

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ~~Lucknow~~ BENCH

OA/TA/RA/CP/MA/PT 22-2/88 of 20.....

~~Mahesh Prasad~~.....Applicant(S)

Versus

D.C. I. Ford :.....Respondent(S)

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Certified that the file is complete in all respects.

*13/C Weeded out / destroyed**destroyed**28/9/2000*

Signature of S.O.

Signature of Deal. Hand

सेवा नं.

श्रीमान डॉ विजय शर्मा

कृष्णपुर पर्यावार विभाग
कृष्णपुर पर्यावार विभाग

Central Administrative Tribunal
Lucknow Bench
Date of Filing 18.4.96
Date of Receipt by Post

मुद्रादात

CR/9/13

निम्नलिखित प्रक्रम का नाम नं 222/98
महाराष्ट्र प्रसाद वनाम सालालकार व उत्तराय इति (प्र.)
निम्नलिखित 15 नं 5-4-95 की दिनांक के प्रमाणित
प्रतीक्षा वापन मुकदमा नं 220 69/94 में प्रयोग हुए
वापिसी जिले के लिए 10/स० का प्रैरेक्ष आदेश
सलाहकार विभाग द्वा दिनांक 21 अक्टूबर 1996
नाम नं 1. नं 646174707

नाम: श्री अनंत चौधरी/विवेदन व उत्तराय
उपरोक्त वाद के दृष्टिकोण को कापी इत्यन्ति की

प्रोफ. कुमार द्वारा

प्रिय
18.4.96

23.4.96

प्राप्तिकार
विवेदन
26/4/96

Copy prepared
Lokayukta
26/4/96

कृष्णपुर पर्यावार विभाग
महाराष्ट्र प्रदेश विधायिका विधायिका

लोकयुक्त नं 3
प्राप्तिकार 26/4/96

OA 222/00(4)

2/09

OR

Notices issued to the respondents through Regd. Post, fixing 22-2-09 in main petition as well as on interim prayer.

17/2

17/2/09

OR

Notices has been issued to the respondents through Regd. Post

No undelivered Regd. cover have been return, date ^{seen} reply.

No file has so far ^{seen} received in the office from the respondents.

Submitted for order

17/2/09

22/2/09.

From: D. S. Misra, Adv.

Sir: R. C. Saxena for the applicant is present.

V. Balalasthana on behalf of the respondents has been filed but no reply has been filed so far. Put up for orders on

23-2-09.

be

Adv.

Adv.

23/2/09.

From: D. S. Misra, Adv.
for: S. S. Sharma, Adv.

Sir: R. C. Saxena for the applicant is present.

On the request received from the learned Counsel for the respondent the case is adjourned and he is allowed to file reply to the other cause notice within a week. Put up

PL

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH AT LUDHIANA.

O.A./T.A. No. 222

1980(L)

Maheesh Pd.

Applicant(s)

Versus

U.O & Sons

Respondent(s)

Sr. No.	Date	Orders
	7.3.09	<p><u>OR</u></p> <p>No reply has so far been received in this office from the respondents.</p>
	8/3/09	<p><i>Recd 9/3/09</i></p> <p>Non. Justice Kamleshwar Hattal, V.C. Non. Ajay Joshi, A.M.</p> <p>Shri A. N. Sharma puts in appearance on behalf of opposite parties No. 1 to 4. He has filed counter affidavit and objection against the prayer for interim relief. Both copies have been given to the applicant's counsel Shri R. C. Saxena. On the request of Shri R. C. Saxena he is allowed one weeks time to file rejoinder. List for orders on 16-3-09 and by which date rejoinder may be filed.</p> <p><i>Am.</i></p> <p><i>Dr.</i></p> <p><i>V.C.</i></p> <p><i>No. 2</i></p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION NO. 222 of 1988

Makesh Id.

APPELLANT
APPLICANT

VERSUS

U.O.K.

DEFENDANT
RESPONDENT

Date of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
8/5/89	<p>Hon' Mr. G.S. Sharma, J.M. Hon' Mr. K.J. Raman, A.M.</p> <p>Shri R.C. Saxena, learned counsel for the applicant is present. The brief holder of Mr. A.N. Varma, learned counsel for the respondents 1 to 4 is also present. On the request of Shri Sanjeev Kumar the brief holder, we allow three weeks time to file reply on behalf of the respondents. The respondents 5 and 6 has not filed any reply, nor have come forward with any request to file reply. In case, no reply is filed on behalf of the respondent nos. 5 & 6 within the stipulated period as granted to other respondents, the case against respondent nos. 5 & 6 will be heard ex-parte. In case the reply is filed by the respondents, the applicant may file rejoinder within 2 weeks thereafter. List this case for final hearing on 13-7-1989.</p> <p><i>[Signature]</i> A.M.</p> <p><i>[Signature]</i> J.M.</p> <p>(sns)</p>	<p>OR In compliance of Court's order dt. 10-6-89 No reply filed by the learned counsel for the respondents. Submitted f.</p> <p>OR No reply filed so far update. A.M. for order.</p>

222/000(6)

27.4.90 No Siting Adj to 5.1.90
Counsel for applicant is present.

h
B.C.

OR

No Main
sejourner tiles

90 Case not reached. Adj to 8.3.90

h
5.1.90

Submitted
for hearing.

8.3.90 No Siting of D.B. Case adjourned

30.5.90 → to hearing

h
B.C.

OR

No Main & A.
has been tiles

S.P.H

30.5.90 Heard Mr. P. C. John A.M
Heard Mr. J. P. Shorene J.M

Learned Counsel for the respondent is
stated to have gone 6.1.90 of St. Lucia
due to sudden illness of his relatives.

Mr. P. C. Shorene Counsel for the applicant
does not oppose adjournment but
may be listed on 5.7.90

h
See

See
J.M

Case

29.1.91

No Siting Reply to 27.3.91.

27.3.91

No Siting Adf to 22.5.91

JL

23.5.91

No Siting Adf to 7.8.91

7.8.91

No Siting Adf to 15.10.91

JL

15.10.91

No Siting Adf to 18.12.91

18.12.91

No Siting Adf to 6.3.92

JL

6.3.92Disc to Strike @ Advocate
Case n conform to Bo 4-91JL
BoE30.4.92No ~~diff~~ Case no. reach
Adf to 21.5.92JL
BoEJL
Submitted
to
S.D.JL
29.421.8.92Held Mr. Justice B.C. Mathew
Held, Mr. K. JayaramOn the request of Both
parties Counsel Case n adjourned
to 22.7.92 for hearingJL
BoEJL
BoE

30-3-93

Plan and Justice Mr. Srinastava, VC
Plan Mr. K. obayag, AM

On the request of the Counsel
for the applicant, one case
is adjourned to 13.5.93
for hearing.

2

Wu

10

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13.5.83

No Billing of D. w. off
7/23

91
S. 1000000
1000000

30.7.93

Hon'ble Mr. B.K. Singh, A.M.

21

None for the parties. Proceedings are complete in this case. List this case on 13.9.93 for hearing and disposal.

~~on~~
CA graph

— 57 —

(a, s_a)

~~2010~~

13-9-93

A. M.

No. 51149 A. B. M. w/

OK
CPE files
Supplementary
appendix files
by 9/11
J

193 No boiling and no addition

8/11 ~~11/10/93~~

Page

~~Dr. 20/8/85~~

15/2/95

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

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

Heard Shri R. E. Saksena, learned counsel for the applicant. Learned counsel for the respondents is not present. Since this is an old petition of 1988 we have reserved the orders to be pronounced ~~later~~ later.

A. M.

V.C.

OA 222/88

19-9-96

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

OK
As per direction of
Hon. V.C. this case is
submitted before HCs
Court on 19-9-96 for
Adj.

None for the parties.
List on 30-9-96 for
hearing.

S
J.M.

W.S.
A.M.

OK
30/9

S

30-9-96

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

On the re-appeal Counsel
for applicant can adjourn to
17-11-96

Bob
W.S.

W.S.
A.M.

17/11/96

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

for applicant: Sh. B.C. Saksena
for respondent: None

list on 20/11/96 for
hearing.

S
J.M.

W.S.
A.M.

~~Proceedings are complete~~
S/1/95

20-12-96

No sitting of D.B. Adj. to
5-1-97 for hearing.

S/1/95

RC
Bob

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

Original Application No. 222 of 1988

this the 5 day of April 1995

HON'BLE MR. JUSTICE B.C. SAKSENA, VICE-CHAIRMAN
HON'BLE MR. V.K. SETH, ADMINISTRATIVE MEMBER

Mahesh Prasad, aged about 30 years, S/o Sri Jagannath
under Trafic Inspector, N.E. Railway Nanpara and
57 others.

Applicants

By Advocate : Shri R.C. Saxena

Versus

Union of India through the General Manager, North
Eastern Railway, Gorakhpur.

2. Divisional Railway Manager, N.E. Rly. Lucknow.
3. Additional Railway Manager, N.E. Rly. Lucknow.
4. Divisional Railway Manager (P), N.E. Rly., Lucknow
5. Sri K.R. Ahisbar(the then A.O.S. (G)) Assistant
Operating Superintendent (coaching), N.E. Rly.
Lucknow.
6. Sri S.R. Mishra, Assistant Personnel Officer (P)
N.E. Railway, Lucknow.

Respondents

By Advocate : None

O R D E R

V.K. SETH, MEMBER (A)

By means of this O.A. the applicants

have challenged the orders of the respondents dated dt.

3.3.1987 (Annexure-9 page 79 to the O.A.) and 6.10.1988

(Annexure-1 page 34 to the O.A.). The impugned Annexure-

9 encloses a list of candidates for empanelment of

group 'D' posts in the traffic department whose bonafides

were found doubtful in the previous screening and

contains directions from the D.R.M. to concerned

subordinate authorities not to utilise these candidates

as far as possible. The impugned Annexure-1 ~~xxx~~ is an

order dated 6.10.1988 cancelling the screening test

for group 'D' posts of the traffic department held on
and 27.2.1988. -cants

18/19.1.1988. The appli/also pray for issue of direct-

ions to the respondents to declare the result of the
screening proceedings held on 18.1.1988, 19.1.1988

& 20.1.1988 and absorb the their against regular

nature posts held by them and allow all consequential

benefits with effect from the date when persons junior

to them were declared successful in the screening test

in 1986.

2. The respondents have contested the claim

of the applicants and filed written statement which

have been rebutted by the applicants by means of

R.A. and Supplementary affidavit.

3. The applicants were granted interim relief
subject to

by this Tribunal to the effect that performance of

usual obligations of the applicants as casual labours,

the applicants shall be permitted to continue to work

as casual labours during the pendency of this applica-

tion.

4. The case of the applicants is that they after making ~~working~~ have acquired temporary status for more than four months and, therefore, have prior claim over others for regular employment. They also allege that for extraneous consideration the respondents adopted the policy of pick and choose. A further assertion is that respondent No. 5 Shri K.R. Ahisbar the then Assistant Operating Superintendent and respondent No. 6 Sri S.R. Mishra the then Assistant Personnel Officer without any proper working verification of number of days of the applicants or without providing any opportunity made baseless remarks such as false, Bogus, doubtful fake etc. on the certificates submitted by the applicants showing the total number of working days of service, issued by Senior Subordinate. It is also stated that respondent No. 2 viz. D.R.M. as a consequence of the representation of the applicants took a decision to hold further screening test which was held on 18.1.1988, 19.1.1988 and 20.1.1988 but the result of the applicants has not been declared.

5. As against the above stated main contentions of the applicants, the stand of the respondents is that no panel was drawn as procedural irregularities came to the notice of the higher authorities, therefore, the screening proceedings were cancelled. It is also mentioned in the written statement that the applicants were engaged as Substitutes against casualty from time to time and not against the regular posts. The main contention of the respondents appears to be that the certificates submitted by the applicants were checked-up by the members of screening committee and were found to

be fake and fictitious. It is also stated that since the procedural irregularities came to the notice of the higher authorities, the screening proceedings were cancelled.

6. In the Rejoinder and Supplementary affidavit -s the applicants have reiterated their claim that they were employed against regular posts. It is also asserted that proper verification of the certificate was not done from any authentic records such as paid voucher and the same were summarily declared as fake and fictitious.

7. From the brief narration of facts and circumstances of the case as brought-out in the proceedings paras it is quite clear that the screening proceedings of the screening for Group 'D' posts done on 18th, 19th and 27.2.1988 were cancelled by the respondents on account of certain irregularities. Since the result of the said screening was not declared and no panel was formed as a result of the same, we do not find any strength or merit in the claim of the applicants -s for declaration of the result of the same; the prayer for quashing of the impugned order dated 6.10.88 of the respondents is, therefore, rejected. As a consequence, the question of regularisation of the applicants and allowing the prayer for the same also, does not arise.

8. As regards the relief for quashing the order dated 3.3.1987 which mentioned about the doubtful

P/S

bonafide of the applicants, the conspectus of the case
not makes its ~~simply~~ clear that the applicants were ~~associated~~
certificates
ed with any inquiry before the ~~maximum~~ were declared
as fake and fictitious. The principle of natural
justice clearly require that the applicants should
be given an opportunity to prove their bonafide before
any adverse view taken in the matter. We, therefore,
order that the respondent No. 4 i.e. B.R.M. shall
arrange to get the certificates submitted by the applic-
ants verified by responsible officers with the help
of other Railway records such as paid vouchers etc.
and the applicants be associated with this process
of verification. These orders shall be carried-out
by the respondents within a period of three months
from the date of communication of this judgment and
order. Such of those applicants who are found eligible
for screening of Group 'D' posts should also be
screened within a further period of three months,
after the completion of verification of certificates,
for regular absorption if eligible.

9. The O.A. is disposed of in above terms
with no order as to costs.

Un *✓*
MEMBER (A)

Bochaker
VICE-CHAIRMAN

LUCKNOW: DATED: 5-4-95

GIRISH/-

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL ACT, 1985

APPLICATION NO. OF 1988

Mahesh Prasad & others Applicants.

Versus.

Union of India & others Respondents.

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महेश्वरी
Signature of the
Applicant.

For use in Tribunals Office.

Date of filing

Signature
For Registrar

OR

Date of receipt by post

Registration No.

Filed today/with this
Noted for Admin
on 24.1.89

Deval Achhutale
23/1/88

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH)
LUCKNOW.

Application No. of 1988

B E T W E E N

1. Mahesh Prasad, aged about 30 years, son of Sri Jagannath, under Trafic Inspector, N.E. Railway, Nanpara.
2. Rameshwar, aged about 32 years, son of Sri Shambhoo, under Station Superintendent, N.E. Railway, Lucknow Jn.
3. Jagdamba Prasad, aged about 39 years, son of Sri Lalita Prasad Misra, under Trafic Inspector, N.E. Railway, Aishbagh, Lucknow.
4. Mansoor Ali, aged about 32 years, son of Sri Ali Sheekh, under Trafic Inspector, N.E. Railway, Gonda.
5. Ram Naresh Yadav, aged about 31 years, son of Sri Ram Nath, under Trafic Inspector, N.E. Railway, Aishbagh, Lucknow.
6. Banwari Lal, aged about 32 years, son of Sri Itwari Lal, under Trafic Inspector, N.E. Railway, Sitapur.
7. Ram Pyare, aged about 37 years, son of Sri Badloo, under Station Superintendent, N.E. Railway, Lucknow Jn.
8. Ibrahim, aged about 30 years, son of Sri Alla Bux, under Station Superintendent, N.E. Railway, Gonda.
9. Moinddin, aged about 35 years, son of Sri Mohd. Ismail, under Trafic Inspector, N.E. Railway, Aishbagh, Lucknow.
10. Ram Singh, aged about 32 years, son of Sri Mangal, under D.R.M. (Operating), N.E. Railway, Lucknow.
11. Ram Shanker, aged about 29 years, S/O Sri Dularay, under Station Superintendent, N.E. Railway, Mailani.
12. Ram Sudhi, aged about 29 years S/O Sri Shyam Narain, under Trafic Inspector, N.E. Railway, Mailani.
13. Ran Anjor, aged about 31 years, S/O Sri Nohari,

5159216

under Trafic Inspector, N.E. Railway, Mailani.

14. Bhagwati Prasad, aged about 32 years, S/O Sri Sampet, under Trafic Inspector, N.E. Railway, Sitapur.

15. Ram Chander, aged about 34 years, S/O Sri Ram Kewal, under Trafic Inspector, N.E. Railway, Anand Nager.

16. Alla Bux, aged about 33 years, S/O Mustafa, under T.I. D.C.I., GONDAN.E. Railway, Gonda.

17. Ram Jeet, aged about 32 years, S/O Sri Khajanchi, under Station Superintendent, N.E. Railway, Gorakhpur.

18. Srikant, aged about 31 years, S/O Sri Awadhoo, under Trafic Inspector, N.E. Railway, Mailani.

19. Ram Raj, aged about 26 years, S/O Sri Ram Lakhan, under Trafic Inspector, N.E. Railway, Mailani.

20. Vijai Bahadur Singh, aged about 30 years, S/O Sri Ram Raj Singh, under Trafic Inspector, N.E. Railway, Mailani.

21. Mustaq Ali, aged about 38 years, S/O Sri Nabi Mohd, under Station Superintendent, N.E. Railway, Kanpur Anwarganj.

22. Chandra Prakash, aged about 29 years, S/O Sri Ram Dularey, under Station Superintendent, N.E. Railway, Mailani.

23. Tullsi Ram, aged about 30 years, S/O Sri Tomai, under Trafic Inspector, N.E. Railway, Nanpara.

24. Raksha Ram, aged about 30 years, S/O Sri Chhada Lal, under Trafic Inspector, N.E. Railway, Gonda.

25. Murlidhar, aged about 29 years, S/O Sri Dudh Nath, under Trafic Inspector, N.E. Railway, Mailani.

26. Jewan Lal, aged about 32 years, S/O Sri Raj Narain, under Trafic Inspector, N.E. Railway, Nanpara.

27. Shikant Tripathi, aged about 38 years, S/O Sri Chandra Bhushan Tripathi, under Trafic Inspector, N.E. Railway, Mailani.

28. Sankata Parasad, aged about 29 years, S/O Sri Lahuri, under Trafic Inspector, N.E. Railway, Mailani.

11/8/1974/6

29. Govind Prasad, aged about 31 years, S/O Sri Malhoo, under Trafic Inspector, N.E. Railway, Mailani.
30. Jang Bahadur, aged about 29 years, S/O Sri Kanhi Lal, under S.C.I., Lucknow Jn., N.E. Railway, Lucknow Jn.
31. Radhey Shyam, aged about 31 years, S/O Sri Ram Kripal, under Trafic Inspector, Sitapur.
32. Ram Briksha, aged about 36 years, S/O Sri Chotai, under Trafic Inspector, N.E. Railway, Anand Nager.
33. Ram Bahadur Singh, aged about 32 years, S/O Sri Rudrapal Singh, under Trafic Inspector, N.E. Railway, Gonda.
34. Sobha Ram, aged about 32 years, S/O Sri Ram Singh under Trafic Inspector, N.E. Railway, Mailah.
35. Daya Shanker Verma, aged about 31 years, S/O Sri Ram Dularay Verma, under Trafic Inspector, N.E. Railway, Nanpara.
36. Naseer Ahmad, aged about 34 years, S/O Sri Kadeer Ahmad, under Station Superintendent, N.E. Railway, Gorakhpur.
37. Ram Bilas, aged about 32 years, S/O Sri Ram Bujharat, under Trafic Inspector, N.E. Railway, Nanpara.
38. Rahim Bux, aged about 28 years, S/O Sri Wali Mohd, under Station Superintendent N.E. Railway, Lucknow Jn.
39. Hanuman, aged about 35 years, S/O Sri Ram Sager, under Trafic Inspector, N.E. Railway, Gonda.
40. Deena Nath, aged about 36 years, S/O Sri Ram Dass, under Trafic Inspector, N.E. Railway, Mailani.
41. Jagdish Prasad, aged about 31 years, S/O Sri Purshotam, under Trafic Inspector, N.E. Railway, Anand Nager.
42. Maya Ram Giri, aged about 30 years, S/O Sri Shiv Baran Giri, under Trafic Inspector, N.E. Railway, Aishbagh.
43. Ram Jiv, aged about 44 years, S/O Sri Ram Durarey, under Station Superintendent, N.E. Railway,

12/19/16

Lucknow Jn.

44. Ram Pyare Yadav, aged about 36 years, S/O Sri Chhotey Lal Yadav, under Trafic Inspector, N.E. Railway, Sitapur.
45. Ram Lakhman, aged about 27 years S/O Sri Ram Dularey, under Trafic Inspector, N.E. Railway, Mailani.
46. Dwarika Prasad, aged about 29 years, S/O Sri Musai, under Trafic Inspector, N.E. Railway, Mailani.
47. Ram Deen, aged about 28 years, S/O Sri Ghirao, under Trafic Inspector, N.E. Railway, Mailani.
48. Shiv Pujan, aged about 33 years, S/O Sri Kishan, under Trafic Inspector, N.E. Railway, Mankapur.
49. Kasim Ali, aged about 29 years, S/O Sri Rahmat Ali, under Station Superintendent, N.E. Railway, Lucknow Jn.
50. Sachida Nand, aged about 31 years, S/O Sri Durga Prasad, under Trafic Inspector, N.E. Railway, Mankapur.
51. Jalpa Prasad, aged about 33 years, S/O Sri Jagdamba Prasad, under Station Superintendent, N.E. Railway, Lucknow Jn.
52. Ramayan, aged about 32 years, S/O Sri Ram Jeet, under Trafic Inspector, N.E. Railway, Anand Nager.
53. Inder Pal, aged about 30 years, S/O Sri Ram Lallan, under Trafic Inspector, N.E. Railway, Mailani.
54. Jagdamba Prasad, aged about 28 years, S/O Sri Mata Badal, under Station Superintendent, N.E. Railway Gonda.
55. Ram Chander, aged about 27 years, S/O Sri Ram Lant, under Trafic Inspector, N.E. Railway, Mailani.
56. Raj Karan, aged about 28 years, S/O Sri Pitai, under Trafic Inspector, N.E. Railway, Mailani.
57. Balekhwari Prasad, aged about 28 years, S/O Sri Chinni Prasad, under Trafic Inspector, N.E. Railway, Munkapur.

25/12/1966

•• 5 ••

58. Mata Prasad, aged about 32 years, S/O Sri Aditya Prasad Tewari, under Chief Controller, N.E. Railway, Gonda.

•• Applicants.

A N D

1. Union of India through the General Manager, North - Eastern Railway, Gorakhpur.

2. Divisional Railway Manager, N.E. Railway, Ashok Marg, Lucknow.

3. Additional Railway Manager, N.E. Railway, Ashok Marg, Lucknow.

4. Divisional Railway Manager (P), N.E. Railway, Ashok Marg, Lucknow.

5. Sri K.R. Ahisbar (The then A.O.S. (G)) Assistant Operating Superintendent (Coaching), N.E. Railway Ashok Marg, Lucknow.

6. Sri S.R.Misra, Assistant Personal Officer (I) N.E. Railway, Ashok Marg, Lucknow.

•• Respondents.

APPLICATION U/S 19 OF ACT NO. 13 of 1985

DETAILS OF APPLICATION :

1. PARTICULARS OF THE APPLICANTS :

(i) Names of the applicants.
(ii) Names of Father/Husband.
(iii) Age of the applicants.
(iv) Designation and Particulars of Office (Name & Station) in which employed or was last employed before ceasing to be in service.

