval. If, however,	Consultation with the U.P.S.C. necessary while making direct recrt.	

*Given*  
9/12/88

holding posts in the grade the minimum of which is Rs. 425 in the revised scale and in higher Group 'C' grades on a regular basis, provided they have rendered a minimum of 3 years, non-fortuitous service and have reached a stage of Rs. 560/-.

Note : In case a junior employee is considered for selection by virtue of his satisfying the relevant minimum service conditions, all persons senior to him shall also be held to be eligible notwithstanding that they may not satisfy the requisite minimum service conditions.

these are not approved by the Commission a fresh meeting of the Departmental Promotion Committee to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.

[No. ERB—I/77/44/24—vcl. III]  
A. JOHRI, Secy., Railway Board and ex-officio Jt. Secy. to the Govt. of India

#### धूम-मंत्रालय

नई दिल्ली, 23 अप्रैल, 1984

सांकेतिक—453—राष्ट्रपति, संचालन के अनुच्छेद 309 के प्रत्युक्त द्वारा प्रदत्त समिक्षियों का प्रयोग करते हुए, प्रशिक्षण निवेशालय (कलकत्ता वित्त केन्द्रीय प्रशिक्षण संस्थान की यूनिट एवं इससे सम्बद्ध आदर्श प्रशिक्षण संस्थान, केन्द्रीय कर्मचारीवृद्धि प्रशिक्षण और अनुसंधान संस्थान और सेवांयत्ता प्रशिक्षण निवेशालय) तथा औद्योगिक प्रशिक्षण संस्थान समूह में पद भर्ती नियम, 1974 का और संगोष्ठन करने के लिये निम्नलिखित नियम बनाते हैं, वर्णात्—

1. (1) इन नियमों का संकीर्तन नाम प्रशिक्षण निवेशालय (कलकत्ता वित्त केन्द्रीय प्रशिक्षण संस्थान की यूनिट एवं इससे सम्बद्ध आदर्श प्रशिक्षण संस्थान, केन्द्रीय कर्मचारीवृद्धि प्रशिक्षण और सेवांयत्ता प्रशिक्षण निवेशालय) तथा औद्योगिक प्रशिक्षण संस्थान समूह में पद भर्ती (नवबंध संबोधन) नियम, 1984 है।

(2) ये राजपत्र में प्रकाशन की सारीय की प्रतुत होती है।

2. प्रशिक्षण निवेशालय (कलकत्ता वित्त केन्द्रीय प्रशिक्षण संस्थान की यूनिट एवं इससे सम्बद्ध आदर्श प्रशिक्षण संस्थान, केन्द्रीय कर्मचारीवृद्धि प्रशिक्षण और सेवांयत्ता प्रशिक्षण निवेशालय) तथा औद्योगिक प्रशिक्षण संस्थान समूह में पद भर्ती नियम, 1974 की अनुसूची में अन सं. 12 और उससे संबंधित प्रशिक्षियों के स्थान पर निम्नलिखित रुप आयेगा, वर्णात्—

टिप्पणी :—पूर्ण नियम सांकेतिक सं. 682 तारीख 29-6-74 (पृ. 1609 से 1622 तक) अधिसूचना सं. 30-जी-हॉटी-12) (1)/68-टी. १० । १ तारीख 5-6-74 द्वाये प्रकाशित किये गये।