As mentioned in the eray of parties giving complete description of applicants.

2. PARTICULARS OF THE RESPONDENTS :

(i) Names of the Respondents.
(ii) Name of Father/Husband
(iii) Age of the respondents.

As mentioned in the eray of parties giving complete description of applicants. Respondents.

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(iv) Designation and Particulars of Office (Name & Station) in which employed.

(v) Office Address.

(vi) Address for service of notices.

3. PARTICULARS OF THE ORDER AGAINST WHICH APPLICATION IS MADE.

The application is made against the following order :-

(i) Order No. E/SS-Selection/Screening/88 (Annexure No. 1)
(ii) Date - 6.10.1988
(iii) Passed by - Additional Divisional Railway Manager, N.E. Railway, Lucknow Division, Lucknow.
(iv) Subject in brief - In the traffic department of N.E. Railway, Lucknow Division Lucknow for absorption of casual labour substitutes against regular group "D" posts the penal of selected candidates was to be framed on the basis of screening proceedings conducted on 18.1.88, 19.1.88 and 27.2.1988 at Aishbagh, Gonda and Gorakhpur but the Additional D.R.M., Lucknow DVN, Lucknow passed the impugned order dated 6.10.1988 and cancelled the said proceedings without even disclosing any reason adversely affecting the rights and privileges of huge casual labour/substitutes who are legally entitled for absorption against regular vacant posts.

4. JURISDICTION OF THE TRIBUNAL The applicants declare that the subject matter of the order against which they want redressal is within the jurisdictions of the Tribunal.

5. LIMITATION :

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

6. FACTS OF THE CASE: The facts of the case are given below :-

(i) That the present application is directed against the order No. E/SS- selection/screening/88

dated 6.10.1988 passed by Respondent No. 3, cancelling screening/selection proceedings held on 18.1.1988, 19.1.1988 and 27.2.1988 at Aishbagh, Gonda and Gorakhpur for forming panel of selected candidates for their absorption against regular posts in the Trafic Department of North Eastern Railway. A true copy of the order dated 6.10.1988 passed by respondent No. 3 is filed herewith as Annexure No. A-1 to this application.

(II) That the applicant's No. 1 to 58 were initially appointed/engaged as substitutes on daily-wages against regular nature posts of line clear porter, PCP/ELF/Porter, Box Porter, Gateaman, Lampman, Pointsman and Chain coupling Khalasi on various dates and were put to work under various senior subordinates such as SS/LJN, SS/STP, SS/GKP, SS/GDA, TI/~~ASH~~, TI/STP, TI/MLN, TI/MUR, TI/ANDN, TI/GD, TI/NNP and DRM/OPTG in the Trafic Department of North Eastern Railway.

(III) That although all the applicants were appointed as "Substitutes" from the very beginning as defined in chapter XXIII of the Indian Railway Establishment Manual (para 2315 and 2316) and they were entitled to all the rights and privileges as enumerated in para 2317 and 2318 of the said chapter yet the concerned authorities allowed them only payment of their salary in the scale which is admissible to the Temporary Railway servant i.e. Rs. 196-232 (Revised Rs. 750-940) when they completed six months continuous service against the posts on which they were employed or on the posts having same type of work without any break. However the applicants are still not allowed the rights and privileges as are admissible to all

Temporary Railway servants/Substitutes and even to casual labour after attaining temporary status. The applicants are not given the benifit of earning annual increment. They are deprived with the the benifits of H.R.A. & C.A., Educational assistance, Medical attendance, leave rules and the privilege of contributing P.F. even after rendering more than 8 to 12 years service. For ready reference the applicants are filling herewith a chart giving complete descriptions of their service particulars indicating S.No. their names, Father's name, date of birth, date of appointment/allowing pay as admissible to Temporary Railway servants and the designation of the senior subordinate under whom presently working, Annexure No. 2 to this application.

(IV) That it is relevant to mention here that all the applicant's from the date mentioned in column No. 5 of the chart annexed as Annexure No. A-2 have been continuously working as such except certain artificial gaps with reference to some of the applicant's which took place for the reasons attributable to the department wholly unconnected with them and the same do not constitute as break in their service. It is further improtant to state that column No. 6 of the aforesaid chart indicates the total number of days as service rendered by each applicant as on 31.12.1986 and thereafter too they have been working against the said posts continuously till now.

(V) That it would also be in the fitness of the things to state here that the appointment of the applicants was neither made against any

particular work nor under any agreement for specified period but they were appointed to work against regular nature posts as mentioned in para II above a carrying pay scale of Rs. 196-232 (Revised scale Rs. 750-940)

(VI) That all the applicant's have been provided the opportunity of receiving departmental training essentially required for efficient discharge of duties assigned to the posts mentioned in para II above and since the date of their appointment they have all along been efficiently discharging their duties without any complaint regarding their work, conduct and integrity. None of the applicant's has ever been found ^{un}indisciplined, in-efficient or lacking the quality of hard working in their service period. They have also not been subjected to disciplinary proceedings or any punishment etc. Their service record is wholly unblamished.

(VII) That it is also important to state here that all the applicants, have been performing the same nature of duties, functions and responsibilities which are owned and performed by the persons holding the posts in the regular manner and their duties, functions and responsibilities have not been in any way less ^{order}s to the regular appointees. In this way too they are entitled to be given all benefits rights and privileges which are admissible to regular appointees ^{since} service the date of their appointment.

(VIII) That chapter XXIV of the Indian Railway Establishment Manual deals with the terms and conditions of the casual labour appointed on Railways.

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Their rights and privileges after attaining temporary status have been defined in para 2511 whereas para 2512 provides for their absorption in regular vacancies.

(IX) That the Ministry of Railways through Railway Board have been improving the service conditions of the casual labour from time to time and have been publishing the same in the form of circular letters for strict compliance by the concerned authorities. A true copy of Railway Board's circular letter No. E(NG) II/77-CL/46 dated 8.6.1961, circulated vide G.M. (P) Gorakhpur letter No. E/57/I/Pt.III/IV dated June 29, 1981, regulating engagement of casual labour on Railways, their absorption in regular class IV posts and the entitlement and privileges admissible to them, is filed herewith as Annexure No A-3 to this application.

(X) That for the purpose of formation of panel from casual labour substitutes for their absorption in class IV categories, the General Manager (P), N.E. Railway, Gorakhpur in modification of all previous directives issued guide lines to all Heads of Departments, Divisional Railway Managers, Extra Divisional Officer's and Personnel Officer's of N.E. Railway, in order to meet out the largest measures of justice to the casual labour vide letter No. 227/20/2/V/con dated 15.9.1979. A true copy of said G.M.(P)'s letter dated 15.9.1979 referred to above is filed herewith as Annexure No. A-4 to this application.

(XI) That regarding casual labour substitutes and temporary hands it has been provided in chapter I,

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section B, Sub-section IV(XIII) (a) (b) and (c) that substitutes, casual labour and temporary workmen will have prior claim over others to permanent recruitment. Such persons having acquired temporary status after working for more than 6 months, should be considered for regular employment without having to go through employment without having to go through employment exchanges. They are supposed to be given maximum age relaxation to the extent of their total service which may be either continuous or in broken periods provided they join service prior to their attaining age of 25 years. For the purpose of giving them priority a register should be maintained by all Divisions indicating the names of casual labour, substitutes and temporary workmen ~~have rendered~~ who hence resolved 6 months service either continuous or in broken periods. The names should be recorded strictly in the order of their taking up as casual appointment at the initial stage and for the purpose of empanelment for regular class IV posts, they should as far as possible, be selected in the order maintained in the aforesaid registers. In showing preference to casual labour over other outsiders due consideration and weightage should be given to the knowledge and experience gained by them. Other conditions being equal total length of service as casual labour, either continuous or in broken periods, irrespective of whether they have attained the temporary status or not, should be taken into account so as to ensure that casual labour who are senior by virtue of longer service are not left out.

(XII) That from the perusal of instructions/guide lines contained in Annexure No. A-4, to be held at the interval of one or two years and it is abundantly clear that the screening of the casual labour/substitutes is the vacancies are to be filled according to seniority unit department-wise. The vacancies of the current year

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and to a limited extent these which are anticipated in the course of the following year are to be taken in to account for the purpose of screening. The seniority of the casual labour/substitute is to be reckoned on the basis of total period of employment (Number of days) as on the crucial date fixed for screening. The period of employment should be based upon authentic certificate of senior supervisor incharge and should indicate that it has been prepared with reference to muster rolls, paysheets and C.L. cards and registers.

(XIII) That for the purpose of screening a Division is to be taken as one unit and the candidates should be called for the screening test strictly on the basis of seniority in respect of the length of service of casual labour/substitute. The screening should be stopped when successful candidates equal to the number of vacancies as assessed are available. The names of selected candidates are to be arranged for formation of panel in strict order of seniority with reference to the length of service.

(XIV) That the members of the selection committee would look to the conduct, obedience, discipline, quality of maintaining efficiency and capacity of hard working of the candidates for their selection for regular absorption.

(XV) That it is to be ensured that the screening is just and fair and the approach is "Principle oriented" and not "impersonal oriented".

(XVI) That in order to absorb the casual labour/substitutes including the applicants it was

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decided vide letter No. E/II/227/screening/84 dated 22.3.1984 issued from the office of Respondent No. 4 to hold screening of casual labour/substitutes of Trafic Department for their regular absorption in class IV categories and all senior subordinates such as T.I's, S.C.I's, D.C.I's, S.S.I's, S.M's, C.Y.M's of Lucknow Division were directed to send latest by 15.4.1984 the list of casual labour/substitutes who has worked/are working under them and have put minimum period of 500 days service for general candidates and 300 ~~days~~ days ^{Service} since for S/C and S/T as on 31.12.1982 either broken or continuous in the proforma attached to the said order. It was specifically directed to the subordinate officers fixing their personal responsibility that the number of days of engagement of the candidates shall be shown from the casual labour record and certificates and the list should be forwarded under their personal signatures. A true copy of the aforesaid order dated 22.3.1984 is annexed herewith as Annexure No. A-5 to this application.

(XVII) That for the ~~e~~ reasons best known to the authorities of the department concerned the screening in pursuance to Annexure No. A-5 could not be conducted in the year 1984 but in continuation to the previous order dated 22.3.1984, the respondent No. 4 again issued order No. E/II/227/screening/84 dated 30.9.1985 requiring the senior subordinates to send the list of casual labour/substitutes latest by 15.10.1985 possessing 500 days in the case of general candidates and 300 days

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in the case of S/C & S/T on the prescribed proforma. Regarding verification of the working days upto 31.12.84 of the casual labour/substitutes, the responsibility was fixed on the respective senior subordinates. A true copy of order dated 30.9.1985 referred to above is filed herewith as Annexure No. A-6 to this application.

(XVIII) That thereafter the respondent No. 4 issued order No. E/II/227/Screening Test/Trafic/84 dated 30.12.1985 fixing the dates of screening proposed to be held on 27.1.1986 and 28.1.1986 in the office of Assistant Signal & Telecommunication Engineer N.E. Railway, Gonda. The candidates were required to submit the relevant certificates regarding their working days before the screening committee in original. A true copy of the order dated 30.12.1985 referred to above is filed herewith as Annexure No. A-7 to this application.

(XIX) That in pursuance to order dated 30.12.1985 contained in Annexure No. A-7 the applicants and other candidates were called and appeared before the screening committee on the dates mentioned above. The applicants duly submitted their respective certificates in original regarding their working days as mentioned in column No. 6 of the chart annexed as Annexure No. A-1 to this application before the members of the selection committee.

(XX) That in the screening committee respondent No. 5 Sri K.R.Ahirbar, A.O.S.(G) and respondent No. 6 Sri S.R.Misra, A.P.O(II) were also nominated as members of the screening committee besides the third member Sri Usmani, A.S.T.E, Gonda. The certificates in question referred to in para XIX above were handed over to respondent No. 5, Sri K.R.Ahirbar by the applicants in person on the aforesaid dates of screening.

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screening committee i.e. the respondent No. 5 & 6 did not act fairly for extraneous considerations in conducting the screening proceedings. They instead of adopting just, proper and principle oriented approach, selected and rejected the candidates adopting "Pick and choose" policy. The candidates who had either high approaches or sufficient means to fulfil illegal wishes/demands of respondent No. 5 and 6 were selected by them totally ignoring the real merit and those who did not possess high approaches or sufficient means to fulfil their illegal wishes/demands, were declared unsuccessful on a totally baseless, non-existent and untenable ground in the screening proceedings. The relevant considerations regarding screening were totally ignored to be taken into account.

(XXV) That the applicants remained handicapped in meeting out the illegal wishes/demands of respondent No. 5 & 6 due to their poor economic condition and also due to the fact that they knew it well that since they were all very old candidates ^{of} possessing ripe experience of service against regular posts and maintained unblamed service record, they would be selected surely.

✓ (XXVI) That the respondent No. 5 malafidely in collusion with respondent No. 6 without any verification of number of days or providing any opportunity to the applicants, made baseless remarks such as "False" "vogous," "doubtful," "fake" and "boanafide" "doubtful" etc regarding number of days on the certificates submitted by the applicants showing their total number of days service rendered by them.

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(XXVII) That thereafter the list of selected

candidates, ignoring the applicants and other candidates, was published vide D.R.M. (P)'s letter No. E/227/Screening/Tra/Com/86 dated 11.7.1986 containing $173+28+8 = 209$ names in all. A true copy of the said list dated 11.7.86 is annexed herewith as Annexure No. A-8 to this application.

(XXVIII) That on the basis of remarks given by respondent No. 5 on the certificates the applicants and certain other candidates were declared unsuccessful in the screening and it was ordered that they should not be utilised further as far as possible. The true copy of relevant lists of the candidates of the Trafic/Commercial department are filed herewith as Annexure No. A-9 and A-10 respectively to this application.

(XXIX) That the list contained in Annexure No. A-8 contains the names of candidates declared successful and the lists contained in Annexure No. A-9 and A-10 contain the names of unsuccessful candidates as their bonafide (regarding number of days) was found doubtful. In list contained in Annexure No. A-9 mistakenly figure 68 has been mentioned instead of 67 and these candidates belong to Trafic department out of which 58 are the applicants in the present application.

(XXX) That the dishonesty and unfairness of the respondent No. 5 and 6 is proved from the fact that they selected and included the candidates whose names are mentioned at Serial No. 27, 28, 33, 35, 36, 44, 55, 65, 66, 77, 112, 132, 133, 142, 147, 161, 162 and 165 in the list contained in Annexure No. A-8 although they were not eligible at all as they had not worked at all in the Railway and did not possess requisite

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service of 500 days to their credit.

(XXXI) That fulfilling aggrieved the matter of unfairness was brought to the notice of various authorities in conducting screening proceedings and it was then that one member of parliament Mr. Deep Narain ^{Bun} ~~Deen~~ requested the authorities concerned to do justice with the poor casual labour. As a consequence of that the respondent No. 4 in order to satisfy aforesaid member of Parliament, singled-out 12 persons from the list contained in Annexure No. A-10 and issued order No. C/177/D.W./86 dated 8.9.1987, a true copy of which is filed herewith as Annexure No. A-11 to this application.

(XXXII) That the effect of the order dated 8.9.1987 is that the list of unsuccessful candidates dated 13.2.1987 contained in Annexure No. A-10 stands modified/cancelled with reference to only those 12 persons and remaining persons of the said list and the persons mentioned in the list contained in Annexure No. A-9 have been ignored arbitrarily although their case is similar. This action of respondent No. 4 is discriminatory hit by Article 14 & 16 of the constitution.

(XXXIII) That the matter regarding unfairness in selecting/rejecting the persons in the screening was also reported to the Chief Vigilance Officer, N.E. Railway, Gorakhpur at the instance of the applicants who examined the matter and found that the persons who were not eligible at all have been selected for extraneous considera-

15/8/1987

tions and the persons like applicants, senior in service, fully eligible and entitled to be selected in preference to others junior in service have been declared unsuccessful on a totally baseless and non-existent ground that their bona fide regarding number of working days was found doubtful. The Chief Vigilance Officer, Gorakhpur after enquiry regarding 8 candidates declared successful by respondents No. 5 & 6, found that out of 8 selected candidates 6 were illegally declared successful and included in the panel through they were not even eligible as they had neither worked in the Railway nor possessed 500 days requisite service to their credit. He strongly recommended for action against respondent No. 6 to the Chief Personal Officer, N.E. Railway, Gorakhpur but it appears that no action against respondent No. 6 would be taken by C.P.O./G.K.P as respondent No. 6 and Chief Personal Officer are closely related and associated with each other.

(XXXIV) That the applicants respectfully submit that the members of the screening committee have to select or reject the candidates on the basis of their service record regarding their working, discipline, conduct, obedience and capacity of hard working etc. and looking to their performance regarding physical fitness etc. but they have no power and competence to declare a candidate as unsuccessful on the ground that the bona fide of the certificate duly issued by the concerned senior subordinate certifying the total number of days service rendered by him is found doubtful by

H.S. 1941/6

them. The responsibility of authenticity of certificate regarding number of days lies on the part of concerned senior subordinate who issues and certifies the same under his signatures but the members of the screening committee under rules have no authority to declare the bona fide of such certificate as doubtful that too without any verification or giving any opportunity to the concerned candidate. Thus the respondent No. 5 & 6 acted beyond their powers ^{and} competence in declaring the applicants as unsuccessful on the ground that the bona fide of their certificates was found doubtful.

(XXXV) That a perusal of select list contained in Annexure No. A-8 indicates that the candidates ~~the~~ having less number of days compared to the applicants have been selected ignoring the applicants having more number of days service to their credit without any just and valid reason and the respondent No. 5 & 6 totally lost sight of the provisions contained in chapter I- section ~~B~~, sub-section IV (XIII) (a) (b) and (c) laying down criteria for absorption of casual labour/substitutes ~~and~~ due consideration and weightage should be given to the knowledge and experience gained by them other conditions being equal, total length of service as casual labour, either continuous or broken periods, irrespective of whether they have attained temporary status or not, should be taken in to account so as to ensure that casual labour who are senior by ~~in~~ virtue of longer service are not left out.

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(XXXVI) That the applicants personally contacted

the respondents No. 2, 3 and 4 and also approached them through "Union" and brought the aforesaid facts to their notice and requested that their number of days mentioned in their certificates still available with respondent No. 5 and 6 may be verified and if they are found correct, the applicants may be absorbed against regular posts with all consequential benifits giving them seniority over their juniors who have already been absorbed in persuance to select list contained in Annexure No. A-8.

(XXXVII) That the respondants No. 2 held a meeting with senior D.P.O., senior D.S.O., senior D.C.S. and senior D.O.S. and considered the grievances of the applicants and took a decision that again the screening of casual labour/substitutes of the Trafic department may be held and the applicants be asked to appear in the said screening for their regular absorption. A true copy of letter No. T/A.O.S.-B/C.L. dated 20.8.1987 proposing for screening of casual labour/substitutes of Trafic department requiring their list in the prescribed proforma from senior subordinates and the letter No. E/11/227/screening/87 dated 28.12.87 whereby the dates of screening were notified are filed herewith as Annexure No. A-12 and A-13 respectively to this application.

(XXXVIII) That the applicants were again called and appeared in the screening on 18.1.1988, 19.1.1988 and 20.1.1988, the dates fixed for screening before the members of the screening committee nominated with the approval of respondent No. 3. This time Assistant operating superintendent (G)

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Sri G.C. Bhatnager, Assistant Operating Superintendent (M), Sri R.B. Prasad and Assistant Personnel Officer Sri Sheo Murti were nominated as members of the screening committee.

(XXXIX) That this time the number of days of the applicants mentioned in their certificates already submitted by them with respondent No. 5 and 6 during screening proceedings held earlier were got verified and after due verification from pay bills found to be correct. The applicants also remained successful in lifting "Bag of 50 Kg. weight" which was prescribed as test for adjudging physical fitness of the candidates. The applicants reaffirm that their certificate are genuine and bona fide and their number of days shown there in are correct.

(XXXX) That the applicants, bona fide believes that they must have declared successful in the screening by the members of the selection committee who conducted selection proceedings on 18.1.1988, 19.1.1988 and 20.1.1988 on the basis of their performance taking into account relevant considerations as prescribed under rules and there existed no legal and valid material or ground on the basis of which they could have been declared unsuccessful in the screening.

(XXXXI) That all of a sudden while the applicants were still waiting for publication of the list of selected candidates, the respondent No. 3, vide order No. E/S.S.-Selection/screening/88 dated 6.10.1988 cancelled the selection proceedings held on 18.1.1988, 19.1.1988 and 27.2.1988 without disclosing any reason at all. A true copy of the

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said order already forms part as Annexure No. A-1 to this application.

(XXXXII) That the impugned order dated 6.10.1988 passed by respondent No. 3 contained in Annexure No. A-1 is wholly arbitrary, non-speaking and without any authority of law of and since it adversely affects the rights of the applicants, the same could not have been passed so arbitrarily without affording even any opportunity to the applicants and the same is not only against the rules but also against the principles of natural justice. Even otherwise there exists no legal and valid ground for concealing screening proceedings.

(XXXXIII) That the authority with whose approval the members ~~xxx~~ of the screening committee were nominated, is not empowered to cancell screening proceedings conducted by such nominated members and the respondent No. 3 travelled beyond his limits in passing the impugned order contained in Annexure No. A-1.

(XXXXIV) That the order dated 3.3.1987 contained in Annexure No. A-9 so far it relates to the applicants regarding not utilising further has not been given effect to up till now but the applicants have learnt that now their services would be terminated in periance to said order as huge number of surplus substitutes of other divisions of N.E. Railway have been directed to Lucknow Division for their absorption.

(XXXXV) That since the greivance of the applicants, is common envolving common questions of fact and law and the impugned order dated 6.10.1988

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contained in Annexure No. A-1 commonly affects all the applicants adversely and since the matter can be disposed off by a common judgement by the Hon'ble Tribunal they seek permission to file single application.

(XXXXVI) That the Hon'ble Tribunal has already admitted similar applications No. 697-87 and 696 of 1987 involving common questions of facts and law filed by other candidates similarly aggrieved against the same screening proceedings this application is also liable to be admitted.

7. DETAILS OF THE REMEDEES EXHAUSTED :

The applicants declare that no statutory remedy under rules is available to them. Even otherwise also since the impugned order is a nullity for want of jurisdiction and it affects the rights of large number of poor persons without any opportunity violating principles of natural justice and fundamental rights, they are entitled to maintain their application straight way. More over similarly placed and circumstanced several other employees aggrieved by the same orders have already filed applications which have been admitted by this Tribunal and are pending disposal.

8. That the applicants declare that they had not previously filed any application, writ petition, or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, writ petition or suit is pending before any of them.

15/12/1987

9. RELIEF SOUGHT :

In view of the facts mentioned in para 6 above the applicants prays for the following relief:

(a) That the impugned order dated 6.10.1988 and 3.3.1987 passed by respondents No. 3 and 2 contained in Annexure No. A-1 and A-9 respectively so far as they relate to the applicants may be declared illegal, arbitrary and inoperative and the same may be quashed and the Hon'ble Tribunal may graciously be pleased to direct the respondents to declare the result of the screening proceedings held on 18.1.1988, 19.1.1988 and 20.1.1988 and absorb the applicants against regular nature posts held by them and allow all consequential benefits of pay and allowances increments and seniority etc. with effect from the date when persons junior to them were declared successful in the screening held in 1986 and were absorbed against regular posts illegally superseding the applicants.