2. सांकेतिक सं. 826 तारीख 5-7-75 (1663) अधिसूचना सं. 30-जी-हॉटी-49(24)/88-ए-पी तारीख 21-6-75 द्वाये संशोधन किया गया।
3. सांकेतिक सं. 897 तारीख 19-6-76 (पृ. 1706-अधिसूचना सं. 30-जी-हॉटी-12/19/75-टी-ए-ii तारीख
4. सांकेतिक सं. 649 तारीख 21-5-75 (पृ. 162) अधिसूचना सं. 12(47)/76-टी-ए तारीख 4-5-77
5. सांकेतिक सं. 650 तारीख 21-5-77 (पृ. 1653) अधिसूचना सं. 12(29)/76-टी-ए-1 तारीख 4-5-77
6. सांकेतिक सं. 25 तारीख 6-1-77 (पृ. 76) अधिसूचना सं. 19(29)/78-ए-वृ एवं इस तारीख 15-12-78
7. सांकेतिक सं. 984 तारीख 5-8-79 (पृ. 1764-1765) अधिसूचना सं. 12(3)/78-टी-ए तारीख 22-7-78 द्वाये संशोधन किया गया।
8. सांकेतिक सं. 1114 तारीख 9-9-78 (पृ. 2015) अधिसूचना सं. 12(41)/78-टी-ए-1 तारीख 22-8-79 द्वाये संशोधन किया गया।
9. सांकेतिक सं. 225 तारीख 10-2-79 (पृ. 439-44) अधिसूचना सं. 12(51)/77-टी-ए-1 तारीख 12-1-79 द्वाये संशोधन किया गया।
10. सांकेतिक सं. 899 तारीख 30-2-79 (पृ. 1764) अधिसूचना सं. 12(29)/76-टी-ए-1 तारीख 8-6-79 द्वाये संशोधन किया गया।
11. सांकेतिक सं. 1201 तारीख 22-9-79 (पृ. 2263) अधिसूचना सं. 19(2)/78-टी-टी-ए तारीख 6-9-79 द्वाये संशोधन किया गया।
12. अधिसूचना सं. 12(51)/77 तारीख 25-3-80 (सांकेतिक सं. ) द्वाये संशोधन किया गया।
13. अधिसूचना सं. 43(4)/80-टी-ए-11(i) तारीख 14-10-81 (सांकेतिक सं. 880 तारीख 31-10-91—पृ. 2353) द्वाये संशोधन किया गया।
14. अधिसूचना सं. 4-12018/3/81-टी-ए-11(i) तारीख 30-1-82 (सांकेतिक सं. 167 तारीख 13-2-82, पृ. 473) द्वाये संशोधन किया गया।

*Ruedy*  
9/1/88

Date  
26.6.84

Agb

To,

The Director General,  
RDSO,  
Ministry of Railways,  
LUCKNOW.

Annexure A-9

Sir,

Sub: RDSO (group A & group B) Recruitment  
Rules 1984- filling in the vacant posts  
of Asstt. Documentation Officer (ADO)  
requested.

The above rules came into force w.e.f. 5.5.1984, the date on which these have been published in the Official Gazette for the benefit of staff working in documentation and library wings of RDSO. Owing to the non-existence of the said rules, the posts of ADO have either been filled on ad-hoc basis or have been kept vacant from the very inception of the creation of these posts. Now that the recruitment rules have come into force the RDSO administration is requested to issue notice for a departmental selection for the posts of ADO in scale Rs. 650-1200(RS), to all the staff working in documentation and library wings, who are holding the post in the grade the minimum of which is Rs. 425(RS) and in regular group C grade on a regular basis, provided they have rendered a minimum of 3 years meritorious service and have reached a stage of Rs. 560 also possessing at least bachelor's degree or equivalent diploma in Library Science as laid down in the recruitment rules.

2. So far such a departmental selection having not been held, the posts of ADO have not been filled on a regular basis and any further delay in conducting the selection would jeopardise the future of existing eligible candidates.

3. Under any circumstances if RDSO administration is not able to go ahead with the departmental selection immediately for reasons not known to us, we request to fill the vacant posts of ADO on ad-hoc basis by offering ad-hoc appointments to the eligible candidates available in library and documentation sections as per the above Recruitment Rules till such time the departmental selection is held to regularly fill the vacancies. As some employees are already enjoying such ad-hoc promotion, it would be also more befitting and equitable to extend such ad-hoc promotion similarly to other eligible staff also.

4. It is not out of place to mention that due weightage of degree or equivalent diploma in Library Science even in the case of departmental candidates laid down in the Recruitment Rules in the post of ADO confirms the observation already made by earlier DGs and also by the Railway Reforms Committee.

Submitted for sympathetic consideration & orders please.

Yours faithfully,

DR/Rsc-1

JDP

DR/Rsc-2G

1. Sri V.S. Srivastava/SDA/1st
2. Smt. J.L. Daur Librarian
3. Smt. G. Chatterjee Librarian
4. Sri R.N. Sachan, Librarian
5. Mr. Deepak Gupta, Librarian

Copy in advance to DC & Dr. Dy. DC.