GROUND FOR ~~RELIEF~~ RELIEF

(I) Because in view of the terms and conditions contained in Annexure No. A-3, A-4 and in chapter I, section-B, sub-section IV (XIII) (a) (b) and (c) the substitutes, casual labour and temporary workmen will have prior claim over others to permanent recruitment and such persons having acquired temporary status after working for more than 4 months, should be considered for regular employment without having to go through employment exchanges and for giving them priority a register should be maintained by all divisions indicating their names who have rendered 4 months service either continuous or in broken periods

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and for the purpose of empanelment against regular class IV posts, they should as far as possible, be selected in the order maintained in the aforesaid registers and weightage should be given to the knowledge and experience gained by them other conditions being equal total length of service as casual labour, either continuous or in broken periods, irrespective of whether they have attained the temporary status or not, should be taken into account so as to ensure that casual labour who are senior by virtue of longer service are not left out.

(II) Because the members of the screening committee have to select or reject the candidates in strict order of their ~~xxx~~ seniority and on the basis of their service record regarding their discipline, conduct, obedience, capacity of hard working and their performance regarding physical fitness etc. put by them in the screening but they have no power, competence and authority to declare the candidates as unsuccessful on the ground that the bona fide of their certificates duly issued by the concerned senior subordinates certifying their total number of days service rendered by them, appears as doubtful that too without any verification or giving any opportunity to the concerned candidates.

(III) Because the applicants being senior in service possessing unblamished service record and having remained successful in the test prescribed for adjudging physical fitness, had a preferential claim for being appointed against regular nature posts vis-a-vis the candidates who had either not worked in the

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Railway at all or had less number of days service to their credit compared to the applicants.

(IV) Because it is most unfortunate that the members of the screening committee i.e. respondent no. 5 and 6 ignoring the relevant considerations mentioned above did not act fairly for extraneous considerations in conducting the screening proceedings and instead of adopting just, proper and principle oriented approach, they selected and rejected the candidates adopting pick and those method and the candidates who had either high approaches or sufficient means to ful-fil illegal wishes/demands of the respondents No. 5 and 6 were selected by them totally ignoring the real merit of those who did not possess high approaches or sufficient means to ful-fil their illegal wishes/demands and they were declared unsuccessful on a totally baseless, non-existent and untenable ground.

(V) Because the applicants remained handicapped in meeting out the illegal wishes/demands of respondents No. 5 and 6 due to their poor economic condition as such they were declared unsuccessful by respondent No. 5 & 6 on a baseless and non existent ground totally ignoring their real merit.

(VI) Because the respondent No. 5 malafidely in collusion with respondent No. 6, without any verification of number of days or providing any opportunity to the applicants made baseless remarks such as "False", "Vagous" "doubtful", "fake" and "bonafide doubtful" etc. on the certificates submitted by the applicants as stated in the application showing their total number of days service issued rendered by senior subordinates.

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(VII) Because the declaration regarding applicants as "unsuccessful" on the ground that their bonafide was found doubtful in the screening is the result of dishonest approach adopted by respondents No. 5 and 6 for extraneous considerations and the same is based on a totally baseless and non-existent ground which is established from the facts and circumstances stated in the application and the acts of respondents No. 5 and 6 are without any power, competence and authority.

(VIII) Because no reasonable prudent person taking into account relevant considerations could have adjudged the applicants as unsuccessful not only on the ground on which they have been declared unsuccessful but on any ground whatsoever and the contrary conclusion reached regarding applicants having been found unsuccessful, is wholly arbitrary and there is no legal and firm material to justify the same.

(IX) Because the bona fide and genuineness of the lists of successful/unsuccessful candidates contained in Annexure No. A-8 and A-9 can be ascertained from the view that the respondents No. 5 and 6 acted so dishonestly and unfairly for extraneous considerations that they included the names of number of such candidates in the select list who had either not worked at all in the Railway or even did not possess requisite number of 500 days service to their credit and declared the applicants as unsuccessful who are much senior in service and fulfil all requisite conditions ~~fix~~ for being selected and absorbed against regular nature posts.

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(X) Because the list of selected candidates

published vide letter dated 11.7.1986 contained in Annexure No. A-8 ignoring the applicants without any just and valid reason and the order dated 3.3.1987 declaring the applicants as unsuccessful on the ground that their bona fide was found doubtful during screening with a further direction that they should not be utilized further, are totally arbitrary and hit by Article 14 and 16 of the constitution of India.

(XI) Because the respondent No. 4 acted arbitrarily and discriminated the applicants while absorbing other candidates whose names are mentioned in order dated 8.9.1987 contained in Annexure No. A-11 taking them out from the list of unsuccessful candidates dated 13.2.1987 contained in Annexure No. A-10 similarly placed and circumstanced like the applicants whose names find mention in order dated 3.3.1987 contained in Annexure No. A-9.

(XII) Because at the instance of the applicants the matter of unfairness in conducting the screening proceedings was reported to the chief vigilance officer, N.E.Railway, Gorakhpur, who after enquiry found that 6 candidates out of 8 were included in the select list contained in Annexure No. A-8 though they had neither worked in the Railway at all nor possessed requisite 500 days service to their credit and as a consequence of that he strongly recommended for disciplinary action against respondent No. 6 yet nothing is being done against him and the request of the applicants that they may be declared successful and absorbed with all consequential benefits against regular posts in preference to the candidates who are junior to them and have been illegally absorbed, has gone invane despite the fact that the number of days

Handwritten Note: -

of the applicants as shown in their certificates after due verification from pay bills have also been found correct by the concerned Railway authorities.

(XIII) Because the matter having been represented by the applicants personally and through union, the respondent No. 2 held meeting with senior D.P.O., senior D.S.O. and senior D.O.S. and took a decision to hold further screening in order to absorb the applicants but despite best performance put by them in the said screening held on 18.1.1988, 19.1.1988 and 20.1.1988 the result of the applicants is not being declared.

(XIV) Because the applicants are entitled for the declaration of the result of the screening proceedings held on 18.1.1988, 19.1.1988 and 20.1.1988 and are further entitled to be absorbed with all consequential benefits in preference to candidates who have been absorbed earlier in pursuance to select list dated 11.7.1986 contained in Annexure No. A-8.

(XV) Because the impugned order dated 6.10.1988 passed by respondent No. 3 cancelling the screening proceedings held on 18.1.1988, 19.1.1988 and 20.1.1988 is wholly arbitrary, non-speaking and without any authority of law and since it adversely affects the rights of the applicants, the same could not have been passed so arbitrarily without affording any opportunity to the applicants and the same is not only against the rules but also against the principles of natural justice.

AG 874216

(XVI) Because the authority with whose approval the members of the screening committee were nominated

is not empowered to cancel screening proceedings conducted by such nominated members and the respondent No. 3 travelled beyond his limits in passing the impugned order contained in Annexure No. A-1 to the application.

(XVII) Because even otherwise also there exists no legal and a valid ground for cancelling screening proceedings held for the absorption of the applicants.

(XVIII) Because in any event the case of the applicants for their regular absorption is certainly better in all respects compared to the case of the "Project Labour" reported in 1985 (2) S.L.R. Page 648 s.c. - Indra Pal Yadava Versus Union of India & others and they are entitled to be absorbed straight way in view of the Railway Board's decision contained in circular letter dated 24.6.1984 as modified by the Hon'ble Supreme Court and all actions of the respondents contrary to that are illegal and arbitrary.

10. INTERIM ORDER, IF ANY PRAYED FOR :

(a) That for the facts and reasons stated hereinbefore in para 6 above it is most respectfully prayed that the Hon'ble Tribunal may be pleased to stay the operation of the impugned orders dated 6.10.1988 and 3.3.1987 passed by respondents No. 3 and 2 respectively so far as they relate to the applicants and the respondents may be restrained from terminating their services during the pendency of this application.

11. That the application is being presented personally by the counsel engaged on behalf of

the applicants and the oral hearing at the admission stage is prayed for.

12. Particulars of the Bank Draft/Postal order in respect of the application fee :

(I) Name of the Bank on which drawn X
 (II) Demand Draft No. X

OR

(I) Number of Indian Postal order. DD 065946
 (II) Name of the issuing post office. High Court
 Bench Post Office LUCKNOW
 (III) Date of issue of Postal order. 20/12/88
 (IV) Post office at which Payable. Allahabad

13. LIST OF ENCLOSURES :

(I) Annexure No. A-1 Order dated 6.10.88
 cancelling screening proceedings.

(II) Annexure No. A-2 Chart giving service particulars of the applicants dated 29.6.81

(III) Annexure No. A-3 Circular letter dated 29.6.81 containing conditions of service of casual labour and their absorption in regular class IV posts.

(IV) Annexure No. A-4 Rules regarding screening issued by G.M.(P) on 15.9.1979. 22-3-84

(V) Annexure No. A-5 Letter dated 30.9.85 regarding screening.

(VI) Annexure No. A-6 Letter dated 30.9.1985 regarding XXXX date of screening.

(VII) Annexure No. A-7 Letter dated 30.12.1985 fixing date of screening.

(VIII) Annexure No. A-8 List of selected candidates dated 11.7.1986.

(IX) Annexure No. A-9 Order dated 3.3.87 for not utilising the applicants further.

(X) Annexure No. A-10 Order dated 13.2.87 for not utilising the candidates of commercial department.

(XI) Annexure No. A-11 Order dated 8.9.87 modifying order dated 13.2.1987 regarding only 12 persons.

(XII) Annexure No. A-12 Letter dated 20.8.87 for screening.

215/81/4

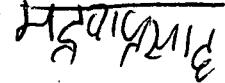
(XIII) Annexure No. A-13

Order dated 28.12.1987
fixing dates of screening

VERIFICATION

I, Mahesh Prasad, son of Sri Jagannath aged about 30 years, working as substitute under Traffic Inspector, N.E. Railways, Nanpara, on my own behalf and on behalf of other applicants do hereby verify that the contents of para 1 to 13 of this application are true to my own knowledge and that I have not suppressed any material fact.

Dated: Lucknow
November 30, 1988.


APPLICANT.

To,

The Registrar,

34

समदा केन्द्रीय प्रशासकीय अधिकरण : सक्रिय ब्रान्च, लखनऊ ।

प्रार्थनापत्र संख्या

तिथि 1988

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

विपक्षीगण

संलग्नक संख्या - ए-१

पूर्वोत्तर रेलवे

कार्यालय - आदेश

परिचालन विभाग के लिए शूप "डी" पदों का पैनल बनाने के लिये दिनांक 18/19-1-1988 से 27-2-1988 को ऐश्वर्या, गोण्डा से गोरखपुर में आयोजित छान परीक्षा की कार्यवाही अपर मण्डल रेल प्रबन्धक, पूर्वोत्तर रेलवे, लखनऊ ने दिनांक 5-10-1988 को निरस्त कर दी है।

कृते मण्डल रेल प्रबन्धकः कार्मिकः
लखनऊ ।

संख्या : - ई/सत्त्वस-सेलेक्शन/स्क्रीनिंग/88 दिनांक : 6-10-1988

प्रतीक्षिया :-

निम्नलिखित को सूचनार्थ प्रेषित :-

1- छान-सीमित के सदस्य-गण ।

2- प्रमपाधी/प्रमसीधा, पूर्वोत्तर रेलवे, लखनऊ । कृपया सम्बन्धित स्टेशन अधीक्षक, स्टेशन मास्टर से यातायात नीतीक्षक को भी सूचित कर दें ।

3- कार्यालय अधीक्षक : कैडरः, मरेग्रः, काः कार्यालय, लखनऊ ।

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ह/0 अपठनीय,
कृते मण्डल रेल प्रबन्धः कार्मिकः,
लखनऊ ।

R. C. Saxena

Advocate, High Court
B-3663, Rajaji Puram, Lucknow.

महेशपत्रा

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH)
LUCKNOW.



R. C. Saxena

Advocate, High Court
E-3663, Rajaji Puram, Lucknow.

Advocate, High Court
E-3663, Rajaji Puram, Lucknow.

~~R. C. Saxena~~

Application No.

of 1988.

Mahesh Prasad & Others

Applicants

Versus.

Union of India & Others

Respondents

ENCLOSURE NO. A-2

DESCRIPTION OF SERVICE PARTICULARS OF APPLICANTS

Sl. No.	Name of Applicant	Father's Name	Date of Birth	Date of appointment	Total work- ing days	Under whom working	Upto 31-12-86		
							4	5	6
1.	Mahesh Prasad	Jagannath	2.2.58	7.2.76	2892	TI-NNP			
2.	Rameshwar	Shambhoo	24.1.56	1.6.74	2890	SS-LJN			
3.	Jagdamba Prasad Misra	Lalita Prasad Misra	2.12.49	15.7.66	2725	TI-ASH			
4.	Mansoor Ali	Ali Siekh	10.10.56	10.11.74	2527	TI-GD			
5.	Ram Naresh Yadav	Ram Nath	6.1.57	1.4.76	2450	TI-ASH			
6.	Banwari Lal	Itwari Lal	15.1.56	16.5.77	2446	TI-STP			
7.	Ram Pyare	Badloo	25.12.51	1.11.75	2440	SS-LJN			
8.	Ibrahim	Alla Bux	10.3.57	18.5.75	2362	SS-GD			
9.	Moiuddin	Mohd Ismail	1.10.53	1.8.74	2342	TI-ASH			
10.	Ram Singh	Mangal	1.1.56	17.11.75	2322	DRM/OPTG			
11.	Ram Shanker	Dularey	1.12.59	12.5.79	2320	SS-MLN			
12.	Ram Sudhi	Shyam Narain	15.1.59	3.2.80	2314	TI-MLN			
13.	Ram Anjor	Nohari	11.3.57	1.4.79	2303	TI-MLN			
14.	Bhagwati Prasad	Sampat	5.3.56	1.5.75	2289	TI-STP			

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R. C. Saxena

Advocate, High Court

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25/9/16

E-8665, Rajaji Puram, Lucknow

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15.	Ram Chander	Ram Kewal	16.10.54	8.2.76	2254	TI-ANDN
16.	Alla Bux	Mustafa	1.3.55	7.5.72	2240	TI-DCI-GD
17.	Ram Jeet	Khajanchi	1.6.56	19.11.73	2229	SS-GKP
18.	Srikant	Awadhoo	1.8.57	24.2.76	2199	TI-MLN
19.	Ram Raj	Ram Lakhan	1.7.62	13.11.80	2125	TI-MLN
20.	Vijai Bhadur Singh	Ram Raj Singh	27.3.58	2.5.76	2052	TI-MLN
21.	Mustaq Ali	Nabi Mohd.	5.5.55	24.4.76	1997	SS-CPA
22.	Chandra Prakash	Ram Dularey	1.7.58	1.9.79	1997	SS-MLN
23.	Tulsi Ram	Tornai	1.8.58	13.1.79	1978	TI-NNP
24.	Raksha Ram	Chheda Lal	19.3.58	13.2.80	1935	TI-GD
25.	Murlidhar	Dudh Nath	25.1.59	13.2.80	1919	TI-MLN
26.	Jewan Lal	Raj Narain	15.1.56	30.8.79	1912	TI-NNP
27.	Ram Singh Prasad	Makhan	10X8X5X	9X2X89	1905	XXMMEN
28.	Shivkant Tripathi	Chandra Bhushan Tripathi	25.4.58	1.3.77	1910	TI-MLN
29.	Sankata Prasad	Lahori XXXX	16.3.59	23.12.79	1906	TI-MLN
30.	Govind Prasad	Malhoo	10.8.57	9.5.80	1905	TI-MLN
31.	Jang Bahadur	Kanhai Lal	20.1.59	16.1.79	1901	SCI-LTN
32.	Radhey Shyam	Ram Kripal	1.9.57	26.11.75	1896	TI-STP
33.	Ram Bhadur Singh	Rudrapal Singh	2.7.56	1.10.76	1863	TI-GD
34.	Sobha Ram	Ram Singh	7.2.56	17.7.80	1857	TI-MLN
35.	Daya Shanker	Ram Dularey Verma	21.7.57	1.5.76	1852	TI-HNP
36.	Naseer Ahmed	Kadeer Ahmed	5.5.54	24.12.74	1823	SS-GKP
37.	Ram Bilas	Ram Bujharet	1.1.56	17.11.75	1820	TI-NNP
38.	Rahim Bux	Wali Mohd.	2.3.60	15.5.78	1816	SS-LJN
39.	Hanuman	Ram Sager	1.7.53	6.5.76	1799	TI-GD
40.	Deena Nath	Ram Deo	10.2.52	8.4.78	1785	TI-MLN
41.	Jagdish Prasad	Burshetam	1.1.57	3.6.77	1770	TI-ANOH
42.	Maya Ram Giri	Shiv Baran Giri	8.2.58	31.3.79	1765	TI-ASH
43.	Ram Jiv	Ram Dularey	4.6.54	1.8.79	1753	SS-LJN
44.	Ram Pyare Yadav	Chhote Lal Yadav	12.10.52	1.4.78	1748	TI-STP

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1	2	3	4	5	6	7
45.	Ram Lakhlan	Ram Dularey	183.61	3.4.79	1696	TI-MLN
46.	Dwarika Prasad	Mosai	3.3.59	23.12.79	1651	TI-MLN
47.	Ram Deen	Ghirao	15.6.60	21.6.79	1519	TI-MLN
48.	Shiv Pujan	Kishan	15.6.55	15.9.79	1518	TI-MUR
49.	Kasim Ali	Rahmat Ali	2.3.59	2.1.77	1499	SS-LJN
50.	Sachida Nand	Burga Prasad	15.4.57	1.5.75	1472	TI-MUR
51.	Jalpa Prasad	Jagdamba Prasad	6.6.55	29.1.75	1468	SS-LJN
52.	Ramayan	Ram Jeet	30.6.56	1.7.80	1465	TI-ANDN
53.	Inder Lal	Ram Lallan	4.4.58	8.4.80	1395	TI-MLN
54.	Jagdamba Prasad	Mata Badal	21.7.60	1.9.78	1342	SS-GD
55.	Ram Chander	Ram Laut	2.3.61	5.4.80	1186	TI-MLN
56.	Raj Karan	Pitai	16.3.60	16.4.80	1137	TI-MLN
57.	Bakshwari Prasad	Chinni Prasad	1.1.60	1.3.78	988	TI-MUR
58.	Mata Prasad	Aditya Prasad Tewari	4.7.56	5.8.79	950	CTNL-GD

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25/09/2016



R. C. Saxena

Advocate, High Court

E-3663, Rajaji Puram, Lucknow.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH), LUCKNOW

APPLICATION NO.

OF 1988.

Mahesh Prasad & others Applicants.

Versus.

Union of India & others Respondents.

Encloser No. A-3

N.E. RAILWAY.

E.P. 2-432.
S.No. 1105.

OFFICE OF THE G.M. (P)
GKP: Dt. June 29, 1981.

No. E/57/1/Pt.III/IV.

All Hds. of deptts.
All Divl. Rly. Managers.
All Personal Officers.
All Extra Divl. Officers.
N.E.Rly.

Sub: CASUAL LABOUR.

A copy of Rly. Board's letter No. E(NG)II/77-CL/46 dt. 8.6.81 (English version) is reproduced below for information, guidance and necessary action.

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Sd/-
for G.M(P)

Copy of Board's letter No. E(NG)II-77/CL/46 dt.

8.6.81 addressed to the General Manager, All Indian Rlys and others.

Sub: Casual Labour.

R. C. Saxena
Advocate, High Court
E-3663, Rajaji Puram, Lucknow.

Various instructions have been issued from

time to time regulating the service conditions of casual labour. It was found necessary to consolidate the various instructions issued by Board from time to time. The engagement of casual labour on the Rlys., their absorption in regular class IV

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posts and the entitlement and privileges admissible to them will be regulated as under :-

A. Definition of Casual Labour :

(a) Casual labour refers to labour whose employment is seasonal, intermittent, sporadic or extends over short periods. Labour of this kind is normally recruited from the nearest available source. They are not ordinarily liable to transfer and the conditions applicable to permanent and temporary staff do not apply to casual labour.

(b) The casual labour on Rlys. should be employed only in the following types of cases:-

(i) Staff paid from contingencies except those retained for more than four months continuously : Such of those persons who continue to do the same work for which they were engaged or other work of the same type for more than 120 days without a break will be treated as temporary after the expiry of the 120 days continuous employment. Casual labour on projects who have put in 180 days continuous service on the same type of work are entitled for 1/30th of the minimum of the appropriate revised scale plus Dearness Allowance.

Before giving regular scale of pay or 1/30th of the minimum of the scale plus Dearness Allowance on completion of 120 days or 180 days continuous service as the case may be, a preliminary verification in regard to age and completion of requisite number of days of continuous service should be done by the Assistant Officer.

ii) Labour on projects irrespective of duration except those transferred from other temporary or permanent employment:

As far as possible casual labourers

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R. C. Saxena

Advocate, High Court

E-3663, Rajaji Puram, Lucknow

Verification in regard to age and completion of requisite number of days of continuous service should be done by the Assistant Officer.

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required for new projects must be taken from amongst those casual labourers, who have worked on the open line/Project in the past in preference to outsiders.

iii) Seasonal labour sanctioned for specific works of less than 180 days duration :

If such labour is shifted from one work to another of the same type (e.g. relaying) and the total continuous period of such work at any time is more than 180 days duration, they should be treated as temporary after the expiry of 120 days continuous employment.

Note (1) :- The project should be take as construction of new lines, major bridges, restoration of dismantled lines and other major important open line works like doubling, widening of tunnels etc. which are completed within a definite time limit. The General Manager/Heads of Deptts, concerned, in consultation with the FA & CAO, will decide whether a particular open line work is a 'project' or not. If the 'through Track Renewals' include replacement of lighter section of Rails by a heavier section or increasing density of sleepers or provision of additional depth of ballast etc. these should be treated as works leading to an improvement in the carrying capacity of the Railway and as such irrespective of any financial limit they should be treated as 'Project'. Casual renewals or other 'Through Renewals' which do not lead to any improvement in the carrying capacity of a Railway will however, not fall within the definition of a 'Project'.

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R. C. Saxena

Advocate, High Court

2066, Rajaji Puram, Lucknow. status, after fulfilling the conditions indicated

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in (i) or (iii) above, he retains that status so long as he is in continuous employment on the railways. In other works, even if, he is transferred by the administration to work of a different nature, he does not lose the temporary status.

Note (3) :- Labour employed against regular vacancies whether permanent or temporary shall not be employed on casual labour terms.

Casual labour should not be employed for work on construction of wagons and similar other work of a regular nature. Works of a regular nature cover workshops, loco sheds, train lighting establishments, carriage and wagon depots, yards and stations but exclude labour employed for loading and unloading. As regards civil engineering, signal and bridge maintenance, casual labour will not be employed except for seasonal, fluctuating works, casual renewals and occasional renewals.

Note (4) :- The term 'same type of work' should not be too rigidly interpreted so as to cause undue suffering to casual labour by way of break in service because of a slight change in the type of work in the same unit. The term 'same type of work' should be implemented in spirit as well as in letter and no casual labour should suffer in this matter by rigid interpretation of the term. The various types of works to be considered as same type of work may be grouped as under :-

(a) Track renewals and linking
Ballasting, resleeping, relaying etc.

(b) Masonry and concrete work:
Work on buildings, bridges, quarters, platforms etc.