*Suresh*  
9/1/88

To,

The Director General,  
RDSO, Ministry of Railways,  
Lucknow.

Annexure A-10

Sir,

Sub: RDSO (group A & group B) recruitment  
rules 1984-filling in the vacant posts  
of Asst. Documentation Officer (ADO)  
requested.

Kindly refer our application dt. 26.6.84 (copy attached for ready reference) requesting for holding a departmental selection for the post of ADO in the scale 650-1200 (R3) since R&P rules have come into force w.e.f. 5.5.1984, the date on which these have been published in official Gazette. We also requested that if RDSO administration is not able to go ahead with the departmental selection, the posts of ADO may be filled on adhoc basis by offering adhoc appointment to the eligible candidates as per the above R&P rules instead of keeping the post vacant till such time the departmental selection is held to regularly fill the vacancies, since some employees are already enjoying such adhoc promotion in our cadre.

2. It is more than two months have passed but no action appears to have been taken in the matter. Contrary to this, we have reliably learnt that, our R&P rules have again been referred to railway board with the recommendations to change and modify the structures of the rules. We would like to draw your kind attention towards the following facts in this regard:-

- (i) This R&P rules have been finalised and ~~in 1984~~ came into force in RDSO after a lapse of 20 years. Now referring again this matter to Railway Board, in turn to UPSC may take another twenty years to get a final shape.
- (ii) Since these R&P rules are model rules framed by Department of personnel and Administrative reforms, Ministry of Home Affairs and have been approved by Govt. of India after considering and taking in views the various representations from the librarians of all the ministries even UPSC will have to refer the matter to department of personnel and administrative reforms for reconsideration and restructuring of the R&P rules.
- (iii) These model R&P rules have been implemented through UPSC for all the librarians in every ministry throughout the country. Even Railway Board, ministry of Railways have also accepted these R&P rules for Railway Board librarian.
- (iv) It is not understood as how RDSO has considered it proper to refer this matter again to Railway Board/UPSC neglecting the recommendations of R&C and other expert committees, without considering the details of the complications which may arise in future.

However we again request you to implement the new R&P rules which have already been published in Gazette of India and are in vogue and promote the eligible staff on adhoc basis

*Reed*  
9/17/88

contd...2/-

:-: 2 :-:

A100

till regular selected candidate is available.

Thanking you in anticipation.

Yours faithfully,

*B. S. Mitra* 10/9/84

1. V.S.L. Trivastava, SDI ~~librarian~~
2. S.L. Daur *SDI* librarian
3. Gauri Chatterjee *SDI* librarian
4. Deepak Gupta *SDI* librarian
5. R.N. Sachan *SDI* librarian 11/9/84

Date. 10.9.84

Copy in advance to,

1. Director General, RDSO/Lucknow.
2. Chairman, Railway Board, Ministry of Railways.

*Ans*  
9/12/88

Government of India  
Ministry of Railways  
Research Designs and Standards Organisation

STAFF NOTICE

Sub: Departmental selection for cl.II (Group 'B')  
posts of Asstt. Documentation Officer in  
Research Designs and Standards Organisation,  
Lucknow.

In continuation to the Staff Notice of even number dated 10.9.86 under which the above selection scheduled to be held on 10th and 11th September, 87 was postponed till further advice, it has been decided to hold the Departmental selection for cl.II (Group 'B') posts of Asstt. Documentation Officer in Gr. Rs. 2000-3500 (RSRP) in RDSO, Lucknow on 29th and 30th June '87 as per programme given below from amongst the eligible Cl.III staff of the Documentation and Library sections. The number of existing vacancies for which the panel is to be formed is 2 (two), out of which one vacancy is reserved for Scheduled caste candidate.

Programme of written test

<u>Date</u>	<u>Paper No.</u>	<u>Time</u>	<u>Duration of paper</u>
29.6.87	I (Establishment and General Admn)	10.00 hrs	Two hours
30.6.87	II (Library Science and Publication)	10.00 hrs	Three hours

2. Conditions of eligibility

Staff holding the posts in the grade the minimum of which is Rs. 425/- in the Revised scale on a regular basis, provided they have rendered a minimum of three years' non- fortuitous service and have reached the stage of Rs. 560/-.