(c) Steel work :
Direction of bridge girders, sheds, shelters etc.

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Q. C. Saxena
R. C. Saxena
Advocate, High Court

2-3663, Rajaji Puram, Lucknow.

H. S. K. M. P.

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(d) Barth work :

Foundations, banks, platforms etc.

(e) Fitting, simiphy, carpentry and such other arisen work and helpers.

(f) All work, performed by the unskilled casual labour working under the same IOW, FWI and bridge Inspector etc. should be treated as the same type of work.

(g) Casual labour should not be employed/ retained in service beyond the age of 58 years.

Note (5) :- On the open line, the trolleyman should not be casual labour. In railway printing press, casual labour should not be engaged.

Note (6) :- Staff employed in unskilled categories for examining the wagoens for water tight repairs during the monsoon season should be treated as casual labour.

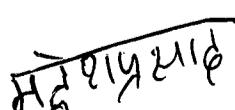
2. There is no ban on employment of casual labour required for execution and implementation of the expansion and modernisation projects of the Railways, should it become necessary to engage fresh casual labour, discharged casual labour, who have not been re-employed will be re-engaged against future requirement in the order of priority on the basis of their total period of service prior to their discharge. The intake of fresh casual labour should be resorted to only after obtaining prior personal approval of the General Manager, this

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R. C. Saxena authorisation not being delegated to a lower level.

Advocate, High Court
E-3665, Rajaji Puram, Lucknow.

In the applications for employment as causal labour, essential data with name, father's name, age, educational & technical qualifications, experience and area in which employment is sought should be mentioned. The application should be sent to the Personal Officer of the Division for enlisting


H. R. SAXENA

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these candidates for employment. The personal officer in charge will send these applications to the Inspectors of Engineering, Signalling and Electrical Deptts. of the open line as well as construction work in the area where employment is sought. The particulars of the applications sent by the Personal Officer will be entered in a register called 'Waiting Register'. This will be a separate from the 'Seniority Register' of casual labour already in employment being maintained. Departments other than Civil, Signalling and Electrical, for their requirement of casual labour should take candidates from these three departments who have received applications from DPO, especially from those having longest list of candidates.

4. Information regarding the number of men required and the day on which they should present themselves will be given through a notice on the Notice Board. This day will be the first day of the wage period; those who come on the day of recruitment will be re-employed against fresh needs. If none is available on the day, senior most from the waiting list who turns up and is readily available will be employed.

5. As far as possible, casual labour should be engaged only upto the age of 28 years; except for SC/ST candidates where higher age is prescribed in rules, the percentage of reservation for SC/ST laid down for class IV categories should be followed for engagement of casual labour except in the case of those who are required for emergencies like flood relief work, accident, restoration and relief etc.

6. In order to provide documentary proof of

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S. C. Saxena
Advocate, High Court

E-3665, Rajaji Puram, Lucknow.

19/9/71

service, a casual labour should be given a card to be retained by himself. A person wanting to be appointed as a casual labour should be asked to supply to the administration one pass-port size copy of his photograph at the time of his engagement as casual labour. This photograph duly attested by the competent authority should be pasted on his service card. Casual labour should be asked to deposit Rs. 1/- towards the cost of service-book. The following particulars should be ~~xxxxxxxxxx~~ indicated by the concerned supervisory official in the Service Card :

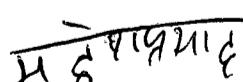
1. Name of the Employee (in Block letters).
2. Father's Name (in Block letters)
3. Date of birth.
4. Age at initial casual employment year, month.
5. Personal marks/ of identification.
6. Date of engagement.
7. Date of termination.
8. Nature of job on each occasion.
9. Signature of the Supervisor.
10. Name ~~xx~~ in full (in capital letters) and designation of the Supervisor.

That service cards should be in the form of a booklet like a Passport Book of the size 4" to 6". It should have stiff card board binding. On page ~~xx~~ 1 on the left side detailed instructions should be printed for the guidance of casual labours. These instructions should be in bilingual form both in English and Hindi. In addition, Railways may add a local language of the area subject to convenience. The service book should be machine numbered and account of service book maintained in Divl. Officers.

6.1 Loss of the card should be reported to

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R. C. Saxena
Advocate, High Court
E-3665, Rajaji Puram, Lucknow.


R. C. SAXENA

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the nearest police station and a copy of FIR lodged with the police should be given to the Railway authorities on the basis of which a duplicate card may be issued on a charge of Rs. 2/-. The issuing authority should satisfy himself that the duplicate is being issued to the same person to whom the original was issued and failure on his part on this score would be punishable under D & A Rules.

B. Entitlements and privileges admissible to Casual Labour :

Casual labour are not eligible for entitlements and privileges other than those statutorily admissible under the various Acts, such as, Minimum Wages Act, Workmen's Compensation Act etc. or those specifically sanctioned by the Railway Board from time to time.

C. Breaks in Service :

The following cases of absence will not be considered as breaks in service for the purpose of determining 120 days continuous employment :-

✓ *Dr. C. Saxena*
Advocate, High Court
B-3665, Rajaji Puram, Lucknow.

The period of absence of workmen who is under medical treatment in connection with injuries sustained on duty covered by provisions under the Workmen's Compensation Act.

b) Authorised absence not exceeding 20 days including 3 days unauthorised absence for personal reasons. Absence of half a day should be reckoned as half a day only. In the case of female casual labour a period of absence of 4 weeks (in addition to 20 days authorised absence) may be allowed for maternity purposes.

c) On completion of works or for non-availability of further productive work when casual labour on daily wages or in regular scale of pay of 1/30th

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of the minimum of the scale plus Dearness allowance is discontinued and employed later when work is available such gaps in service will not count as breaks in service for the purpose of reckoning of continuous service of 120 days as the case may be.

d) Non-performance of work on days of rest given under the Hours of Employment Regulations or under the Minimum Wages (Central) Rules 1950 and on days on which the establishment employing the labour remains closed does not constitute a break nor will it be counted against the limit of twenty days referred to in (b) above. The term 'authorised absence' for this purpose covers permission granted by the supervisory official in charge to be away from work for the period specified.

D. Notice of Termination of service:

Except where notice is necessary under any statutory obligation, no notice is required for termination of service of the casual labour. Their services will be deemed to have been terminated when they absent themselves or on the close of the day.

Casual labour should not be deliberately discharged with a view to causing an artificial break in their service. Where casual labour have to be terminated due to non-availability of work for them the unit for their retrenchment will be that of an Inspector. Casual labour diverted from one unit to another will rank junior most in the new unit. On projects, the Executive Engineer will be the unit for retrenchment.

E. Entitlements and privileges admissible to casual labour who are treated as temporary after the completion of 120 days continuous service;

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[Signature]
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Advocate, High Court
B-3665, Rajaji Puram, Lucknow.

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(a) Casual labour given temporary status are eligible for all the entitlements and privileges admissible to temporary railway servants as laid down in Chapter XXIII of the Indian Railways Establishment Manual. The entitlements and privileges admissible to such labour also include the benefits of the Discipline and Appeal Rules. Their service, prior to the date of completion of 120 days continuous service will not, however, count for any purposes like reckoning of retirement benefits, seniority etc. Such casual labour will also be allowed to carry forward the leave at their credit to the new post on absorption in regular service.

(b) Such casual labour who acquire temporary status, will not, however, be brought on to the permanent establishment unless they are selected through regular Selection Board for class IV posts. They will have a prior claim over others to permanent recruitment and they will be considered for regular employment without having to go through employment exchanges. Such of them who join as casual labour before attaining the age of 28 yrs. should be allowed relaxation of the maximum age limit prescribed for class IV posts to the extent of their total service which may be either continuous or in broken periods.

R. C. Saxena

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E-3665, Rajaji Puram, Lucknow.

REGD/14/21/6

(c) It is not necessary to create temporary posts to accommodate such casual labour who acquire temporary status for the conferment of attendant benefits like regular scale of pay, increment etc. Half of the service rendered in temporary status after 1.1.1961 by such persons before regular absorption against a regular temporary/permanent

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post, will qualify for pensionary benefits subject to the conditions prescribed in this Ministry's letter No. E(NG)II78/CL/12 dt. 14.10.80. Daily rated casual labour or labour employed on projects would not, however, be brought under the purview of the above orders :

(d) Casual labour who have acquired temporary status and have put in three years continuous service should be treated at par with temporary railway servants and granted Festival Advance/Flood Advance on the same conditions as are applicable to temporary railway servants fro grant of such advances provided they furnish two surties from permanent railway employees.

(e) Casual labour engaged on works, other than projects, who attain temporary status on completion of 120 days continuous service on the same type of work, should be treated as temporary employees for purpose of hospital leave in term's of Rule 753(1)-RI.

F. Absorption of Casual labour in regular vacancies:

(i) No outsider should be appointed to Class IV posts which become available upto 31.12.82 and all such posts should be filled only from amongst casual labour and substitute. Exceptions may, however, be made for appointment of outsiders, on compassionate grounds or of sportsmen or of artists or where under specific orders of the Board such recruitment as in the case of filling class IV vacancies in workshops is permitted.

Notes:- On the N.F.Rly. vacancies in class IV should be filled to the extent of 50% vacancies from amongst casual labour and the rest through the Employment Exchange.

(ii) Casual labour employed on projects

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should, as a rule, be appointed against class IV posts that may be required for operation and maintenance of new assets created viz, new lines, conversions, doubling major yard remodelling, etc. i.e. the posts should be filled exclusively from casual labour who had worked at the project stage. An exception can be made only if there are open line casual labour in the area covered by the local recruitment units of the Inspector who have worked for longer periods than the casual labour on construction projects.

(iii) The casual labour should be screened for employment by Screening Committees and not by Selection Boards against vacancies to be worked out after providing for anticipated surpluses. Such screening committee should include an officer belonging to SC or ST.

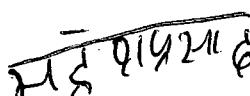
(iv) For the purpose of screening and empanelment of casual labour a Division should be treated as the unit for all departments.

(v) After working out vacancies for recruitment in this unit, all casual labour who have put in a minimum of 120 days continuous service whether on the open line in the division or on adjacent construction projects, should be listed for screening, the seniority being fixed by reckoning their previous spells of employment on the basis of such cumulative aggregate service. Casual labour who have not been re-engaged will also be considered for empanelment/screening based on the length of their employment prior to the date of discharge if such discharged casual labour who had completed 120 days continuous service, and had been discharged due to the completion of work

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B-3665, Rajaji Puram, Lucknow.


R. C. SAXENA
19/2/66

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and has not been offered further engagement, approach the administration at the time of screening.

(vi) Casual labour who have not put in 120 days continuous service, but who have over 120 days of service in broken periods may also be screened if in the seniority list of casual labour maintained in the unit, their juniors become eligible and come up for screening.

Note:- Since casual labour in hot weather establishment such as watermen, punkha-pullers etc. are generally engaged for short durations during summer for period not exceeding 120 days, the question of granting temporary status should not normally arise. For regular absorption, they may be screened along with others based on the total length of their service as casual labour.

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(vii) As long as it is established that a casual labour has been enrolled within the age limit, relaxation at the time of actual absorption should be automatic and guided by this factor. In old cases where the age limit was not observed relaxation of age should be considered sympathetically. The DRM's may exercise such powers to grant relaxation in age limit.

(viii) Casual labour engaged in work charged establishments of certain departments who get promoted to semi-skilled, skilled and highly skilled categories due to non-availability of departmental candidates and continue to work as casual employees for a long period, shall straight away be absorbed in regular vacancies in skilled groups provided they have passed the requisite test to the extent of 25% of the vacancies.

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es reserved for departmental promotion from the unskilled and semi-skilled categories. These orders also apply to the casual labour who are recruited directly in the skilled categories in workcharged establishments after qualifying in the trade test.

(ix) (a) Where casual labour who have put in six years service whether continuous or in broken period, are included in a panel for appointment to class IV posts and are sent for medical examination for first appointment to regular service the standard of medical examination should not be the one that is required for first appointment but should be a relaxed standard as prescribed for re-examination during service.

(b) Such of the casual labour as are found on medical examination, unfit for the particular category for which they are sent for medical examination despite the relaxed standard prescribed for re-examination may be considered for alternative category requiring a lower medical classification subject to their suitability for the alternative category being adjusted by the screening committee, to the extent it is possible to arrange absorption against alternative posts requiring lower medical classification.

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STG 814/2-14

Wages

(a) Except in the case of emergencies like breaches or accidents etc. where wages can be paid at a higher rate depending on the availability of labour and other circumstances, the casual labour employed on ~~on~~ railways falls in either of the following categories, namely :

I Labour governed by the Minimum Wages Act (Central) e.g.

i) those who are employed on road con.

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constructions or any building operations; or

ii) those who are employed in stone-breaking or stone-crushing;

II. Labour not governed by the Minimum Wages Act.

b) Labour governed by the Minimum Wages Act (Central) should be remunerated on -

i) a daily rate ascertained from the local authority or the State Government concerned where necessary,

ii) If such rates are not available, at 1/30th of the minimum of the scale of pay plus DA, application to corresponding categories of railway staff; and

iii) If either of the rate of wages arrived at in the manner indicated in (i) and (ii) above happens to be lower than the minimum wages fixed under the Minimum Wages Act, then the rates fixed by the appropriate authority under the Act.

C) Labour not governed by the Minimum Wages Act is to be remunerated on daily rates to be ascertained from the local authorities or the State Govts, concerned.

Note: i) When there are Municipalities and they have fixed local rates, the rates ascertained from them should be adopted.

ii) Where there are Municipalities, but they have not fixed the rates, the rates fixed by local authorities (District Magistrates, District Collector, Dy. Commissioner or the State Govt.)

iii) If there are no Municipalities at places where casual labour are employed, the procedure as indicated in (ii) above should be adopted.

iv) Where two different rates are operative one fixed by the Municipality and the other fixed by the local civil authorities, the higher of the two rates should be adopted.

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If such rates are not available, they are to be remunerated at 1/30th of the minimum of the scale of pay plus DA applicable to corresponding categories of railway staff.

d) For specialised labour such as Earth-moving Plant drivers, mechanics, drivers, rivetters, dollymen, heaters, bridge sorangs, bridge khalasis etc. for whom local market rates are not available and it is not possible to recruit them at the daily rate derived from the minimum of the appropriate authorised/Revised scale of pay plus dearness allowance, special rates may be sanctioned by the General Managers in consultation with the FA& CAOs.

e) (i) Powers to fix wages with reference to the daily rate derived from the minimum of the appropriate authorised/revised scale plus dearness allowance, in cases where the local market rate is not available, shall be exercised by the Head of Deptt. concerned in consultation with the FA & CAO.

(ii) In special cases, where justified, the General Managers/Chief Administrative Officers may fix in consultation with FA & CAO a rate upto 33.1/3% in excess of that prescribed in the Minimum Wages Act or the rate prescribed by the local authority, cases where the increase in the rates over 33.1/3% is considered necessary should be referred to the Railway Board for decision with full justification thereof.

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Note:-

In order that the rates fixed by the local authorities from time to time are not lost sight of, a review should be undertaken every year after ascertaining the rates from the local authorities or the State Govt, concerned.

H.

Passes & PROs:

- i) Casual labour are not entitled to passes and privilege ticket orders.
- ii) Passes to casual labour are admissible

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on recruitment and discharge in cases where such labour are not available at the site of the work and have to be recruited from places far away from the site of work in the interest of the administration.

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iii) Casual labour who attain temporary status will be eligible for passes and PTDs as admissible to temporary railway servants. They will also be allowed to count their continuous service from the date of attaining temporary status for the purpose of post-retirement passes.

I.

Holidays for casual labour:

Casual labour who have attained temporary status will be eligible for 9 holidays including 3 National Holidays and where it is not possible to allow staff to avail of the holidays, they will be eligible for compensation in lieu thereof as in the case of National Holidays.

J.

Free Medical treatment and Free Diet:

Casual labour may be given free diet and free medical treatment in railway hospitals/dispensaries in connection with injuries sustained in accident cases. In other cases, they are not ordinarily entitled to medical facilities applicable to railway servants, but when they are employed at sites not within easy reach of non-railway medical facilities or when the non-railway medical facilities are grossly inadequate and it becomes necessary in the interest of the administration to guard against the risk of spread of seasonal disease in an epidemic from particularly in the case of large projects, casual labour (but not their families) may be given medical facilities and concessions in railway hospitals and dispensaries both as outpatients, and as inpatients (as well as at residence in special circumstances when the patient is confined to bed). Preventive treatment as for malaria or control of other diseases in epidemic form may please be given free of cost.

Sd/- Dwarka Dass,
Jt. Director Estt.(N),
Railway Board.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH)
LUCKNOW.

APPLICATION NO.

OF 1988.

Mahesh Prasad & others

Applicants.

Versus.

Union of India & others

Respondents.

Encloser No. A-4

NORTH EASTERN RAILWAY

True copy

OFFICE OF THE
GENERAL MANAGER (P)
GORAKHPUR.

No. E/227/20/2/V(Con)

Dated: 15.9.1979

All Heads of Departments,
All Divl. Rail Manager & Divl. Supdt, IZN,
All Extra Divisional officers,
All Personnel Officers,
North - Eastern Railway.

Sub: Formation of panel from casual labour/
substitute for absorption in Class IV
categories.

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Advocate, High Court
E-3665, Rajaji Puram, Lucknow

On the subject of formation of panels from
Casual labours/Substitutes for absorption as Class IV
categories, the instructions issued from time are
contained in the following circulars :-

S.No. This Office circular No. & Date Contents in brief

1. E/227/20/2/V(Con) dated 19.4.78, 22.4.78	Method of screening, forma- tion of unit and formation of screening committee etc.
2. E/227/20/2/V(Con) dt. 25.11.78	Formation of panel from C.I. substitute for absorption in Class IV categories.
3. E/227/20/2/V(Con) dt. 27.11.78	-do-
4. E/227/20/2/V(Con) dated 3/4.5.79	Method of screening, forma- tion of unit, formation of screening committee.

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2. In modification of all these directives the following further guidelines are given for formation of the panel from casual labour/substitutes for absorption in Class IV categories for future. These guidelines are based upon the past/experience and intended to meet out the largest measures of justice to the casual labour.

3. Eligibility for screening:

3.1 For the screening of casual labours/substitutes for the empanelment for appointment in Class IV categories the minimum period of employment of 500 days from 1.5.79 will be insisted upon so that there may not be wide divergence in periods of employment between various units of seniority where period of employment are less, the panel may be prepared after senior most have completed 500 days.

3.2 For scheduled caste and scheduled tribe candidates the above criteria will also be applicable. In case where the scheduled caste/tribe candidates having 500 working days are not available required number the relaxation of 300 days will be given for making up shortfall of SC/ST. If further relaxation is considered necessary it can only be done with personal approval of HODs concerned or DRM/DS concerned of the division.

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3.4 500 working days from 1.5.79 for staff employed in quasi government administration connected with Railway work:-

- (a) Cooperative Stores/Societies/Canteens.
- (b) Staff canteens (c) Handicraft centre
- (d) Vendors and commission bearers (e) Sports and cultural organisation.
- (f) Institutes and Welfare Centres, Clubs,

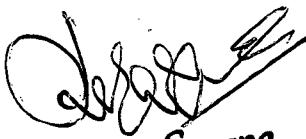
R. C. Saxena
Advocate, High Court
B-3665, Rajaji Puram, Lucknow.

H. S. SAXENA

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Advocate, High Court
S-3665, Rajaji Puram, Lucknow.

Homoeopathic dispensaries. Those quasi government organisations ~~in~~ may be attached with the unit of personal Branch of the Division/Hd. Qrs. The stoff canteen attached with offices and the staff canteen attached with shops and Press amy be attached with ~~in~~ the concerned shops and press.

3.4-1 The calculation for the purpose of assessment of service of 500 days in such cases will be as under :-

One half the number of days is to be taken upto 30.10.79 i.e. the date of Board&s letter No. E(NG)III-73RR/27 dt. 30.10.79 and full service thereafter. For calculation of the number of days in their cases it has been decided that the officers concerned will have to ensure that such persons are given cards similar to casual labour cards where the centre service is recorded and as certified that the initial of a gazatted Officer-in-charge of such quasi Govt. Units.

3.5 These who have failed in any previous panels should not be reconsidered for screening.

4. Vacancies will be filled up according to seniority unit department wise.

5. The screening woudl be upto the number required to fill up vacancies during the current year and to a limited extent these anticipated in the course of the following years.

6. The seniority will be reckrnd on the basis of total period of employment (Number of days) as on the crucial date fixed for screening.

7. The period of employment should be based upon authority certificate of senior supervisor incharge and should indicate that it has been

15/10/1981

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prepared with reference to muster rolls, paysheets and C.L. Cards and registers.

8. Officers and inspectors should make it a point to check up the basic records and the correctness of the seniority list maintained, in the course of their inspections.

9. The seniority list of casual labour should be published on the 1st of January and 1st of July of every unit in a year.

10. The screening committee will consist of three Asstt. Officers including one APO. The nominating authority will be careful about the choice of the Asstt. Officers.

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11. Screening Unit and screening committee is shown in Annexure 'A' attached.

12. Notes:- (1) The under noted officers will nominate the screening committee :-

(a) DPO in divisions.

(b) Sr. Scale Officer in Extra Divisional Offices.

(c) SPO/T in respect of Hd.Qr. Offices.

(2) In the Engineering Deptt. the respective AENs will arrange screening of casual labours substitutes separately in their jurisdiction in consultation with DPO.

(3) The screened casual labours of the Construction/Survey Organisation will be engaged as under:-

(a) All the screened Class IV staff of Hd. Qrs, construction unit will be engaged against Class IV vacancies of Hd. Qr. Offices viz Waterman, Peons, Chowkidar etc.

(b) All the screened Class IV staff out of the Hd. Urs. Unit will be absorbed in

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the respective division/extra divisions.

(4) The following procedure should be adopted for conducting the screening test of casual labours/ substitutes.

(a) The candidate should be called for the screening test strictly on the basis of seniority in respect of the length of service of C.L./Substitute.

(b) The panel/screened list should be formed only to the extant of the vacancies as assessed for the current year plus anticipated vacancies of the following year.

(c) The number of candidates to be called for the screening test should be much as to get successful candidates equal to the number of vacancies as assessed i.e. the screening test should be stopped when successful candidates is equal to the number of vacancies become available. In case screening is already completed and results nor published the results will be published upto the extent of assessed vacancies as 4(b).

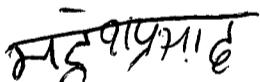
13. The unit like workshops where there are no casual labours/substitutes the men should be made available from the near by panels who their divisional/extra divisional units in consultation with ACPO. The workshop will not employ any casual labour.

14. Casual labours/Substitutes must have casual labour cards/which are to be kept upto date by the officers who control them. These Casual labour cards should show complete record of their

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Advocate, High Court
H-3663, Rajaji Puram, Lucknow.


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service and also indicate information regarding various units in which they have worked. The seniority should be determined on the basis of the length of service rendered by the Casual labours/substitutes. In addition to the casual labour cards, the Controlling Officer must keep a register where upto date position of seniority is shown. Similar procedure should also be followed in the case of quasi Govt. units by the officers who are in charge of such units. Casual labour card should be normally prepared for labour who have put in more than 100 days of service in case of below 100 days of service involves unnecessary extra work because such men, as experience has shown, in many cases do not turn up for Railway job letter.