For departmental promotees, possession of atleast Bachelor's Degree and Degree or equivalent diploma in Library Science of a recognised University or equivalent is a must.

Sh. Amrit Lal, LO(R)/RITES who does not possess a degree or equivalent diploma in Library Science as prescribed in the R&P Rules is, however, permitted to appear in the above selection in pursuance to the directions of the Hon'ble Central Administrative Tribunal, Allahabad vide their order dt. 9.9.86 in case registered under No. 472 of 1986.

Note In case a junior employee is considered for selection by virtue of his satisfying the relevant minimum service conditions, all his seniors shall also be held to be eligible notwithstanding that they may not satisfy the requisite minimum service conditions.

*Subd  
9/12/86*

A102

ANNEXURE-I

Syllabus for the Selection of ADO(Library) and ADO(Publication)

Establishment & General Administration 100 Marks

Paper I ESTABLISHMENT

Discipline and Appeal Rules, Railway Service Conduct Rules, Employment of Casual Labour, Pass and PTOs, TA Rules & Medical Rules, Pension Rules, Leave Rules, Hours of Employment Regulations and Loans & Advances.

GENERAL

Delegation of powers in RDSO in Establishment and non-Establishment matters, Budget Estimates, procurement and accountal of equipment, Stores and Stationary, Chapter I, II and X of the Manual of Office Procedure, Official Language Policy and Official language Rules.

Paper II LIBRARY SCIENCE & PUBLICATION 200 Marks

Topic I: Library Organisation

Library in Society, its aims and functions the kinds of libraries and the services appropriate to each one of them, Library legislation, comparative with special emphasis on Indian Library Laws; Library finance; control and management. Principles of Library, Planning and architecture, Library equipment; Library personnel; Library cooperation, Book collections and their features.

Topic II: Library Management:

Library committees, Trustees, Boards; Library Administration; Finances; Sources of Income & control of expenditure; Accessioning, open access system; charging & discharging system; stock verification; Book stock selection & its maintenance; departmental libraries.

Topic III: Classification & cataloguing:

Basic principles of classification; Structure of classification, main features of Decimal and Universal Decimal classification schemes; theory & history of cataloguing, catalogue codes, descriptive cataloguing, Physical forms of catalogues, filling and display of catalogues, arrangement of entries.

Topic IV: Bibliography & Book selection

Aims & purpose of bibliography, current state of bibliographical enterprises (national & inter-national), reprography, copyright principles in selection of library materials.

*Quez  
9/12/88*

A103

Government of India Ministry of Railways  
Research Designs & Standards Organisation

OFFICERS' POSTING ORDER NO. 45 OF 1987

The following changes are ordered with immediate effect:-

- 1) Shri P.K.Misra, ADO/Library, adhoc is transferred and posted as ADO/Pubbn adhoc basis.
- 2) ~~On release by Shri Misra, Sh. Suresh Prakash, ADO/Pub, adhoc, is transferred and posted as ADO/Library on adhoc basis.~~

Shri P.K.Misra, ADO/Library, adhoc, is to move first by 10-8-1987.

2. The charge report of the officers may be forwarded to Estt-II Section in six copies.

Auth: DG's orders dated 16-7-87  
in file No. DG/CRP-77/G.

Lucknow-226 011.

Date: 4-8-1987.

File No. DG/CRP-77/G

*SM*  
4-8-87  
(I.A.Khan)  
Jt. Director/Admn-II  
for Director General.

Distribution

Sr.Dy.DG JDF JDA-I JDA-III DD/Doc DDE-I

DDE-II DD/Admn TEN AAO-I & II Audit Officer

SOE-I SOE-II SOE-III SOE-IV SOE-V SOE-VI

SO/Rectt SO/Admn. SO/Stenos SO/Pass

ADE(Telecomm) Tele. Asstt. Commandant. Estate Supervisor

Secy./RDSO Class II Officers Association, Receptionist-I & II

Officers concerned P/File Notice Board

*Suresh  
4/12/88*

7104

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Registration No. 22 of 1988(L)

Smt. S.L. Daur & others ..... Applicants

Versus

Union of India & others ..... Respondents

Rejoinder affidavit to the written  
statement filed on behalf of respon-  
dents 1 & 2.