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Advocate, High Court
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15. In case of any representations or disputes the decision of DRM/DS in case of division and of ACPD in case of other will be treated as final for determining the seniority of staff casual labours/substitutes.

16. It may please be noted that there is complete ban on intake of fresh casual labours in open line by the Inspector, AEN etc. except in case of emergency like accident, floods and breaches, when the casual labour (On waiting list) and also casual labour (as per seniority register) may not be instantaneously available. Automatically this fresh casual labour recruited for emergency should be discharged after the emergency is not with this appointment will only be made with the approval of DRM/DS/HQ, the appointment which has not been approved by DRM/DS/HQ will be viewed seriously.

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17. Regarding engagement of casual labour from the seniority list/waiting list the 16th of every month will be specified date beyond this reasons should be recorded in writing by the engaging authority.

18. Against each name in panel, in the remarks column technical educational qualifications, special experience, aptitude should be clearly mentioned. DRM/DS's approval for Divl. Panels and additional HODS approval for extra divisional/Hd. Qr's panels should be obtained for deserving men of these panels.

19. It is to be ensure that the screening is just and fair. The approach has to be 'principle oriented' and not 'personal oriented'. Proper safeguard are required to be taken so that the empanelled lists are not tampered with. One copy of the screened list should always be kept in the personal custody of DRM's/DS and the DPO/SPO concerned in his personal lock key and copies required to be sent to SPO's Office.

20. In need not emphasis that conduct, obedience, discipline, efficient and hard work are the qualities to be looked for. These should be continuously present for a casual labour/substitutes to be considered for employment. The screening Committee will look into these aspects before inclusion in the panel. Even after empanelment at the time of regular absorption continued presence of these good qualities will have to be insisted upon.

21. The above instructions are issued for your guidance and necessary action.

Sd/-

for General Manager (P)

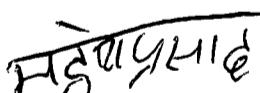
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R. C. Saxena

Advocate, High Court

2663, Rajaji Puram, Lucknow



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CERCUIT BENCH), LUCKNOW.

APPLICATION NO.

OF 1988

Mahesh Prasad & Others ... Applicants.

Versus.

Union of India & Others ... Respondents.

Encloser No. A-5

North Eastern Railway

No. E/II/227/Screening/84

OFFICE OF THE
DIVISIONAL RAILWAY MANAGER (P)
LUCKNOW DATED MARCH 22nd, 1984

All TIs/SC Is/SC Is
L JN Division
All SSs/SMS, L JN Division
Secretary Guard Running Room/L JN, GKP
CYMs/GD, GKP, CPA, MLN, JEA

Reg:- Screening of casual labour Substitutes of Traffic Department for regular absorption.

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ATTESTED

D. Verma AP
Dr. C. Saxena
Advocate, High Court
R-3663, Rajaji Puram, Lucknow.

It has bee decided to ~~xxxxxxxxxxxx~~
hold the screening of Casual labours/Substitutes of
Traffic Department for their regular absorption in
Class IV Categories.

You are requested to send latest by
15.4.1984 positively the list of Casual labour/
Substitutes and are Safaiwala who has worked or
working under you and have put in minimum period
of 500 days service for General Candidates ~~xx~~ and
300 days service for S/C, S/T and S/Wala candidates
as on 31.12.1982 either broken or continious in
the following proforma :-

.. 2 ..

Sl. No.	Name	Father's name	Caste, in case of S/C	Date of birth	Date of first engagement
	S/Shri	S/Shri		S/T, S.Wala	
1	2	3	4	5	6

Station where last worked	Total number of working days either broken/continuous as on 31.12.1982	REMARKS
7	8	9

It will be your personal responsibility for showing the number of days of engagement from the casual labour record and certificates, and the list should be forwarded to this office under your personal signature.

Only lone consolidated list covering all the eligible candidates should be sent, and a certificate should also be given thereon that no eligible candidate has been left-out.

No individual application will be entertained from Casual Labour/Substitute for Screening.

Number of CL/Subs. will be called for Screening only 25% more than the number of vacancies according to senior for which the panel is to be formed.

The intimation for calling the candidates for interview will be given by their senior subordinates who will insure the correctness of calling the eligible candidates.

It should be made clear to all candidates that a panel of screened candidates will be formed according to seniority based on working days, equal to the number of vacancies, if found suitable by the Screening Committee.

All candidates should be intimated that they should bring original certificates of date of birth, Caste (Incl.) of S/C, S/T, S.Wala) and

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Advocate, High Court
3665, Rajaji Pucara, Lucknow

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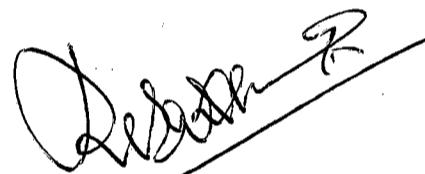
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working days at the time of Screening.

Sd/- x x x
24.3.84

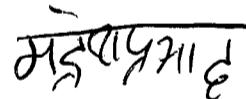
for Divl. Railway Manager (P)
Lucknow.

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R. C. Saxena

Advocate, High Court
E-3665, Rajaji Puram, Lucknow.



समृद्धा केन्द्रिय प्रशासनिक अधिकारण । सर्किंट बैन्च, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 •

महेश प्रसाद तथा अन्य

वादी

बनाम

द्वीनिधन आफ हीडिया तथा अन्य

प्रतिवादीगण

संलग्नक संख्या - स-6

=====

पूर्वोत्तर रेलवे

सं ३/११/२२७/स्क्रीनिंग/८४

कार्यालय

मण्डल रेल प्रबंधकाकार्मिका,
लखनऊ दिनांक 30-9-85

समस्त प्रवर वारिज्जन निरीक्षक,

समस्त यातायात निरीक्षक

स्टेशन अधीक्षक/कानपुर अनवरगंज,

लखनऊ ज०, गोण्डा, गोरखापुर, मैलानी,

मुख्य यार्ड मास्टर/गोण्डा, गोरखापुर,

सीरिया मैनेजर/गोण्डा, गोरखापुर,

बीओआर०स०/गोण्डा ।

वाणिज्य व परिचालन

विषय:- यातायात विभाग को कैज़ाल लेबर सबसीच्यूट
की नियमित नियुक्ति हेतु स्क्रीनिंग परीक्षा ।

संदर्भ :- इस कार्यालय का समसंघक पत्र दिनांक 22-3-84

R. C. Saxena

Advocate, High Court

म-3665, Rajaji Puram, Lucknow.

उपरोक्त पत्र के संशोधन में यह निर्णय लिया गया है
कि यातायात विभाग के कैज़ाल लेबरों/सबसीच्यूट की नियमित खेत
हेतु जो स्क्रीनिंग परीक्षा 1984 में होना प्रस्तावित थी और
बाद में स्थीगत कर दी गई थी को आवश्यक संशोधनों के साथ
पुनः प्रारम्भ किया जाए ।

अंतः आप अधिक से अधिक दिनांक 15-10-85 तक
नियमित रूप से एक सूची कैज़ाल लेबर/सबसीच्यूट की ओर एक सूची
सबसीच्यूट सफाई वाले की इस कार्यालय को भेजें । उक्त सूची में जिन
कैज़ाल लेबर/सबसीच्यूट/सबसीच्यूट सफाई वाला ने 31-12-84 तक
निम्न कार्य दिवस पूरे कर लिये हों । लगातार अथवा विच्छेदिता अथवा
उन्हीं को वरीयताक्रम में सम्मिलित किया जाए ।

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1- अन्य जारीत के कैन्डीडेट = 500 दिन
 2- अनुसूचित जारीत/अनुसूचित जनजारीत = 300 दिन
 3- सबसीच्यूट सफाई वाला = 300 दिन
 सूची निम्न प्रोफार्म पर बनाई जाए :-
 1- क्रमांक
 2- कैन्डीडेट लेबर/सबसीच्यूट का नाम
 3- पिता का नाम
 4- प्रवर प्रभारी जदौ औतम तिरिथ को कार्य किया ।
 5- जारीत/अनुसूचित जारीत/अनुसूचित जनजारीत/सफाई वाले के मामले में प्रमाण पत्र सहित ।
 6- जन्मतिरिथ
 7- प्रथम नियुक्ति की तिरिथ
 8- औतम कार्य दिवस की तिरिथ
 9- 120 दिन को लगातार सेवा पूर्ण कर लेने की तिरिथ
 10- 31-12-84 तक कुल कार्य दिवस
 11- कालम 10 में दिस गए कार्य दिवसों का ब्रेकअप ।
 12- फिप्पणी ।

स्टेशन अधीक्षक सूची वारीणज्य और परिचालन ड्यूटी पर लगाए गये कैन्डीडेटों के लिए अलग अलग बनाएँ । इसका आधार 31-12-84 माना जाए । जो अधर्षी 31-12-84 को रोल पर नहीं थे उनका औतम कार्य तिरिथ विभाजन का आधार होगा ।

कैन्डीडेट और सबसीच्यूट के व्यक्तिगत प्रमाण पत्रों पर कार्य दिवस का स्थिरापन आपका व्यक्तिगत उत्तरदायित्व होगा ।

पात्र कैन्डीडेटों की कन्सालीडेटेड सूचियाँ ही आपके इस प्रमाण पत्र के साथ किंवदं कोई पात्र अलग कैन्डीडेट खेज नहीं है इस कार्यालय को भेजो जाएँ ।

कैन्डीडेटों के व्यक्तिगत अलग अलग प्रार्थनापत्र मान्य नहीं होंगे ।

स्क्रीनिंग हेतु कैन्डीडेटों को छुलाये जाने की सूचना प्रवर प्रभारीयों को ही दी जायेगी जो किंवदं छुलाये जाने वाले पात्र कैन्डीडेटों को देंगे ।

समस्त कैन्डीडेटों को यह स्पष्ट कर दिया जाय कि

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R. C. Saxena
Advocate, High Court
#3663, Rajaji Puram, Lucknow

मुकुरपुरा

== 3 ==

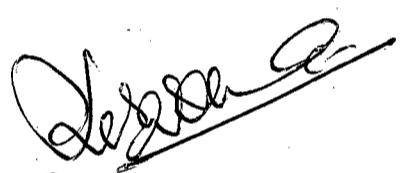
स्त्रीजिंग कमेटी विवारा घोषित सफल कैन्डीडेटों का पैनल कार्य दिवस पर आधारित परीयता क्रम में रिक्त पदों के बराबर ही होगा।

समस्त पात्र कैन्डीडेटों को सूचित कर दिया जाय कि उनको स्त्रीजिंग के समय कार्य दिवस के प्रमाण पत्र, जन्मीतीथ के प्रमाण पत्र एवं जाति प्रमाण पत्र ।केवल अनुसूचित जाति/अनुसूचित जनजाति/सफाईवाले मूलभूत में स्त्रीजिंग कमेटी के समक्ष प्रस्तुत करने होंगे।

E/O x x x

कृते मण्डल रेल प्रबंधक कांग, लखनऊ।

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R. C. Saxena
Advocate, High Court
B-3663, Rajaji Puram, Lucknow.



समस्त केन्द्रीय प्रशासनिक अधिकरण । सर्किंट बैचा, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 ।

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रीतवादीगण

संलग्नक संख्या-स-७

पूर्वोत्तर रेलवे

सं० ई/11/227/स्क्रीनिंग परीक्षा/

यातायात/84

कार्यालय
मंडल रेल प्रबन्धाकारीमंडल

30-12-85

TRUE COPY स्टेशन अधीक्षक/कानपुर अनवरगंज,
ATTTESTED लखनऊ, गोण्डा, गोरखपुर, मैलानी,
समस्त प्रवर वारिणज्य निरीक्षक/लखनऊ मण्डल
समस्त यातायात निरीक्षक/लखनऊ मण्डल ।

विषय:- यातायात विभाग के चुर्ची ब्रेणी के पदों को भरने

द्वारा आक्रीमिक/सबटीच्यूट की स्क्रीनिंग परीक्षा ।

R. C. Saxena

Advocate, High Court
E-3665, Rajaji Puram, Lucknow.

यातायात विभाग के आक्रीमिक/सबस्टीच्यूट अधीक्षियों
की स्क्रीनिंग परीक्षा दिनांक 27-1-86 व 28-1-86 को गोण्डा में
सहायक टिं० व द्वारा सं० इंजी० कार्यालय में होना निरिश्चित हुई है ।

महेशप्रसाद

में होगी ।

पात्र अधीक्षियों की सूची वरीयता क्रम में बाद में भेजी जायेगी
स्क्रीनिंग परीक्षा में सम्मिलित होने के लिए केवल उनको ही भोजा जाया

यातायात निरीक्षक/सीतापुर, मैलानी, एरिया मैनेजर गोण्डा,
देशीय अधीक्षक/गोरखपुर स्टेशन अधीक्षक/गोरखपुर, कानपुर अनवरगंज,
प्रवार्तन/मैलानी व शोहरतगंड के अंधीन कार्यरत अधीक्षियों को स्क्रीनिंग
परीक्षा में उसी दशा में सम्मिलित किया जायेगा जबकि वरीयता सूची
को अन्तम रूप दिये जाने से पहले उनकी सूचियाँ मण्डल कार्यालय में
प्राप्त हो जाती है ।

कैन्डीडेटों को यह भी सूचित कर दें कि उनको वे कार्य के
दिनों के प्रमाण पत्र, जाति का प्रमाण पत्र, जन्मतीर्थ का प्रमाण पत्र
मूलरूप में स्क्रीनिंग कमेटी के समक्ष प्रस्तुत करना होगा ।

10-2-86 को अनुपीस्थीत परीक्षा के बाद कोई अनुपीस्थीत

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परीदा नहीं होगी । आपके अधीन जो कैन्डीडेट कार्य कर रहे हैं या कार्यरत थे को तीर्थयों से सूचित करना आपकी व्यक्तिगत ऐजमेदारी होगी ।

कृपया इसकी पावती दें ।

E/O x x x
कृते मण्डल रेल प्रबन्धक कार्मिका
लखानऊ ।

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R. C. Saxena
Advocate, High Court
B-3663, Rajaji Puram, Lucknow.

मंडेश्वरमाह

समदा केन्द्रीय प्रशासनिक अधिकरण : सीर्किट ब्रान्चः, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988

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महेश प्रसाद तथा अन्य

वार्दीगण

बनाम

घौनियन आफ इंडिया तथा अन्य

विपद्धीगण

संलग्नक संख्या - ए-४

प्रवर्त्ततर रेलवे

D. C. Saxena
Advocate, High Court
B-3660, Rajaji Purana, Lucknow

परिचालन एवं वार्णाज्य विभाग के आकीस्मक श्रीमिक/सबस्टीट्यूट को स्क्रीनिंग परीक्षा जो दिनांक 27-1-86, 28-1-86 एवं 29-1-86 एवं 27-2-86 एवं 8-2-86 की तिथियों में सम्पन्न हुई, का परिणाम ।

परिचालन व वार्णाज्य विभाग के आकीस्मक श्रीमिक/सबस्टीट्यूट की स्क्रीनिंग परीक्षा जो दिनांक 27-1-86, 28-1-86, 29-1-86 को एवं 7-2-86 एवं 8-2-86 को हुई अनुपर्याप्त स्क्रीनिंग परीक्षा के फलस्वरूप परिचालन एवं वार्णाज्य विभाग के चतुर्थ श्रेणी के पदों पर नियुक्ति हेतु सेलेक्ट लिस्ट निम्न प्रकार है । इसे अपर मण्डल रेल प्रबन्धक/लखनऊ के दिनांक 11-7-86 के आदेश वदारा अनुमोदन प्राप्त है ।

इस सेलेक्ट लिस्ट से चिकित्सा परीक्षा के आधार पर परिचालन एवं वार्णाज्य विभाग के लिए अलग-अलग पैनल बनाए जाने का अनुमोदन भी अमेरेप्र ने दिया है । जो अध्यर्थी चिकित्सा श्रेणी ए-2 एवं ए-3 में सफल होंगे उन्हें परिचालन विभाग के पैनल पर तथा शोष जो बी-१, बी-२, सी-१, सी-२ में सफल होंगे उन्हें वार्णाज्य विभाग के पैनल पर रखा जायेगा ।

अनुसूचित जारीत के शार्टफाल द्वा पूरा करने हेतु 120 दिन के ऊपर कार्यीदरवास वाले अध्यर्थी को भी स्क्रीनिंग किए जाने का अनुमोदन प्राप्त है, जिसे शीघ्र ही सम्पन्न किया जायेगा । अनु० जनजारीत का शार्टफाल क्रैश प्रोग्राम के तहत अन्य विभागों से और धीर आवश्यक

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R. C. Saxena
Advocate, High Court
E-3665, Rajaji Puram, Lucknow.

हुआ तो रोजगार कार्यालय के माध्यम से पूरा किया जावेगा।

सामान्य अध्यर्थी

क्र०सं० नामः

पिता का नाम

कार्यस्थान

जन्मतीर्थ कार्य
दिवस

: 31-12

84: तक

सर्वश्री

सर्वश्री

1- गनेश

रामजस

स्टेंडिंगी/गोरखपुर 1-7-56 2700

2- प्रभुनाथ

जगदी भा प्रसाद

, 25-2-55 2228

3- अमीर

नूर मोहम्मद

यानि/आनन्दनगर 31-12-57 2189

4- व्यास चन्द्र पह्णे

भैषमण पाण्डेय

, 17-9-57 2128

5- फूलदेव

खान्ची

स्टेंडिंगी/गोरखपुर 10-11-55 2080

6- मुकेश कुमार तिवारी हर्षनाथ तिवारी

यानि/ऐश्वर्य

15-3-60 2077

7- कमलेश कुमार श्रीवारो विजयबहादुर श्री

स्टेंडिंगी/ल०

17-1-57 2068

8- रामवृद्ध यादव

बंशराज

,/गोरखपुर 2-2-55 2002

9- विद्या प्रसाद

रज्जी यादव

, 20-8-56 1945

10- विक्रम-11

अवधू

स्टेंडिंगी/गोरखपुर 20-8-51 1909

11- अवरार

अब्दुल करीम

,/ल०ज० 8-10-50 1890

12- गिरीश लाल

घृष्णपति

, 1-4-61 1887

13- मु० सगीर

म०० युसुफ

यानि/ऐश्वर्य 8-2-51 1863

14- सलीमुल्लाह

सफीउल्लाह

प्रवानि/शोहरतगढ़ 12-11-54 1856

15- म०० यासीन

गुल मोहम्मद

स्टेंडिंगी/ल०ज० 20-10-58 1844

16- विश्वनाथ

बिहारी लाल

यानि/सीतापुर 18-5-57 1840

17- शरीफ अहमद

हमीद अहमद

, 18-6-57 1821

18- म०० हनीफ

म०० इसा

स्टेंडिंगी/ल०ज० 8-10-55 1818

19- सतीश चन्द्र मिश्रा

चन्द्रसेन मिश्रा

, गोरखपुर 1-1-57 1817

20- कमलेश कुमार वर्मा

झापाल

,/ल०ज० 10-1-58 1800

21- विजय कुमार शुभला

पट्टु

प्रवानि/गोरखपुर 1-7-60 1785

22- भगवान बक्श सिंह

मुन्ना सिंह

,/बहराड्डय 20-2-53 1760

23- परदेशी

बुधोराम

,/शोहरतगढ़ 4-5-58 1778

24- म०० लड्डन

म०० यासीन

यानि/ऐश्वर्य 15-6-58 1772

25- रामरदा

मुखदेव

प्रवानि/गोरखपुर 3-12-57 1750

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72

R. C. Saxena

Advocate, High Court
E-3663, Rajaji Puram, Lucknow.

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मुद्रित प्रमाण

26-	श्रीधर	लद मीर्खंकर	स्टेंडिंगी 0/ल0जं0	1-7-56	1734
27-	ओंकारनाथ पाण्डु	जगनराधन	प्रवार्तन/सीतापुर	1-1-52	1729
28-	शांति प्रसाद मिस्त्री गुप्ता		स्टेंडिंगी 0/गोण्डा	15-2-56	1727
29-	ओमप्रकाश मिश्रा	रामप्यारे	प्रवार्तन/सीतापुर	30-10-55	1725
30-	बाबूराम	बंशु	,,	31-12-56	1723
31-	समीउल्ला	कल्लू	,, /ऐश्वर्या	12-1-58	1717
32-	शिवसरन त्रिपाठी	गोमृती प्रसाद तिवारी	,, /मैलानी	8-1-57	1710
33-	रामसूरत	भगौती	यार्तन/आनन्दनगर	10-2-56	1705
34-	रामचेला पाल	सुमेर चन्द्र	,, /मैलानी	1-7-53	1699
35-	हरीभंकर	असरफी लाल	प्रवार्तन/मैलानी	6-10-49	1672
36-	चिन्ताराम	झुन्ना लाल	यार्तन/नानपारा	1-12-56	1670
37-	हरीखन्द	रामजुगुल	स्टेंडिंगी 0/गोरखपुर	1-8-54	1656
38-	सदानन्द	अवधराम	यार्तन/मनकापुर	21-7-54	1643
39-	रामजी	नोबर	स्टेंडिंगी 0/गोरुपुर	2-1-52	1627
40-	छोटेलाल	द्रुधंड	यार्तन/आनन्दनगर	15-3-57	1626
41-	मोतीलाल	रामअवध	,, /गोण्डा	7-10-55	1625
42-	घनश्याम द्विवेदी	शिवदास	स्टेंडिंगी 0/गोण्डा	1-11-49	1617
43-	रामकैलाम	रामदत्त	,, /गोण्डा	1-1-50	1614
44-	शिवदास	जगनराधन	प्रवार्तन/सीतापुर	1-6-58	1614
45-	अब्बास अली	रहमतउल्ला	प्रवार्तन/ऐश्वर्या	5-1-57	1603
46-	गोरखनाथ यादव	बीलराम यादव	स्टेंडिंगी 0/गोरुपुर	1-11-60	1599
47-	रामदास चौधरी	महादेव चौधरी	यार्तन/मैलानी	28-2-61	1599
48-	रामदेव	उदयराम	,, /गोण्डा	11-7-67	1587
49-	श्रीकृष्ण मुन्द्रपर्ति	गयाप्रसाद	प्रवार्तन/गोण्डा	10-6-50	1582
50-	रामफलोत	रामीकर्ण	स्टेंडिंगी 0/गोरुपुर	2-2-57	1582
51-	रामसूरत	रामीजयावन	प्रवार्तन/बहराइच	3-12-56	1565
52-	श्रीमती रेचन	फजल दास	प्रवार्तन/सीतापुर	25-3-52	1554
53-	विभूति प्रसाद	रामानन्द	,, /गोरखपुर	12-12-59	1547
54-	पारस प्रसाद	सूरजबली	स्टेंडिंगी 0/गोरखपुर	1-7-55	1539
55-	भगवतीप्रसाद	टिन्नी	प्रवार्तन/सीतापुर	5-3-57	1538
56-	समीउल्ला	मो० यातीन	स्टेंडिंगी 0/काठगोदाम जं	15-8-55	1532