I, Smt. G. Chatterjee, wife of Sri K.K. Chatterjee, resident of Akhtar Nanil 130/14, J.C. Bose Marg, Lucknow, do hereby solemnly affirm and state on oath as under :-

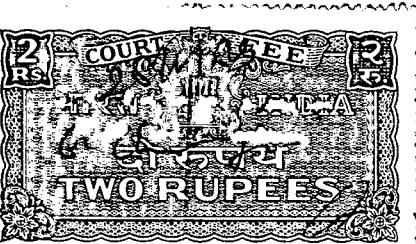
*Filed today  
Smt. G. Chatterjee  
21/12/89*

1. That the deponent is applicant No.2 in the above application. She has read over and understood the contents of the written statement filed on behalf of respondents 1 and 2. She is fully conversant with the facts deposed to herein. The deponent has been authorised by applicants 1, 3 and 4 to file this rejoinder affidavit on their behalf.

2. That the contents of opening para of the written statement, in so far as they relate to solemn affirmation, are denied.

3. That the contents of para I of the written statement are not denied to the extent that Sri S. Bhatia is working as Deputy Director, Establishment-I in the

*G. Chatterjee*



R.D.S.C. Rest of the contents are denied as neither the written statement has been filed on affidavit as alleged nor there is any authorisation of the respondent Nos. 1 and 2 in favour of the said Sri S. Bhatia to file the written statement on their behalf. Since Sri Bhatia has not been impleaded as a party in the case, he himself, by virtue of his designation, is not competent to file the written statement. Thus the written statement filed by Sri Bhatia on behalf of respondent Nos. 1 and 2 cannot be treated as a valid record to decide the case.

4. That the contents of para II of the written statement are contradictory to the averments made in para VI(11), (12) and (13) of the so-called written statement; hence denied.

5. That in reply to the contents of para III of the so-called written statement, in so far as they relate to the history of the case, it is respectfully submitted that it is incorrect to allege that the upgraded post of 1981 of Chief Documentation Assistant was operated as Assistant Documentation Officer (Library) and for that R & P Rules as contained in Annexure No.R-1 were notified under notification dated 10.4.1984. The averments made in the para under reply are incorrect rather false on the face of the record. Annexure No.4 to the application under Section 19 of the Act is a letter of respondent No.2 and this letter was issued on 5.6.1987 that is much after the notification of R & P Rules on 10.4.1984 (Annexure No. R-1). In this letter, the

J. Chatterjee



-3-

position with regard to creation of post of Assistant Documentation Officer (Library) has been sufficiently explained supporting the claim of the applicants. Thus the face of the documents, it is evident that the R&P Rules (Annexure R-1) do not pertain to the post of Assistant Documentation Officer (Library) which was exclusively created for Library Section after surrendering one post of Assistant Librarian. This is evident from the order dated 27.4.1931 regarding upgradation of one post from Group C, that is Class III, to Group D, that is Class II in the scale of Rs.650-1200 as Assistant Documentation Officer (Library) on permanent footing. Consequent upgradation within Group C (Class III) post was made to ensure corresponding reduction in the base grade in terms of the Railway Board's letter dated 23.3.1930. A photostat copy of the order dated 27.4.31 upgrading Class III post in the Library Section to Class II post Assistant Documentation Officer (Library) is filed as Annexure No.10 to this affidavit.

Annexure-10

In view of the facts mentioned above and Annexure No.10 and as also evident from Annexure No.4 to the application, the averments made in the para under reply are wrong, false, misleading and unworthy of credence. The respondents are put to a strict proof of their allegations and that in the interest of justice they are required to produce all those documents in support of their contentions that the R&P Rules contained in Annexure R-1 were framed and approved after due consideration of the facts available in Annexure No.4 to the application. Thus in the interest of justice, this

*J. Chester Jr*



Hon'ble Tribunal may be pleased to direct the respondents to produce the said documents.