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57- रामअचल	रामकृष्ण	प्रवार्तन/गोरखपुर	20-7-57	1522
58- लड्डन	लेता	,, /लोज०	30-5-54	1521
59- बाबूराम	दिनकू	,, /बहराइच	3-12-54	1515
60- श्रीनिवास	गिरजाशक्ति	,, /गोण्डा	1-1-53	1507
61- राज्जब अली	मुख्तार अली	स्ट०अधी०/गोरखपुर कैन्ट	24-9-58	1494
62- रामकृष्ण	जमुना प्रसाद	यार्तन/गोण्डा	30-1-51	1493
63- कृष्णकान्त श्री०	द्वार्गप्रसाद श्री०	प्रवार्तन/मैलानी	12-6-53	1484
64- प्रभू दयाल	द्विकृत	स्ट०अधी०/गोण्डा	8-12-56	1473
65- जितेन्द्र प्रसाद	मारुकांडे द्वैषे	,, /गोरखपुर	15-7-65	1470
66- गिरीश्वरन्द्र भट्ट	बच्चन शर्मा	,,	2-1-52	1469
67- बाबूराम	नीबर	प्रवार्तन/शोहरतगढ़	12-8-54	1456
68- धेतराम	शार्णीत प्रसाद	यार्तन/गोण्डा	1-2-55	1455
69- बद्री प्रसाद	जगदेव	स्ट०अधी०/गोरखपुर	18-1-54	1454
70- श्याम किशोर	लालमन	प्रवार्तन/बहराइच	28-7-56	1449
71- बैकुण्ठ नाथ	जमुना प्रसाद	,, /गोण्डा	1-3-55	1448
72- श्रीमती भाजुमति	फौदी	,, /मैलानी	6-2-41	1443
73- रामजीत	गुणप्रसाद	प्रवार्तन/मैलानी	1-1-52	1434
74- शिवगोविन्दप्रसाद	रामनरायनप्रसाद	,, /बहराइच	-	1429
75- समझोर अली	साहेब अली	यार्तन/मैलानी	25-9-54	1418
76- सुदूरदेव	उमाप्रिंकर	प्रवार्तन/शोहरतगढ़	25-8-52	1413
77- शार्णीत प्रसाद	रामचन्द्र	सोटोसनस्ल/गोण्डा	20-2-58	1411
78- मौ० दुष्टुफ	द्वूर मोहम्मद	प्रवार्तन/सीतापुर	15-7-54	1410
79- कपिलदेव मिश्र	मुन्ना प्रसाद	यार्तन/आनन्दनगर	5-5-57	1406
80- लालता प्रसाद	खोतन	,, /मैलानी	15-10-55	1403
81- रामकिशोर	गंधाप्रसाद	सलसस/सुभागपुर	11-2-56	1396
82- लक्ष्मी	तीरथ	,, /गोरखपुर	1-1-55	1394
83- जीवन लाल	रामसहाय	,, /गोण्डा	27-7-50	1380
84- माध्यराम	रामसुन्दर	यार्तन/गोण्डा	20-9-55	1379
85- कमला प्रसाद	पिताम्बर	स्ट०अधी०/मैलानी	15-7-58	1378
86- कौशल किशोर	छोटेलाल	प्रवार्तन/सीतापुर	8-10-57	1378
87- शुद्धन लाल	जोधेलाल	,, /सीतापुर	20-8-50	1370
88- प्रेमशश्वरसिराज अहमद	द्वेषशश्वर सहदार अली	यार्तन/गोण्डा	15-7-60	1385
89- प्रेमचन्द्र	देलालाम	प्रवार्तन/गोरखपुर	10-1-56	1358
90- परमात्मा प्रसाद	राधेश्याम	यार्तन/नानपारा	30-1-53	1354

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91- तीरथ राज	जयदत्त	१००५५५०/ल०५०	20-8-58	1351
92- अन्जनी कुमार	त्रिलोकी नाथ	,, /गोण्डा	14-9-58	1351
93- सांवल प्रसाद	गयालाल	प्रवार्णन/सोहरतगढ़	5-7-56	1333
94- दुष्करण प्रसाद	रामअर्भाष्ण	,, /ल०५०	25-12-55	1331
95- नन्दकेश्वरी	रामसूरत	सीटीटीआई२ल०५०	1-8-60	1320
96- रामजीत	राजबली	स्टै०५५५०/गो०पुर	1-1-58	1312
97- चन्द्र प्रकाश	रम्भू प्रसाद	प्रवार्णन/सीतापुर	1-2-57	1311
98- ज्युनाप्रसाद वर्मा	रामसंरतन	,, /सोहरतगढ़	31-12-56	1302
99- रामखेलावन	सुमिरन	,, /बहराइच	31-7-56	1301
100-राम रेखा	ठाकुरप्रसाद गुप्ता	,, /सोहरतगढ़	31-12-55	1295
101-रामफल	मिखरी	स्टै०५५५०/मैलानी	11-12-54	1284
102-जगदीश प्रसाद	साधु	,, 1-7-57	1284	
103-मो० अहमद छाँ	महमूद छाँ	,, /ऐशबाग	8-2-48	1278
104-मो० शाफीक	मो० शाफी	,, /का०अन०५०	7-3-53	1278
105-महादेव प्रसाद	रामसुमिरन	प्रवार्णन/गोण्डा	24-५२-५८	1265
106-धर्मराज	मुसाउल	,, /गो०पुर	1-5-53	1265
107-रत्नेश कुमार घौधरी	राजाराम घौधरी	यारीन/मैलानी	3-5-61	1262
108-भागवत प्रसाद	टिन्नी	प्रवार्णन/सीतापुर	3-2-58	1262
109-ओम प्रकाश	सुरजन मिश्रा	,, /गो०खुपुर	-	1257
110-रमेश चन्द्र	खेमकरन	प्रवार्णन/मैलानी	2-7-60	1250
111-श्रीकान्त	सुरजनाथ	यारीन/आनन्दनगर	17-7-57	1248
112-लालता प्रसाद	तत्यनारायण	प्रवार्णन/सोहरतगढ़	13-9-54	1243
113-भरत कुमार मिश्रा	रामचन्द्र मिश्रा	,, /गोण्डा	1-1-55	1242
114-केशारी प्रसाद	अवधीश	स्टै०५५५०/गो०पुर	25-1-51	1242
115-शत्रुघ्न प्रसाद	रामचन्द्र	,, /गोण्डा	12-7-57	1225
116-हीरलाल	राम लहान	प्रवार्णन/बहराइच	21-12-58	1217
117-टिकोरी	विदेशी	स्टै०५५५०/गो०पुर	1-9-60	1205
118-सुन्दरलाल गोस्वामी	अयोध्या प्रसाद	यारीन/ऐशबाग	5-4-56	1204
119-राम जुरेमन पाण्डे	गोविन्दराम पाण्डे	,, /नानपारा	29-7-48	1200
120-मो० यतीन	अब्दुल रज्जाक	स्टै०५५५०/मैलानी	31-7-60	1190
121-मिथ्लेश कुमार पाण्डे	विश्वनाथ पाण्डे	,, 25-4-59	1189	
122-व्यासमुनि शार्मा	रामआधार	,, /गोण्डा	4-2-56	1187
123-सुस्तिनम	ईदू	प्रवार्णन/सोहरतगढ़	8-6-54	1186
124-दुधीरीय प्रसाद मिश्रा	दुर्गा प्रसाद	,, /ऐशबाग	15-7-58	1180
125-राम प्रसाद यादव	सीताराम यादव	यारीन/मनकापुर	25-10-58	1179

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B-3665, Rajaji Puram, Lucknow		महादेव सिंह	स्टेंडर्डी०/ल०३०	5-8-58	1168
126-हन्द्र बहादुर सिंह		वी०वी०वश्वास यार्नि/गोण्डा		5-10-59	1166
127-सन०बी०वश्वास		रामलखान सिंह प्रवार्नि/सेश्वाग		1-8-57	1164
128-रामचन्द्र सिंह		राजेश्वरी प्रसाद यार्नि/आनन्दनगर		1-1-59	1152
129-राजपीत		जी०सी०बनर्जी प्रवार्नि/ल०३०		27-1-56	1151
130-अशोक कुमार बनर्जी		महाराज दत्त ,/गोण्डा		1-9-57	1151
131-बाबूराम मिश्र		रामपूर्णा रे ,/सीतापुर		10-1-63	1144
132-अमृतनाथ		रीवकरन	स्टेंडर्डी०/सीतापुर	1-9-58	1107
133-सीधदानन्द		रामसुमिरन	,/कानपुर	3-7-59	1106
134-जायस राम		रामनयन	,/गोरखपुर	-	1100
135-रामधनी		बनवारी लाल	प्रवार्नि/मैलानी	24-8-55	1097
136-जगदीश कुमार		रामसुमिरन	सत्तर्स/गोण्डा	14-8-56	1094
137-शारीत प्रसाद		सूरजी	प्रवार्नि/सोहरतगढ़	1-1-54	1082
138-आश आ राम		भूमिनाथ	स्टेंडर्डी०/गोरपुर	-	1067
139-नित्यानन्द		पुरुषोत्तम	यार्नि/आ०नगर	2-5-58	1040
140-रामदूत		रामदुलारे	सत्तर्स/गोरपुर	10-8-58	1037
141-केदार नाथ		तिलकराम तिवारी	प्रवार्नि/सो०गढ़	1-1-58	1034
142-रामदुलारे		बलदेव प्रसाद	प्रवार्नि/मैलानी	1-1-58	1031
143-मूणा राम		हूब लाल	सत्तर्स/का०अन०ज	1-10-53	1030
144-रामबिहारी		मासूम अली	सत्तर्स/ल०३०	1-3-59	1028
145-मौ० नसीम		मुख्तार यादव	यार्नि/मनकापुर	10-11-62	1028
146-मुन्नी लाल		हीरालाल	,	15-1-57	1025
147-केशारी प्रसाद		राजाराम	सत्तर्स/गोण्डा	31-3-40	1022
148-श्रीमती मुन्नी देवी		दुलसीराम	,	25-7-55	1016
149-अीछेश कुमार		गया प्रसाद	प्रवार्नि/सो०गढ़	2-1-53	1013
150-शिवकुमार पाण्डे		मुश्तिव पाण्डे	सत्तर्स/गोरखपुर	1-7-56	1004
151-अनिल पाण्डे		स्वारथ	,	15-8-60	1000
152-रामप्रसाद		बच्चन	प्रवार्नि/बहराइच	-	999
153-छेदी राम		अछदुल गफूर	,/ल०३०	-	999
154-हामिद अली		मुख्तार	सत्तर्स/का०अ०	1-2-58	969
155-अख्तर		मौसीन छाँ	सत्तर्स/का०अ०	1-12-55	959
156-मणि रमेन्द्रनाथ प्रभाकर तीरथ राजमणि		रामदेव	सीटीटीआई/ल०	17-12-47	959
157-मुस्कर अली		रामदेव	सीटीटीआई/ल०	15-4-55	955
158-राधारमन		रामीखलावन	सत्तर्स/गोण्डा	15-11-56	955
159-भगीरथी					

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R. C. Saxena

*Advocate, High Court
R-3665, Rajaji Puram, Lucknow.*

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160-रामचन्द्र प्रसाद	रामलग्न यादव	ससस्त/गोरखपुर	1-7-52	952
161-भगीम अहमद	झग्नियाज अली	,/मैलानी	5-7-58	952
162-जयन्ती प्रसाद	भैखी	,/ज०ज०	15-9-57	947
163-योगेन्द्र प्रसाद	सुखदेव प्रसाद	,	15-10-58	947
164-भगवाने	रामप्रसाद	,/गोण्डा	8-5-60	942
165-रामसेवक शुक्ल	रामरंग शुक्ल	यारी/मनकाष्ठर	11-5-62	932
166-रामनरायन शुप्ता	जीयावन	ससस्त/गो०पुर	1-8-61	929
167-मो०मसुल्लाह हनफी	मो० अमीउल्लाह यारी/आनन्दनगर	1-5-59	910	
168-जग्नाथ प्रसाद	हृदय राम	ससस्त/गोण्डा	25-5-58	905
169-जमूना प्रसाद	विन्देश्वरी प्रसाद प्रवारी/गो०पुर	18-7-60	905	
170-बनवारी प्रसाद	लालजही	यारी/मनकाष्ठर	31-12-54	903
171-श्रीपति	चधारी	ससस्त/गो०पुर	27-1-56	890
172-जगन्नाथ प्रसाद	महन्त राम	,/गोण्डा	-	888
173-दोदा प्रसाद	रामगोपाल	,	15-३-56	884

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एक तौरे तिहाई तात्र
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अनु०जीति के अध्यर्थी

क्र०स० नाम पिता का नाम कार्य स्थान जन्मतीथि कार्यदिवस
===== : 31-12-84तक

सर्वश्री	सर्वश्री			
1- कैलाश	राजदेव	यारी/गोण्डा	1-11-55	1489
2- रामानन्द	रामेश्वर	ससस्त/गो०पुर	1-1-60	1448
3- चन्देश्वर पासवान	नन्द पासवान	प्रवारी/,,	2-1-51	1280
4- राम प्रसाद	बेदन राम	,/ऐश्वर्य	9-7-51	1210
5- द्वधनाथ	जग्नन	ससस्त/गो०पुर	20-7-51	1082
6- राम मूरत	रामसिंहोर	यारी/मैलानी	14-1-51	1016
7- ओम प्रकाश	कामता प्रसाद	प्रवारी/सौ०ग०	8-1-59	999
8- रामप्रताप	बाबूलाल	यारी/मैलानी	10-2-58	993
9- द्वृद्धन राम	झांभा राम	प्रवारी/गो०पुर	20-8-54	957
10- पल्लू प्रसाद	तीरथ	,,	3-7-49	946
11- नरीसंह	नन्कू	,,	7-7-59	918
12- हरीशचन्द्र	सुखलाल	यारी/मैलानी	15-5-54	914
13- प्रेमराज	पितड़ी	,,	19-1-59	905
14- दयानन्द	महेश्वा	ससस्त/गोरखपुर	1-1-57	872
15- राजाराम	द्वारी	,,	2-3-58	826

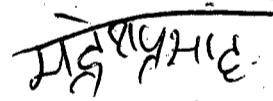
== 9 ==

- 3- सभी सम्बन्धित प्रवर प्रभारी/लडानड मण्डल ।
- 4- कांगड़ीप/केडर । परीरो वं वाणिज्य वे चिकित्सा परीदा और दूसरी औपचारिकताएँ पूरी करें ।
- 5- मण्डल मंत्री/नूस/लडानड सबं मण्डल मंत्री/पी0आर0के0स्त0/लडानड ।
- 6- नोटिस बोर्ड ।

H/0 x x x
कृते मण्डल रेल प्रबन्धक काठो
लडानड ।

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R. C. Saxena
Advocate, High Court
E-3665, Rajaji Puram, Lucknow.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH)
LUCKNOW.

APPLICATION NO.

OF 1988

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Mahesh Prasad & Others

Applicants

Versus.

Union of India & Others

Respondents.

Encloser No. A-9

North Eastern Railway

R. C. Saxena
Advocate, High Court
B-3665, Rajaji Puram, Lucknow.

No. T/AOS(G)/Shus/84 Divl. Rly. Manager/Safety,
(4) Lucknow: Dated 3.3.1987.

All TIs in LJN Division.
SSs/GKP, GD, LJN, CPA, MLN & STPs.
OS(T), OS(Stores), AOS(G) & APO/III-LJN.

1. Annexure I is the list of candidates whose bonafide was found doubtful and were declared unsuccessful during the last screening by Screening Committee. As such these candidates should not be utilised further as far as possible.

2. Annexure II contains the names of candidates who have worked at one or the other stage during the year 1986 and are also pre-81 entrants as has been verified by the 'P' branch. These candidates should be utilised for meeting the casualties provided no LR/RG is on hand. Efforts have been made to ensure that no genuine candidate is left over but still if there is any such case, the same may please be advised to APO(II)/AOS(G) for considering inclusion or otherwise. Any correspondence or reference in this regard should be made with AOS(G)/APO-II.

3. TIs/SSs to please ensure compliance and APO/II to please keep a watch on changing of salary of only genuine persons.

Sd/- X X X
for Divl. Rly. Manager/Safety, LKO

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Advocate, High Court

E-3665, Rajaji Puram, Lucknow.

HGT/24/16

Annexure-I

1.	Shri Jagdamba Pd. Misra s/o Lalita Pd. Misra	Under TI/ASH.
2.	,, Rameshwar s/o Shambhoo	- SS/LJN
3.	,, Mahesh Pd. s/o Jagannath	- TI/NNP
4.	,, Ram Pyare s/o Badloo	- SS/LJN
5.	,, Ram Sudhi s/o Shyam Narain	- TI/MLN
6.	,, Ram Raj s/o Ram Lahan	- TI/MLN
7.	,, Govind Prasad s/o Molhoo	- TI/MLN
8.	,, Kasim Ali s/o Rahmat Ali	- SS/LJN
9.	,, Murlidhar s/o Dudhnath	- TI/MLN
10.	,, Ram Jiw s/o Ram Dularey	- SS/LJN
11.	,, Mushtaq Ali s/o Nabin Mohd.	- SS/CPA
12.	,, Moiuddin s/o Mohd. Ismail	- TI/ASH
13.	,, Banwari Lal s/o Itwari Lal	- TI/STP
14.	,, Ram Naresh Yadav s/o Ram Nath	- TI/ASH
15.	,, Ram Chander s/o Ram Kewal	- TI/AMDN
16.	,, Raksharam s/o Ghcheda Lal	- TI/GD
17.	,, Abrahim s/o Allabux	- SS/GD
18.	,, Mayaram Giri s/o Shiv Baran Giri	- TI/ASH
19.	,, Jagdish Prasad s/o Purshottam	- TI/AMDN
20.	,, Ram Jit s/o Khajanchi	- SS/GEP
21.	,, Ram Singh s/o Mangal	- DRM/Optg.
22.	,, Allabux s/o Mustafa	- TI/DCI/GD
23.	,, Rahim Bux s/o Wali Mohd.	- SS/LJN
24.	,, Mansoor Ali s/o Ali Sheikh	- TI/GD
25.	,, Daya Shanker Verma s/o Ram Dularey Verma	- TI/NNP
26.	,, Jiwan Lal s/o Raj Narain	- TI/NNP
27.	,, Ram Bahadur Singh s/o Budrapal Singh	- TI/GD
28.	,, Sachidanand s/o Durga Prasad	- TI/MUR
29.	,, Ramayan s/o Ram Jit	- TI/ANDN
30.	,, Deena Nath s/o Ram Dass	- TI/MLN
31.	,, Srikant s/o Awadhoo	- TI/MLN
32.	,, Bhagwati s/o Sampat	- TI/STP

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81

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•• 2 ••

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2-3665. Rajaji Puram Lucknow	35. Hanumran s/o Ram Sagar	- TI/GD
34.	,, Idniani Khan s/o Miaz Khan	- SS/LJN
35.	,, Baleshwari Prasad s/o Chinni Prasad	- TI/MUR
36.	,, Mata Prasad s/o Ayodhya Pd. Tewari	- CTNL/GD
37.	,, Nasir Ahmad s/o Kabir Ahmad	- SS/GKP
38.	Shiv Pujan s/o Srikrishna	- TI/MUR
39.	,, Chandra Prakash s/o Ram Dularey	- SS/MLN
40.	,, Ram Shanker s/o Dularey	- SS/MLN
41.	,, Shobha Ram s/o Ram Singh	- TI/MUR
42.	,, Tulsi Ram s/o Tamai	- TI/NNP
43.	,, Ram Bilas s/o Ram Bujharat	- TI/NNP
44.	,, Budhnath s/o Rustam	- SS/GKP
45.	,, Vijai Bhadur Singh s/o Ram Raj Singh	- TI/MLN
46.	,, Jang Bahadur s/o Kanhai Lal	- SCI/LJN
47.	,, Ram Sagar Yadav s/o Mankau	- SS/GD
48.	,, Radhey Shyam s/o Ram Kirpal	- TI/STP
49.	,, Ram Pyare Yadav s/o Chhetey Lal Yadav	- TI/STP
50.	,, Jagdamba Pd. s/o Mata Badal	- SS/GD
51.	,, Gauri Shanker s/o Ram Samujh	- SS/GD
52.	,, Ram Kishan s/o Sahdeo	- SS/GKP
53.	,, Shiv Kant Tripathi s/o Chandra Bhusan Tripathi	- TI/MLN
54.	,, Taqi Mahd s/o Nabi Mohd.	- SS/CPA
55.	,, Ram Briksha s/o Chhotai	- TI/ANDN
56.	,, Jalna Prasad s/o Jagdamba Prasad	- SS/LJN
57.	,, Lalman s/o Sattan	- SS/GKP
58.	,, Ram Ajore(SC) s/o EMIKAN Mohari	- TI/MLN
59.	,, Ram Din (SC) s/o Chiran	- TI/MLN
60.	,, Indrapal s/o Ram Lakham	- ,,
61.	,, Sankatha Pd. s/o Lahori	- ,,
62.	,, Raj Karam s/o Pitai	- ,,
63.	,, Ram Chander s/o Ram Laut	- ,,
64.	,, Ram Lakhan s/o Ram Dularey	- ,,
65.		

.. 3 ..

65. ,, Ram Sukh s/o Kallao - TI/MLN
66. ,, Dwarka Prasad s/o Musai - TI/MLN
67. ,, Arun Kumar Bhanj(ST) s/o Dwarka - SS/LJN
Pd. Bhanj
68. ,, Bainjnath (SC) s/o Kanhai - TI/MLN

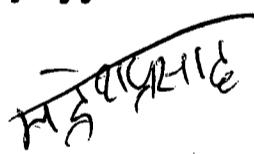
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R. C. Saxena

Advocate, High Court

L-3665, Rajaji Puram, Lucknow.



Annexure-IIOPTG. (STORES).

1. Sri Yagbir s/o Deokali
2. ,, Ram Naresh s/o Raj Karan

JEA-UB Section.

3. ,, Noor Mohd
4. ,, Shyam Narain Yadav
5. ,, Shabdal.
6. ,, Rama Kant.
7. ,, Sri Kant.
8. ,, Ram Bux s/o Nanain Dutt Misra.

BUW-STP Sections:

9. ,, Pradeep.
10. ,, Ram Kishan.
11. ,, Shamsher.
12. ,, Ram Kishore.
13. ,, Rajendar.
14. ,, Sanbosh Kumar.
15. ,, Ram Pd.
16. ,, Mohd. Aleem.
17. ,, Devi Deen.

GD Sections

18. ,, Shri Niwas.
19. Anjari Kumare.
20. ,, Guddi Devi.
21. ,, Ved Narain.
22. ,, Vijai Kumar.
23. ,, Sunder Lal.
24. ,, Krishna Kumar.
25. ,, Sheetla Pd. Tewari.
26. ,, Krishna Prasad.
27. ,, Dwarika Pd. Tewari.
28. ,, Chot Ram s/o Sukh Ram.

BDW Sections:

29. ,, Surendra Pratap Singh.
30. ,, Gur Pd. S/wala
31. ,, Ram Pd. , ,
32. ,, Sri Kishan , ,
33. ,, Ram Briksh No
34. ,, Ashok Kumar Srivastava- No
35. ,, Rajendra Pd.
36. ,, Suresh. S/wala
37. ,, Ramesh Chandra S/wala-78-GK
38. ,, Om Prakash. S/wala
39. ,, Ram Gopal , , BXM
40. ,, Ashok Kumar Saxena - IL
41. ,, Ram Pratap.

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15/11/2011

2

MBP-LMP Sec:

42. ,, Ram Milan.
43. ,, Vishwa Nath.
44. ,, Ram Swaroop.
45. ,, Ramesh Kumar
46. ,, Shyam Shanker.
47. ,, Chandra Shekhar, S. wala.
48. ,, Suresh Chandra.
49. ,, Ram Govind Pandey.