6. That the contents of para IV of the so called written statement call for no remarks.
7. That the contents of para V of the so called written statement are denied and the averments made in para under reply, are reiterated. The respondents, in the para under reply, have given no specific date when the cause of action, according to them, had finally arisen much prior to coming of the Administrative Tribunals Act, 1985.
8. That the contents of para VI(1) of the so called written statement contrary to the facts mentioned in para VI(1) of the application are denied and the averments made in the said para of the application are reiterated.
9. That since no reply against para 2 of the application has been offered by the respondents in their written statement, the averments made in the said para 2 of the application stand admitted.
10. That the contents of paras VI(3), (4) and (5) of the so called written statement call for no comments.
11. That the contents of para VI(6) of the so called written statement are denied as they stand and the averments made in para VI(6) of the application are reiterated. It is further submitted that the channel



*D. Chatterjee*

- 5 -

of promotion and the R&P Rules as mentioned in the para under reply have no concern with the post of Assistant Documentation Officer (Library) exclusively sanctioned for library cadre as evident from Annexure No.4 to the application. The intention of R&P Rules is not so as mentioned in the para under reply with regard to channel of promotion by including the post of Assistant Documentation Officer (Library) exclusively sanctioned for library cadre.

It is further clarified that the Documentation as well as Library Departments are two separate cadres in R.D.S.C. In the Documentation Cadre, there are posts of Chief Documentation Assistants in grade Rs.650-960 (RS) whereas in Library Cadre there is no post in grade Rs.650-960 (RS). The highest post available in Library Cadre is of Senior Librarian in grade Rs.550-900 (RS). Thus the staff in grade Rs.650-960(RS) in Documentation Cadre is always senior to the staff of Library Cadre and by virtue of his seniority and grade, which are counted in the selection, he is bound to be selected in Class II post of Assistant Documentation Officer and the library staff, being in lower cadre/grade, are bound to lose the chance of promotion in Class II post of Assistant Documentation Officer.

On the other hand, the Documentation Cadre was already provided with the posts of Assistant Documentation Officer even prior to coming of R&P Rules contained in Annexure R-1 to the so called written statement whereas no such post was available in the Library Cadre prior to



S. Chatterjee

-6-

1978 and the future of library staff, in the matter of promotion, was blocked.

Keeping the above facts in view, the competent authority, in order to provide a fair chance of promotion to the library staff and maintain equality in the matter of public employment as guaranteed under Articles 14 and 16 of the Constitution of India and specially for the reasons that library staff were not being given promotion in grade Rs.650-960(RS) and Assistant Documentation Officer already existing in the cadre of Documentation being a separate cadre, one post of Assistant Documentation Officer (Library) was sanctioned in the year 1981 exclusively for library section as evident from Annexure No.4. Thus in these circumstances, the staff of Documentation Cadre, who were already benefited, have no access on the post of Assistant Documentation Officer (Library) exclusively sanctioned for library section. Thus the R&P Rules contained in Annexure R-1 do not apply on the post of Assistant Documentation Officer (Library) exclusively sanctioned for library section though it provides a chance to the staff of library to apply for the post of Assistant Documentation Officer (Documentation) as in that cadre there are many posts of that rank/designation as well as in grade Rs.650-960(RS).

In any case it is relevant to mention here that the interested persons, by misrepresentation of facts and without bringing the facts, already mentioned above as also contained in Annexure-4 to the application, to the notice of competent authority got the rules



P. Chatterjee

approved as contained in Annexure R-1 to the so called written statement and they are being wrongly applied on the post of Assistant Documentation Officer (Library) exclusively sanctioned for library section. The said Rules (Annexure R-1) are self explanatory that they do not pertain to the post of Assistant Documentation Officer (Library) as no such word has been indicated therein.

In the end, it is further requested that this Hon'ble Tribunal may be pleased to direct the respondents to produce all those documents showing the facts that the R&P Rules (Annexure R-1) were got approved after bringing the facts mentioned above and as contained in Annexure No.4 to the application and they do apply even on the post of Assistant Documentation Officer (Library) exclusively sanctioned for library section.