DEO-MLN Sec:

50. ,, Madan Lal.
51. ,, Ram Charan.
52. ,, Santosh Kumar.
53. ,, Smt. Chalia Begum.

GORAKHPUR

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15/10/21/8

DRW-DMG SECTION:

71. ,, Sant Saran Bhatt.

72. ,, Munder.

73. ,, Chandra Shekhar Pandey.

74. ,, Surendra.

75. ,, Ram Kishore.

76. ,, Ram Lekhan Shukla.

77. ,, Rameshwar Kushwaha.

ASH-BUN SECTION:

78. ,, Sami Ullah.

79. ,, Liqat Ali.

80. ,, Upendra Pandey.

81. ,, Pyarey.

82. ,, Jagdish.

.. 3 ..

LJN STATION:

83. , , Jagdish Pd.
 84. , , Triloki Nath Rai.
 85. , , Smt. Chandrawati.
 86. , , Ganesh.

SUER-NUH SECTION:

87. , , Jeet Ball.
 88. , , Jag Ram.
 89. , , Sadhoo.
 90. , , Mohd. Shafi.
 91. , , Rahmatullah.
 92. , , Ram Milan.
 93. , , Behari.
 94. , , Janindar.
 95. , , Adalat.
 96. , , Paltoo Ram.
 97. , , Hari Ram.
 98. , , Radhey Shayam.
 99. , , Kamla.
 100. , , Ram Milan.
 101. , , Krishna Kumar.
 102. , , Tarkeshwar Trigunaik.
 103. , , Chaturgun s/o Vikram.

BST-BRCK SECTION

104. , , Ram Lalit s/o Hubai
 105. , , Pramatima Pd. Pandey.
 106. , , Bhawani Prasad.
 107. , , Kedar Nath Tewari.
 108. , , Sheo Ram Pandey s/o Sri D.B. Pandey
 109. , , Lallan Pd. s/o Ram Nandan.
 110. , , Rakesh Kumar Srivastava.

GKC-CDK SECTION

111. , , Laloo.
 112. , , Madhuri Devi.

BRK SECTION

113. , , Jag Pd.
 114. , , Barkatullah.
 115. , , Dularey Lal.
 116. , , Jhalosey.
 117. , , Pol Raj Pandey.
 118. , , Kashi Prasad.
 119. , , Ambika Pd.
 120. , , Puttan.
 121. , , Mithoo Lal.
 122. , , Baboo Lal.

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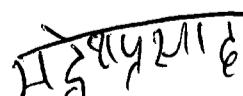
•• 4 ••

123. , , Smt. Bithola.
 124. , , Jagdeo.
 125. , , Rajendra Pd.
 126. , , Jagdish Pd.
 127. , , Smt. Maya Devi.
 128. , , Jawahar Lal.
 129. , , Shiya Ram.
 130. , , Kunwarey.
 131. , , Jagdamba.
 132. , , Rajit Ram.
 133. , , Glnseetay.
 134. , , Baboo Ram.
 135. , , Bhikharey.
 136. , , Radhey Shyam.
 137. , , Jag Pd.
 138. , , Krishna Kumar.
 139. , , Shanker Lal.
 140. , , Ram Samujh.
 141. , , Ram Lal.
 142. , , Shanker.
 143. , , Maya Ram.
 144. , , Ghet Ram under A.M./GD.
 145. , , Bal Ram, under TI/GD.
 146. , , Prahlad Verma under SOI/STP.

One hundred and forty six names only.

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 Advocate, High Court
 B-3665, Rajaji Puram, Lucknow.



समदा केन्द्रीय प्रशासनिक अधिकरण: सर्किट बैच्च, लखनऊ।

प्रार्थनापत्र संख्या

आप । १९८८ ।

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महेश प्रसाद तथा अन्य

दादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादीगण

R. C. Saxena
Advocate, High Court
८-३६६५, Rajaji Puram, Lucknow.

संलग्नक संख्या: र-१०

संख्या इ. घा/१७७/डी०८ ब्ल०/८६

मंडल कार्यालय, पूर्वांतर रेलवे

लखनऊ।

दिनांक: १३-२-१९८७

प्रवानि/गोरखापुर, शीहरतगड, गोण्डा, बहराहव,

सेवाग, सीतापुर, मैलानी

स्टेशन/गोरखापुर, गोण्डा, मैलानी

विषय: स्त्रीनिंग में असफल अभ्यर्थियों की सूची।

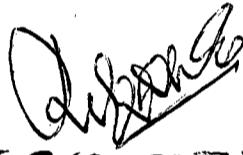
यागिज्य विभाग के उन अभ्यर्थियों की सूची तीये दी जा रही है जो पिछली स्त्रीनिंग में सफल घोषित नहीं हो सके हैं। सम्बन्धित प्रवानि यह सुनिश्चित करें कि उनके छाण्ड में कार्यरत इनमें से कोई भी अभ्यर्थी कार्यरत नहीं है। यदि इनमें से कोई अभ्यर्थी अभी भी कार्यरत हो तो उसे सम्बन्धित प्रवानि तुरन्त कार्यमुक्त कर दें। प्रत्येक प्रवानि १५ दिनों के अन्दर इस आशय का प्रमाण पत्र इस कार्यालय को भेजें कि निम्न असफल घोषित अभ्यर्थियों की सूची में दरायि गये व्यक्तियों में से उनके छाण्ड में अब कोई भी व्यक्ति कार्यरत नहीं है। प्रत्येक व्यक्ति को कार्य से हटाए जाने की तिथि की भी सूचना इसी प्रमाणपत्र में दराई।

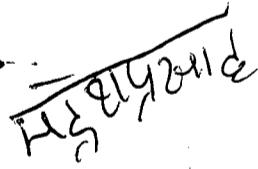
अभ्यर्थी का नाम	सर्वश्री
१. बाबूराम	१. बाबूराम
२. आशा राम	२. आशा राम
३. आर०फ०चौधरी	३. आर०फ०चौधरी
४. शंकर	४. शंकर
५. रामसुखा दुबे	५. रामसुखा दुबे
६. रामेश्वर प्रसाद	६. रामेश्वर प्रसाद

पिता का नाम	सर्वश्री	प्रवानि
प्रवानि/शीहरतगड	प्रवानि/सीतापुर	प्रवानि/गोरखापुर
प्रवानि/सीतापुर	प्रवानि/गोरखापुर	स्टेशन/गोरखापुर
प्रवानि/सीतापुर	प्रवानि/सीतापुर	प्रवानि/गोरखापुर
स्टेशन अधीक्षक/गोण्डा	स्टेशन अधीक्षक/गोण्डा	स्टेशन अधीक्षक/गोण्डा

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R. C. Saxena
Advocate, High Court
B-3665, Rajaji Puram, Lucknow

7- हरिशंकर	रमकरन	प्रवानि/मैलानी
8- राकेश कुमार	सूर्य प्रकाश	प्रवानि/गोण्डा
9- चन्द्रिका प्रसाद	पन्ना दास	प्रवानि/सीतापुर
10- दीप नरायण	घोड़	"
11- धनीराम	हरीलाल	"
12- फ्रेस प्रकाश	बुजलाल	"
13- भानु किशोर	पौध	"
14- रामदेव	गोकुल	"
15- संगम लाल	तूरज लाल	स्टेज/गोण्डा
16- श्रीराम	बाबादेवन	"
17- गोकरन नाथ	भगीरथी	प्रवानि/गोरखापुर
18- श्रह्मानन्द विद्यार्थी	दुषी रोम	प्रवानि/सीतापुर
19- राम प्रताप	ठेठा लाल	प्रवानि/बहराइच
20- श्रह्मलेश्वर विष्वकर्मा	श्रह्मलेश्वरामप्रसाद	प्रवानि/गोरखापुर
21- पाठन दीन	श्याम लाल	"
22- पदन कुमार	त्रिलोकीनाथ	स्टेज/गोण्डा
23- विजय नरायण गुप्ता	हरिद्वार	प्रवानि/शहरतगढ़
24- रामकरन सिंह	सूर्य बक्शा सिंह	प्रवानि/सीतापुर
25- रामसुमन	राम जियावन	प्रवानि/गोरखापुर
26- रामसुमन	मुरली	स्टेज/गोरखापुर
27- रामबुधारत	गौरी प्रसाद	"
28- अलगु प्रसाद गुप्ता	जमुना प्रसाद	स्टेज/सीतापुर
29- हरिशंकर यादव	महादेव	स्टेज/गोण्डा
30- ओम प्रकाश यादव	जग्गु राम	प्रवानि/बहराइच
31- शिव्वन लाल	प्रयागी	प्रवानि/गोरखापुर
32- खलील झट्टमद	बच्चन छाँ	प्रवानि/शहरतगढ़
33- रामसुमन	खु प्रसाद	स्टेज/मैलानी
34- मूल चन्द	कतवारु	स्टेज/गोरखापुर
35- अशीक कुमार दुबे	शिवशंकर दुबे	स्टेज/गोण्डा
36- विनोदकुमार	कमल धारी	प्रमदाधी/लखनऊ
2- सम्बन्धिक श्रद्ध स्टेज ० भी उपरोक्त सूची में से उनके अधीन कार्यरत अध्यक्षियों को तुरन्त कार्यमुक्त कर बांधित प्रमाण घन्त इवं कार्यमुक्त करने की तिथि इस कार्यालय को 15 दिनों के अन्दर भेजिए।	८/० अप्रृत्तीय, कृते मंडल रेत प्रबन्धक/वाणिज्य, लखनऊ।	

— ३ —

दिनांक 15-12-86 की टिप्पणी संख्या ई/ससस/स्क्री ०/८६
के संदर्भ में तकाधि/१११ को प्रेषित।
प्रतिलिपि कार्याधी/वा, केती को आवश्यक कार्यवाही
है।

डॉ अष्टनीय,
कृते बड़ल रेल प्रबन्धक/वाणिज्य,
लखनऊ।

**TRUE COPY
ATTESTED**


R. C. Saxena
Advocate, High Court
B-3665, Rajaji Puram, Lucknow.

२५/१२/८६

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ATTTESTED

समस्त केन्द्रीय प्रशासनिक अधिकरण : सर्किट बैचः, लखनऊ।

प्रार्थना पत्र संख्या

आफ 1988 .

R. C. Saxena

Advocate, High Court

म-3665, Rajaji Puram, Lucknow.

महेश प्रसाद तथा अन्य

बादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादीणा

३१५१८

संलग्नक संख्या ३-१।

प्रबोर्टर रेलवे

सं० ती/१७७/डी.ज्ड.ब्ल०/८६

कार्यालय
मण्डल रेल प्रबन्धक : वाणिज्यः
लखनऊ : दिनांक ८-९-८७

प्रमवानि/गोरखापुरःउःपःमेनःशीहरतगद, गोण्डा
बहराइय, मैलानी, सीतापुर, बर्हनऊ, रेशबांग।

स्टै०आधी०/गोरखापुरःगोण्डा, लखनऊ ज०

किंवद्दन स्थीर्णिंग में अल्पल अभ्यर्थियों की सूची।

इस कार्यालय के पत्र सं० ती/१७७/डी.ज्ड.ब्ल०/८६ दिनांक
१३-२-८७ को निम्नलिखित केजुअल लेबरों के मामलों में आंशिक
हिन्दप्रभावी किया जाता है। यह लोग गत ग्रीष्मकाल में सीजनल
पानी वालों के रूप में काम पर लगाये गये हैं।

कृपया नाम

पिता का नाम

प्रमवानि कार्यालय

संख्या	संख्या	प्रमवानि/शीहरतगद
१०० रामसुखा द्वे	बोधी द्वे	प्रमवानि/शीहरतगद
२०० रामेश्वर प्रसाद	राम परसन	स्टै०आधी०/गोण्डा
३०० ब्रह्मानन्द विद्यार्थी	दुःखी राम	प्रमवानि/सीतापुर
४०० राम प्रताप	छेदा लाल	प्रमवानि/बहराइय
५०० विश्वकर्मा	रामप्रसाद	प्रमवानि/गोरखापुर
६०० पाटनदीन	श्याम लाल	प्रमवानि/गोरखापुर
७०० पद्मन कुमार	त्रिलोकी नाथ	स्टै०आधी०/गोण्डा
८०० रामसुमेर	रामजियाबन	प्रमवानि/गोरखापुर
९०० राम बुझारथ	गौरी यादव	स्टै०आधी०/गोरखापुर
१०० हरिशंकर योद्धा	महादेव	स्टै०आधी०/गोण्डा

== 2 ==

11. उलील अहमद

बघचन छाँ

प्रमवानि/शोहरतगढ़

12. विनोद कुमार

कमलधारी

प्रमवानि/शब्दाग

== 2 ==

उपरोक्त केजुआल लेवरों को प्रभावित अपने प्रद्वीप में
कार्यदिवसों की वरीयता के आधार पर काम पर धुनः लगा सकते
हैं।

D/O अपठनीय

कृते मण्डल रेल प्रबन्धाक । वापो।
लखनऊ ।

प्रतिलिपिः क सवाधिः ।। कार्यधी । वापो। सम्बन्धित केन्डीडेट
को सूचनार्थ सब आवश्यक कार्यवाही हेतु प्रेषित ।

D/O अपठनीय

कृते मण्डल रेल प्रबन्धक । वापो।
लखनऊ ।

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92

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CERCUIT
BENCH), LUCKNOW.

APPLICATION NO. OF 1988 .

Mahesh Prasad & Others ... Applicants.

Versus

Union of India & Others ... Respondents.

Encloser No. A-12

No. T/AOS-G/C.L. Office of the
Divisional Rly. Manager (S)
Lucknow, dt. 20-8-87

TIs/LJN BNZ STP MLN NNP GD
ANDN GKP MUR

SS/GKP GD LJN MLN STP BST ANDN
CPA.

Sub:- Screening of casual labours/substitu-
ies. (Operating Ata/(only)

In the meeting held by DRM with Sr. DPO,
Sri. DSO, Sr. DCS and Sr. DOS it has now been
decided that particulars of Casual labours/Substitu-
tes should be furnished as per proforma attached.

It is, therefore, requested that a list of
Casual Labours/Substitutes of Operating branch of
your jurisdiction should be submitted to this office
in triplicate on the proforma attached latest by
7.9.87 giving a certificate in the end as mentioned
in the format.

Enc/1.

Sd/- G.C.Bhatnagar,
/Divisional Rly. Manager(S)/LJN

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ATTESTED


R. C. Saxena
Advocate, High Court
2-2663, Rajaji Puram, Lucknow.

ST 244116

FORMAT

S.N.	Name	Father's name	Date of first engagement under Previous Employer.	Present Employer.	No of days as casual labour. Under previous employer.	Under present employer.
------	------	---------------	---	-------------------	---	-------------------------

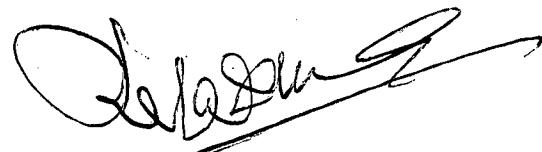
1	2	3	4	5	6	7
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Last date of working under present employer as on 31.12.87.

8	9
---	---

Certified that the antecedents of candidates given as above are under verification done by me personally from the records verifiable in the NE Rly. Jurisdiction and Casual labours/Substitutes of the Division. Authority for engagement. respective Station Master the leave sentry list of

**TRUE COPY
ATTESTED**



R. C. Saxena
Advocate, High Court
E-2663, Rajaji Puram, Lucknow.

15/12/87

समृद्ध केन्द्रीय प्रशासनिक अधीकरण । सीर्किट बैन्चा, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 ।

महेश प्रसाद तथा अन्य

वाटी

बनाम

यूनियन आफ हीडिया तथा अन्य

प्रीतवाटीगण

संलग्नक संख्या-स 13

पूर्वोत्तर रेलवे

कार्यालय

मण्डल रेल प्रबन्धा । का०।
लखनऊ: दिनांक 28-12-87

सभी द्वारीक निरीक्षक, स्टेशन मास्टर, स्टेशन अधीक्षक,
पूर्वोत्तर रेलवे, लखनऊ मण्डल ।

विषय:- परिचालन विभाग में आकीस्मक/सवजी श्रीमिकों
की छानबीन परीक्षा ।

परिचालन विभाग में कार्यरत/भूतपूर्व आकीस्मक/सवजी
श्रीमिकों की छानबीन परीक्षा निम्नलिखित तिथि, स्थान सर्व समय
पर करने की विविधय किया गया है । अतः आप कृपया अपने
अधीन कार्यरत/भूतपूर्व आकीस्मक/सवजी श्रीमिकों को यह निर्देश दें
कि वह निरीक्षित स्थान, समय व तिथि को पहुँच जायें जिससे उनकी
छानबीन परीक्षा हो सके ।

क्र०१०० - स्टेशन - तिथि - समय - छानबीन
परीक्षा स्थान

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- बद्दनी से गोरखपुर, गोरखपुर सीटी, बस्ती से गोरखपुर 20-1-88 10-00 बजे एस०जी०८०
आरीफस/गोरखपुर
- बद्दनी से गोण्डा।बद्दनी छोड़कर 19-1-88 10-00 बजे सकारीध
तिकूनिया से गोण्डा तथा नानपारा-नैपालगंज कार्यालय
गोण्डा
- लखनऊ से गोण्डा।गोण्डा छोड़- 18-1-88 10-00 बजे मनोरंजन
केन्द्र एवं वाग कैन्डल सीतापुर, रावतपुर, सीपी०८
लखनऊ द्रध्वा-चन्दनगंगी ।

R. C. Saxena

Advocate, High Court
Rajaji Puram, Lucknow.

कृपया अधिकारीयों को यह भी स्पष्ट कर दिया जाय कि

वे छानबीन परीक्षा में अपने साथ ऐक्षिक योग्यता, जन्मतिथि,

== 2 ==

अनुसूचित जारीत/छान्जारीत तथा आकर्तिक श्रीमिक कार्ड/सेवाकाल सम्बन्धी सभी मूल प्रमाण पत्रों को साथ लाये तथा सभी की दो-दो फोटो कांपी किसी राजपत्रित अधिकारी द्वारा सत्यापित कराकर लायें। उक्त प्रमाण पत्रों के अभाव में उनकी छानबीन परीक्षा नहीं की जायेगी और न ही बाद में कोई ध्यान दिया जायेगा।

ह/0 अपठनीय
कृते मण्डल रेल प्रबन्धक काठी
लखनऊ।

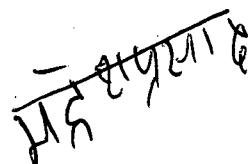
प्रतीलिपि :- 1- दोत्रीय अधीक्षक/गोरखपुर-कृष्णगढ़ में छानबीन परीक्षा की प्रबन्ध व्यवस्था सुनिश्चित कराने की कृपा करें।
2- सकारीध/1/लखनऊ-कृष्णगढ़ में छानबीन परीक्षा की प्रबन्ध व्यवस्था सुनिश्चित कराने की कृपा करें।
3- सपाधी ।एम।/लखनऊ-कृष्णगढ़ ऐश्वर्यग में छानबीन परीक्षा की प्रबन्ध व्यवस्था सुनिश्चित कराने की कृपा करें।
4- दोत्रीय प्रबन्धक/गोण्डा को सूचनार्थ प्रेषित।

ह/0 अपठनीय,
कृते मण्डल रेल प्रबन्धक काठी,
लखनऊ।

TRUE COPY
ATTESTED


R. C. Saxena

Advocate, High Court
B-3663, Rajaji Puram, Lucknow.


R. C. SAXENA

ब अदालत श्रीमान

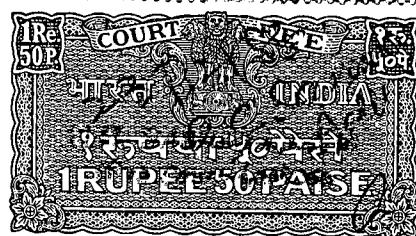
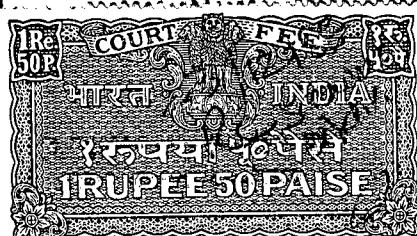
On the central Administrative Tribunal
(Central Bench) Lucknow महोदय

[वादी] अपीलान्ट

श्री Mahesh Prasad & Elhess

प्रतिवादी [रेस्पान्डेन्ट]

का वकालतनामा



Mahesh Prasad & Elhess

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

Union of India & Elhess

मुकदमा नं०

सन्

पेशी की ता०

१६

ई०

R. C. SAXEN

अपर लिखे मुकदमा में अपनी ओर से थी

Advocate, High Court

(Lucknow Bench) Lucknow

वकील

महोदय

E- 3665, Rajaji Pura, Lucknow

एडवोकेट

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

Accepted

Qasabha
Advocate

१

राम बहादुर सिंह

हस्ताक्षर

दीनानाथ

२

साक्षी (गवाह)

साक्षी (गवाह)

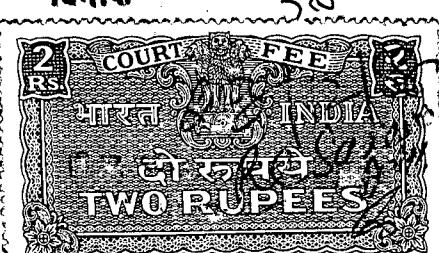
दिनांक

३०

महीना

११

सन् १९६४ ई०



३ दया शाक्त बहादुर

४ मुकदमा

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

PL
C/17

Reg. No. 222 of 1988 (L)

Mahesh Prasad and 57 others Applicants

V/S

Union of India & others Respondants

OBJECTIONS AGAINST PRAYER FOR INTERIM RELIEF ON BEHALF
OF RESPONDANTS.

I, S. R. Misra s/o Shri Suraj Pr. Misra
aged about 57 years presently posted as Assistant
Personnel Officer in the office, Divisional Railway
Manager, N.E. Railway, Lucknow, do hereby solemnly
affirm and state as under:-

1. That I have been duly authorised on behalf of the Respondants to file the instant objections and is fully conversant with the facts deposed to below.
2. That I have gone through and understood the contents of the application alongwith annexures under reply.
3. That in the year 1986, a Screening of Casual Labours working in the Operating/Commercial department was held by the Railway Administration.
4. That in pursuance to the above screening, a panel was drawn on 11-07-86.

S. R. Misra
S. R. MISRA
Divisional Manager

5. That in the said panel the petitioners and certain other casual labours did not find place as they did not fair well in the screening test.

6. That some of the candidates who did not find place in the panel of 1986, went before the Hon'ble Central Administrative Tribunal, Allahabad in Reg. No. 696 of 1987 - Ram Bujhawat Yadav and others V/S. General Manager, N.E.Railway, Gorakhpur and others, and Reg. No. 697 of 1987- Jang Bahadur V/S. General Manager, N.E. Railway, Gorakhpur.

7. That the prayer of the petitioners in said petitions was rejected by the Hon'ble Tribunal at Allahabad vide order dated 20-01-88. The typed copy of which are annexed and marked as Annexure No. A/1 and A/2 respectively.

8. ⁽⁸⁾ That on 20-08-87, another screening for casual labours of Operating/Commercial department was proposed and was subsequently conducted on the scheduled dates at various places.