12. That the contents of para VI(7) of the so called written statement are denied and the averments made in para VI(7) of the application are reiterated. The Annexure No.4 to the application is self explanatory and supports the contentions of the applicant mentioned in the para in question.

It is further submitted that from the contents of para VI(7) of the so called written statement, in so far as they relate to upgradation of 20 posts, it is evident that the R&P Rules contained in Annexure-R-1 do apply to that post and not for the post sanctioned for Library Section exclusively. Annexure-4 to the application which was issued much after the notification



L.P. Chatterjee

of the R&P Rules is indicative of the fact that these Rules do not apply to the post of Assistant Documentation Officer (Library).

13. That the contents of para VI(8) of the so called written statement are denied as stated and the averments made in para VI(8) of the application are reiterated.

14. That the contents of para VI(9) of the so called written statement are denied as they stand and the averments made in para VI(9) of the application are reiterated.

15. That the contents of para VI(10) of the so called written statement call for no remarks since admitted.

16. That the contents of para VI(11), (12) and (13) of the so called written statement being evasive and contradictory to the facts mentioned in para II of the said written statement are wrong, hence denied. In such circumstances, the averments made in paras VI(11), (12) and (13) of the application stand admitted by the respondents.

17. That the contents of para VI(14) of the so called written statement are absolutely wrong rather false, hence denied and the averments made in para VI(14) of the application are reiterated. It is further submitted that Annexure-4 to the application is a document of the respondents themselves wherein they have clearly admitted the facts stated in para VI(14) of



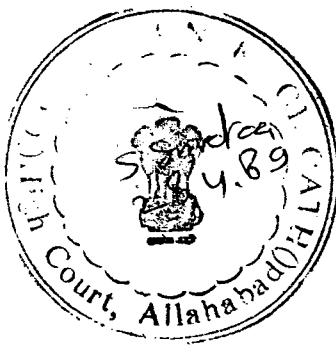
L. Chatterjee

the application. Thus it is evident that the respondents have not come before this Hon'ble Tribunal with clean hands.

18. That the contents of para VI(15) of the so called written statement are denied as stated and the averments made in para VI(15) of the application are reiterated. The respondents are put to strict proof of their allegations and they are required to produce the relevant draft in respect of the post of Assistant Documentation Officer (Library) alleged to have not been approved but approved in the manner as contained in Annexure R-1 to the said written statement.

19. That the contents of para VI(16) of the so called written statement are denied and the averments made in para VI(16) of the application are reiterated.

20. That the contents of para VI(17) and (18) of the so called written statement, in so far as they are contrary to the facts mentioned in para VI(17) and (18) of the application are denied and the averments made in para VI (17) and (18) of the application are reiterated. It is further submitted that the respondents have given a wrong chart of channel of promotion as the Senior Librarian has no avenue of promotion. He or she has no chance of promotion as Chief Documentation Assistant in grade Rs.650-960 (RS) which they have wrongly mentioned in the para under reply. Annexure No.7 to the application is self explanatory in the matter. The said Annexure refuses promotion of library staff in grade Rs.650-960(RS).



P. Chatterjee

21. That the contents of para VI (19) and (2) being based on misrepresentation of facts are denied as stated and the averments made in paras VI (19) and (20) of the application are reiterated.

22. That in reply to contents of para VI (21) of the so called written statement, it is respectfully submitted that the averments mentioned in the para under reply are misleading and they are incorrect as stated. The rule in question do not apply to the post of Assistant Documentation Officer (Library) nor they have been framed for that post exclusively sanctioned for library cadre, hence denied. The respondents are put to strict proof of the allegations which they have made in the para under reply.

23. That in reply to contents of para VI (22) of the so called written statement, it is respectfully submitted that it would be highly unjust rather prejudicial if the respondent No.3 being one of the candidates for the post of Assistant Documentation Officer in the selection, writes the confidential report of the candidates who are also eligible to face selection for the said post in pursuance of the Rules (Annexure R-1) as stated in the para. In this way, there is every possibility of the applicants' confidential reports being spoiled by the respondent No.3 in his own interest to get them unfit for promotion.

24. That during the pendency of the above application respondent No.3, who has been working as Asstt. Documentation Officer (Library) on adhoc basis, has



P. Chatterjee

been promoted to the post of Asstt. Documentation Officer in the grade of Rs.2000-3500(RS). His empanelment is provisional and is subject to amendment/revision in toto as a result of final decision or any other orders passed by the Hon'ble Central Administrative Tribunal in case No.544 of 1987. This promotion has been made in spite of the prayer for interim relief in the application that respondent No.3 belonging to the Publication Cadre working on the post of ADO (Library) on purely adhoc basis may not be regularised and confirmed on the said post of ADO (Library).

25. That in reply to the contents of para VI(23) of the so called written statement, the averments made in para VI(23) of the application are reiterated and the averments made in the written statement being misleading are denied.

26. That the averments made in para VII (A), (B), (C) and (D) are denied and the applicants are entitled to the reliefs claimed.

Lucknow Dated:  
April 28, 1989.

**Deponent.**

### Verification

-12-

is false and nothing material has been concealed.

So help me God.

Lucknow Dated:

April 28, 1989.

G. Chetterjee  
Deponent.

I identify the above-named deponent  
who has signed before me.

*S. C. P. Asthana*  
Advocate.



Solemnly affirmed before me this day  
of April 28, 1989, at 10.30 a.m./p.m.  
by the deponent Shrimati G. Chetterjee who is  
identified by Sri C. P. Asthana as  
aforesaid.

I have satisfied myself  
by examining the deponent that he  
fully understands the contents  
of this affidavit which has been  
read by her.

Shashi Srivastava  
Smt; Shashi Srivastava

Oath Commis.  
Allahabad High Court  
Lucknow Branch  
No. 5 Date. 28.4.89  
132

AI16

ANNEXURE No 1

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION  
MANAK NAGAR LUCKNOW-11.  
No. EL/S/ORG/1(UPG).

Dated: 27-4-81.

Sub:- Upgradation of posts from Group 'C' (Cl. III) to Group 'B' (Cl. II) in the Documentation and Library Sections.

Ref:- Railway Board's letters No. PCIII/80/PS/UPG/1 dt. 28.3.80 and 30.1.81.

Out of 20 posts to be upgraded from Group 'C' (Cl. III) in the highest supervisory scale to Group 'B' (Cl. II), the element of upgradation of one post has been earmarked to Doc. & Library Sections of RDSO vide Board's letter dt. 30.1.81 quoted above.

2. It is therefore notified that the upgraded post from Group 'C' (Cl. III) to Group 'B' (Cl. II) scale Rs. 650-1200 (RS) in the Doc & Library is a permanent post of Chief Documentation Assistant, scale Rs. 650-960/RS upgraded as Assistant Doc. Officer(Library) on permanent footing.

3. Consequently the following further upgradations within group 'C' (Cl. III) are made to ensure corresponding reduction in the base grade instead of highest supervisory category in the Doc & Lib sections in terms of Railway Board's letter dt. 28.3.80 quoted above.

S.No.	Category of post to be upgraded.	No. of posts.	Category of post as upgraded.	No. of posts.
1.	Asstt. Librarian Rs. 330-560	1	Librarian Rs. 425-700	1
2.	Librarian 425-700	1	Sr. Librarian 450-700	1
3.	Sr. Librarian Rs. 550-900	1	Chief Doc. Asstt. 650-960	1

4. Accordingly the permanent sanctioned strength of these categories in the Doc & Library (including publication), before and after upgradation will be as under:-

S.No.	Category	No. of posts (permanent)	
		Before upgradation	After upgradation
1.	Asstt. Librarian (Rs. 330-560)	2	1
2.	Librarian (Rs. 425-700)	2	2
3.	Sr. Librarian (Rs. 550-900)	1	1
5.	Chief Doc. Asstt. (Rs. 650-960)	5	5
	Asstt. Doc. Officer/Library Rs. 650-1200	-	1 (excludg. one post of ADO/P under DDP).

28.4.89 This has the approval of the Dy. Director General.

(P. R. Rao)

(Dy. Director/E-1)

OF/RDSO/1/20,  
Copy to:-

1. The Audit Officer, RDSO/LKO. 2. SOE-3. 3. CA