9. That it is pertinent to point out that no panel was drawn as procedural irregularities came to the notice of the higher authorities. Therefore, the screening proceedings as aforesaid, were cancelled. Annexure No.1 to the petition is the order of cancellation.

10. That most of the petitioners are working and through the instant petition, they are demanding for


 उद्योग कार्मिक अधिकारी
 पर्वत रेलवे, लखनऊ

the publication of the result of the Screening Committee.

11. That the said prayer is totally misconceived in as much ^{as} no panel was drawn and the process of screening was cancelled only on account of ~~xx~~ procedural irregularities having come to the notice of the authorities.

12. That the claim petition is based only on apprehensions which can not be a ground for a claim petition before this Hon'ble Tribunal.

13. That the claim petition is totally devoid of merits and is liable to be rejected. The petitioners are not entitled for any relief and as such their claim petition is liable to be rejected.

14. That the detailed counter affidavit is not being filed at the ~~moment~~ on account of non-availability of ~~relevant~~ ~~railway records~~. The Opposite parties, however, reserve their right to file a detailed counter affidavit to the claim petition as soon as the entire record is made available.

VERIFICATION

I, the above named do hereby verify that the contents of para-1 & 2 of this objection are based on personal knowledge and that of paragraphs 3 to 9 are based on information derived from the records and that of paragraphs 10, 11, 12, 13 & 14 are based on legal advice which I believe to be true. No part of it is false and nothing material has been concealed. So help me GOD.

Place: Lucknow
Date: 07-03-1989

Signature of Counsel for the Respondants

J. M. B.
BENSON
वायुक कामिक अधिकारी
प्रबोन्हर रेलवे, लखनऊ

IN THE Central Administrative Tribunal
Circuit Bench, Lucknow.

Case Reg. No. 222 of 88 (L)
Mahesh Dd and others
v/s
Union of India and others.

Annexure No P/11 100

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Registration no. 696 of 1987

R.B. Yadav ... Applicant.

VERSUS

G.M.N.E.Rly & others ... Respondents.

Present:-

Hon'. D.S. Mishra, AM
Hon'. G.S. Sharma, JM

Shri G.C. Bhattacharya for the applicant and Shri V.K. Goel for the respondents. are present. We have heard the learned counsel for the parties on the application of the applicants for interim relief. A similar relief sought by the applicants with the claim petition was rejected by us and we do not feel convinced to grant the interim relief as claimed now. The application is accordingly rejected. Put up on 4.2.88 for hearing.

TRUE

CC 27

Editor

(D S DUBEY)

SECTION OFFICER

Central Administrative Tribunal
Allahabad.

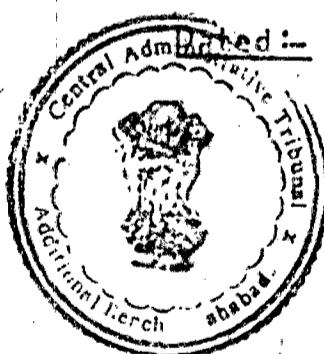
SD/-

SD/-

A.M.

J.M.

20.1.88



True Copy

DR. LAL

विद्यायक कार्मिक अधिकारी
पूर्वोत्तर रेलवे, लखनऊ

25/1/88

In The Central Administrative Tribunal
Circuit Bench, Lucknow.

Reg. No. 222 of 1988 (C.L)

Mahesh Pd & Others.

U/s
Union of India and others

Annexure No 2

AB
101

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Registration no. 197 of 1987.

Jang Bahadur ... Applicant.

Versus

G.M.N.E.Rly. & others ... Respondents.

Present :-

Hon' D.S. Mishra, AM
Hon' G.S. Sharma, JM

Sri G.C. Bhattacharya for the applicant and Shri V.K. Goel for the respondents are present. We have heard the learned counsel for the parties on the application of interim relief. It does not appear expedient to stop the screening and it may have adverse effect on the functioning of this Railways. We however order that the appointment if any made on the post for which the applicant has put up his claim, will be subject to the ~~XXXXXX~~ decision of this case.



SD/-

A.M.

Dated: 20.1.88

SD/-

TRUE

CC

DD/

D. S. DUBEY
SECTION OFFICER
Central Administrative Tribunal
Allahabad.

True Copy

MS/188
25/1/88

प्रधानकार्यालय
प्रबन्ध विभाग
प्रबन्ध विभाग, लखनऊ

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
(LUCKNOW BENCH), LUCKNOW.

1/102
O.A. No. 222 of 1988 (L)

Mahe sh Prasad & others ... Applicants.

Versus.

Union of India & others ... Respondents.

Reply on behalf of Applicants to the objections
filed on behalf of Respondents against the
prayer for interim relief.

I, Mahe sh Prasad, S/O Sri Jagannath, Substitute,
under Trafic Inspector, N.E. Railway, Nanpara, District
Gonda, do hereby solemnly affirm and state as under :-

1. That the applicant has been read over the objections filed on behalf of respondent and he has understood them well, and he is well conversant to the facts deposed to hereunder.
2. That with reference to the contents of para 3, 4 and 5 of the objections, it is stated that the applicants have given relevant facts regarding fixing of dates for Screening Proceedings proposed to be held on 27.1.86 and 28.1.86 in the office of Assistant Signal and Telecommunication Engineer, N.E. Railway, Gonda, submission of their certificates in respect of their working days, constitution of Screening Committee consisting of respondent No. 5, 6 and A.S.T.E. Gonda as the 3rd member of the Screening Committee. They have also given facts regarding the test, which was conducted for the purpose of adjudging the Physical fitness of the applicants and other candidates, who were called and appeared in the Screening Proce

23/1/216

....

ings. The facts regarding relevant considerations, which were required to be taken into account by the members of the Screening Committee for the purpose of selecting the candidates, have also been stated by the applicants. Since, the respondent No. 5 and 6 did not act fairly in conducting the Screening Proceedings, the applicants impleaded them by name in person as respondent No. 5 and 6 and pointed out the facts regarding their unfair practice in selecting and rejecting the applicants and other candidates. The applicants have also stated that respondent No. 5 mala fide incallusion with respondent No. 6 without any varification of number of days or providing any opportunity to the applicants, made baseless remarks on the certificates submitted by the applicants showing their total number of days service rendered by them and on the basis of those baseless remarks given on their certificates, the list of selected candidates ignoring the applicants was published which is contained in enclosure No. A-8 to the application letter dated 3.3.87 issued from the office of Divisional Railway Manager (Safty) contained in enclosure No. A-9 containing the list of 68 candidates in Annexure No. 1 attached with the said letter out of which 58 are the present applicants, proves beyond doubt that since the bonafide of the candidates mentioned in Annexure No. 1 to enclosure No. A-8 was found doubtful, they were declared unsuccessful in the Screening by the Screening Committee and consequently it was ordered that these candidates should not be utilized further as far as possible. The applicants have also given facts and filed documents exposing the conduct of respondents No. 5 and 6, who acted unfairly as members of the Screening Committee and grossly

21/4/21/8

misused their power and position for collateral purposes and extraneous considerations. These facts have been mentioned in detail by the applicants in para 6 (XVII) to 6 (XXXV) and their perusal is necessary to find-out the truth or otherwise of the averments made by the respondents in para 3, 4 and 5 of their objections.

In view of the facts stated above and in para 6 (XVII) to 6 (XXXV) of the application, it is totally wrong to state that the names of the applicants did not find place in the panel as they did not fairwell in the Screening Test. As a matter of fact the respondent No. 5 and 6 acted dishonestly ignoring the relevant considerations legally required to be taken into account while conducting the Screening Proceedings and declared the applicants unsuccessful with ~~obliged~~ motive and ~~ulterior~~ purpose without affording any opportunity to the applicants to put their case before holding their bonofide doubtful, they cannot be considered as unsucessful in the Screening Proceedings. Since, all applicants successfully ~~lift~~ ^{lift} up 50 Kg. weight (Point) like all other candidates, it can be inferred that they did not fairwell in the Screening specifically when no other test was conducted. The contrary contentions of the respondents is absolutely false and devious.

3. That with reference to para 6 and 7 of the object of the application, that certain other subsisting Central Administrative Tribunals to which the respondents referred to in para under reply but that their prayer for in

Screening Proceedings, in which the applicants have duly appeared and claimed to be successful, cannot be cancelled so arbitrarily without giving any opportunity to them and even without disclosing or pointing out any specific procedural irregularities ^{only} alleged ^{or} noticed by the higher authorities. There is no mention as to what procedural irregularities ^{were} noticed by the higher authorities on the basis of which the order dated 6.10.88 contained in Enclosure No. A-1 has been passed. The impugned order cancelling the Screening Proceedings is also absolutely non-speaking and does not disclose any reason for cancellation of the Screening Proceedings whatsoever. The order cancelling the Screening Proceedings adversely affects the right of the applicants and others and the same cannot be passed without affording any opportunity to the concerned candidates and even without disclosing any reasons for such cancellation. The Principles of the natural justice and fair play in action are to be observed by the administrative and executive authorities too where the future of the Railway substitutes. ^{In} masses is going to be ruined and if such order is passed arbitrarily, the same is not only against the Principles of natural justice but also contrary to Article 14 of the constitution of India which strikes down the arbitrariness.

5. That with reference to the contents of the para 10 of the objections it is stated that the prayer of the applicants for publication of the result of the Screening Proceedings is justified. Their further request for restraining the respondents to terminate their services during the pendency of the application is also justified. The respondents stopptaking work from various applicants as and when they like so.

Counsel for the applicant

Advocate,

(R.C. Saxeena)

March 16, 1989.
Lucknow: Dated,

Applicant No. 1.

16/3/1989

he has not concealed any material fact.
above are true to his own knowledge and that
verily that the contents of para 1 to 7
own behalf and on behalf of other applicants
I, the above named applicant on his

VERIFICATION

March 16, 1989.
Lucknow: Dated,

Applicant No. 1.

16/3/1989

contents is liable to be allowed.
grounds on the basis of which the claim of the applicant
that account. The application contains such facts and
the interim relief prayed for them can be refused on
applicants can neither be satisfied on that account nor
to them and if the record is not made available, the
application despite sufficient time having been allowed
negligent in not filing their counter affidavit to the
of the objection it is stated that the respondents are
7. That with reference to contents of the para 14
favour of the applicants.

the interim relief as prayed for may be allowed in
it is expedient in the best interest of justice that
and reasons stated in the application and in this reply
dealt and in reply it is stated that for the facts
objections are false and baseless and are impudent
6. That the contents of para 11, 12 and 13 of the

BEFORE THE CENTRAL ADMINISTRATIVE
TRIBUNAL, CIRCUIT BENCH, LUCKNOW

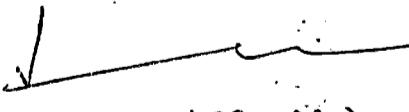
O.A NO 222 of 1988 (L).

Meher Dassad & others — Petitioners
vs
union of India & others — Opposite Parties

Application for condonation
of Delay.

Colleague for the O.P No 1704 here begs to submit
as under -

- Record of the case was not available to me so the written statement could not be filed.
- Now this available and written statement is ready.
- So this most respect fully prayed that the delay in filing the written statement may be condoned.
- It is also prayed the written statement may be taken on record.


(A.N. Verma)

13/7/89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

O.A. No. 222 of 1988(L)

Mahesh Prasad & others

.....Petitioner

Versus

Union of India & others

.....Opposite Parties

Written statement on behalf of opposite
parties no. 1 to 4.

I, S.R. Misra, son of Shri Suraj Prasad, aged
about 57 years presently working as Assistant
Personnel Officer in the office of the Divisional
Railway Manager, N.E.Railway, Lucknow, do hereby
solemnly affirm and state as under.

1. That I have been duly authorised on behalf of
the respondent to file the instant written statement
and is fully conversant with the facts *of the case*.
2. That I have gone through and understood the
contents of application alongwith the annexures under
reply.
3. That the averments made in the paragraph 1 of the
claim of petition relates to the orders against which
the instant petition is directed and as such need no
reply.

4. That the contents of paragraph 2 are denied. All the applicants were engaged as Substitutes against ^{casualties} from time to time.

5. That the contents of paragraph 3 of the claim petition are not admitted as drafted. The petitioners were allowed the privileges and scale of pay as admissible to the substitutes engaged against casualties under the provision of the rules. Annexure-2 which has been submitted by the petitioners is not admitted being/ⁱⁿ⁻ correct description.

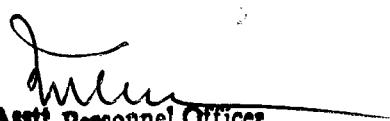
6. That the contents of paragraph 4 and 5 are denied. The petitioners did not work continuously as alleged but worked only against casualties and not against regular nature of post as alleged in paragraph under reply.

7. That the content of paragraph 6 and 7 are not admitted as drafted. It is submitted that staff which is required to perform the duties connected with the passing of train, closing of gates etc. are given preliminary training for ensuring public safety by the Railways. Petitioners however worked against short term casualties from time to time and not against regular nature of work.

8. That the contents of the paragraph 8 do not call for a reply.

9. That the contents of paragraph 9 and 10 of the claim, petition are not disputed.

Contd. ... 3/-


Asstt. Personnel Officer,
M. B. Rly., Lucknow.

10. That the contents of paragraph 11 relate to the ^{11^o provision of empanelment of casual labours vis-a-vis outsiders and are not disputed.}

11. That the contents of paragraph 12, 13 and 14 also relate to the rules and policies regarding the appointments and as such are not disputed.

12. That in reply to the contents of the paragraph 15 it is submitted that the screening was just and fair and principle-oriented.

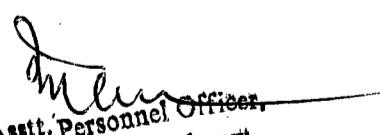
13. That the contents of paragraph 16 relate to the processing of screening done by the department. Annexure A-5 is the notification issued by the department to the senior subordinate.

14. That in reply to the contents of paragraph 17 it is submitted that on account of the certain unavoidable reasons the notification issued in March, 1984 could not be complied with and another notification dated, 30.9.1985 requiring the senior subordinate to send the list of casual labour was sent which was finally processed in 1986.

15. That the contents of paragraph 16 do not call for a reply.

16. That the contents of paragraph 19 are not denied.

Contd. 4/-.


Asstt. Personnel Officer,
N. E. Rly., Lucknow.

17. That the averments made in paragraph 20 are not disputed.

18. That the contents of paragraph 21 are not disputed. However, it is submitted that a short interview was also taken in order to verify the identity of persons as well as the number of days they worked in past.

19. That the contents of paragraph 22 are denied being not admitted as drafted. Certificates submitted by the petitioners regarding their working days, etc. were checked up by the members of Screening Committee and the same on scrutiny were found fake, fictitious and as such they were not empaneled. It is submitted that various candidates including most of the petitioners in order to get an employment submitted fake certificates and furnished incorrect information.

20. That the contents of paragraph 23 are denied. The list of candidates working in Commercial and Operating department was prepared separately in order to form a joint select list on the basis of number of days spent in, and ~~medical examination~~ in the

21. That the contents of paragraph 24, 25 and 26 are denied. Proper verification of the testimonials were made but having been found fake and incorrect, rejected. they were

22. That in reply to the paragraph 27 only this much is admitted that the result was published.

23. That the contents of paragraph 28 and 29 are not admitted as drafted. It may further be added that the petitioners were not empanelled as the working certificate submitted by them were found false/fake by the committee.

24. That the contents of paragraph 30 and 31 are denied.

25. That in reply to the contents of paragraph 33 the allegations are denied except that complaint was made to Vigilance Branch.

26. That in reply to the contents of paragraph 34 it is submitted that the screening has been held on the basis of service record regarding work, discipline and conduct. Rest of the averment as made in the paragraph under reply are not admitted as drafted.

27. That the contents of paragraph 35 are denied being totally wrong and misconceived.

28. That in reply to the contents of paragraph 36 it is submitted that the certificates submitted by the petitioners were found to be fake and incorrect on verification.

29. That in reply to the contents of paragraph 37 it is stated that the decision was taken to hold next screening for all the substitutes/Casual labours in general.

30. That the contents of paragraph 38 are not disputed.

31. That the contents of paragraph 39 are not admitted as drafted. The screening proceedings were cancelled by the A.D.R.M. (Additional Divisional Railway Manager), N.E.Railway, Lucknow as procedural irregularities came to the notice of the higher authorities and hence, no panel was drawn. It is

denied that the certificates submitted by the applicant were genuine and bonafide. They were still fake and fictitious.

32. That the contents of paragraph 40 are denied.

33. That in reply to the contents of paragraph 41 it is submitted that since procedural irregularities were found and detected, therefore, selection proceedings referred to in the paragraph were cancelled.

34. That the contents of paragraph 42 are denied.

35. That the contents of paragraph 43 are denied. The Additional Divisional Railway Manager is fully competent to cancel the proceedings. Moreover the same was done on account of procedural irregularities. It is, therefore, submitted that on account of the said facts no panel was drawn.

36. That in reply to the contents of paragraph 44 it is submitted that most of the petitioners are working as substitutes against casualties occurring from time to time.

37. That the contents of paragraph 45 are not admitted as drafted.

38. That in reply to the contents of paragraph 46 it is submitted that petitioner No. 30 Jang Bahadur filed a similar petition No. 697-1987 before Central Administrative Tribunal, Allahabad. The interim relief prayed by the said petitioner has been rejected by the Tribunal and the case

has been posted for final hearing on 1st August, 1989. Another casual labour R.B.Yadav also lodged a similar petition before the Tribunal at Allahabad (696-1987). His application for stay has also been rejected and the matter is posted for hearing on 1st August, 1989.

39. That the petition is totally mis-conceived ^{and} outside the scope of the jurisdiction of this Hon'ble Tribunal in as much as the petitioners are only ~~casual~~ ^{labourers} and are not regular employees of the Railway administration. They have no locus to agitate their grievances before this Tribunal.

40 That even in other wise the petition is totally devoid of merits and as such is liable to be dismissed with cost. The petition is also pre-mature in as much as no cause of action has arisen to the petitioner and no panel has been drawn after 1986. The interim order granted by this Hon'ble Tribunal is also liable to be vacated.

VERIFICATION

I, above named do hereby verify that contents of paragraph and 2 of this written statement are based on personal knowledge and that of paragraph 3 to 38 are based on information derived from the records which are believed to be true and that of paragraph 39 & 40 are based on legal advice. No part of it is false and nothing material has been concealed. So help me God.

Dated: 12.7.89

Lucknow.

J. M. D.
Deponent
Asstt. Personnel Officer,
N. E. Rly., Lucknow.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Misc.petition No. 622 of 1991 (L)

IN-RE

O.A.No.222 of 1988 (L)

F.F. 18/2/91

Mahesh Prasad & others Applicants

Versus

Union of India & others Respondents

APPLICATION FOR CONDONATION OF
DELAY IN FILING REJOINDER REPLY

It is respectfully submitted as under:-

That due to non-availability of necessary information and the documents the Rejoinder reply could not be filed earlier but the same is now ready and is being filed herewith alongwith this application which may kindly be taken on record after condoning the delay in question.

Filed today

Surf

15.10.91

Lucknow

Dated 15.10.1991


(R.C. SAXENA)
ADVOCATE
Counsel for applicants

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW.

O.A.NO.222 OF 1988 (L)

Mahesh Prasad & others

... ...

Applicant

Versus

Union of India and others

.... .

Respondents

REJOINDER REPLY

I, Ram Piarey aged about 39 years, S/o Shri Badloo under Station Supdt., N.E.Railway, Lucknow, Applicant No.7 do hereby solemnly affirm and state as under:-

1. That the deponent is Applicant No.7 in the above noted case and is filing this Rejoinder reply on his own behalf and on behalf of other applicants after being duly authorised by them. The applicant is well conversant with the facts deposed to hereunder:-
2. That the contents of paragraph 1 to 3 of the written statement do not call for any reply.
3. That the contents of paragraph 4 of the written statement are wrong and denied and in reply the contents of paragraph 6(ii) of the application are re-affirmed as correct. The substitutes are always appointed against permanent or temporary posts and are utilised as such and discharge the same nature of duties which are discharged by the regularly appointed incumbents. The posts mentioned in sub para (ii) of para 6 against which the applicants were appointed/working are all regular nature posts and are connected with train passing duties and traffic duties at stations and the contention of the opposite parties that the applicants were engaged as substitutes against casualties from time to time is baseless and denied.

राम पियर

4. That the contents of paragraph 5 of the written statement are quite vague and unspecific and do not disclose any material or reason on the basis of which the chart enclosed in Enclosure No.A-2 to the application containing all relevant facts regarding the applicants and particularly their total number of working days may be disputed or controverted. The applicants once again re-affirm that all the description given in the chart is correct and the respondents have no material to dispute or contradict the said chart.

5. That the contents of paragraph 6 of the written statement are emphatically denied and in reply while reiterating the contents of paragraph 6(iv) & (v) of the application it is made clear that the respondents are not even aware that the casual labours are engaged for the occasional and intermittent nature of work and not substitutes in as much as the substitutes are employed/ engaged on regular scales of pay and allowances applicable to posts against which they are employed. These posts may fall vacant on account of a Rly. servant being on leave or due to non-availability of permanent or temporary Rly. servant and which cannot be kept vacant. Therefore the employment of substitutes in casuallity does not arise.

6. That the contents of the first part of paragraph of 7 of the written statement are general in nature and do not controvert the contents of para 6(vi)& (vii) of the application regarding the receiving of training by the applicants and the said contents would be deemed to be admitted. In the latter part of para 7 of the written statement the respondents have again repeated the same false and baseless facts that the applicants worked against short term casualties from time to time and not against regular nature of work. In view of the submissions already made the contents of para 7 of the written statement are denied.

RTI अधिकार

7. That with reference to the contents of paragraph 8 and 9 of the written statement it is stated that since the respondents have not disputed the contents of paragraph 6 (viii), (ix) & (x) of the application, no further comments are needed.

8. That with reference to the contents of paragraph 10 & 11 of the written statement it is stated that since the respondents have not disputed the contents of para 6 (xi) to (xiv) of the application as such there is no need to make further comments.

9. That the contents of paragraph 12 of the written statement are totally false and are denied and in reply it is submitted that the applicants have dealt with the issue of unfairness and mal practices which have taken place in conducting of the screening subsequently in the latter part of the application by which the dishonesty and unfairness of the officers who conducted the screening would be proved and come to the light.

10. That with reference to the contents of paragraph 13 of the written statement it is stated that since the respondents have admitted the notification contained in enclosure No.A-5 to the application, its contents would be deemed to be admitted and even otherwise also the respondents have not denied the contents of para 6(xvi) of the application as such there is no need to make further comments.

11. That with reference to the contents of paragraph 14, 15, 16 & 17 of the written statement it is stated that since the respondents have not been able to deny and dispute the contents of para 6 (xvii) to (xx) of the application as such they are taken to be admitted and no further comments are needed.

RTI (247)

12. That the contents of paragraph 18 of the written statement do not require any comments as the contents of para 6 (xxi) of the application have not been disputed by the respondents. So far as the question of taking interview is concerned it is clarified that only the names of the candidates regarding their identity were required to be disclosed by them and they were also asked the number of days they have worked.

13. That with reference to the contents of paragraph 19 of the written statement it is submitted that the respondents have not been able to dispute the facts stated by the applicants in the specific terms in para 6(xxii) and the bare denial without any specific grounds or material amounts to admission of the facts stated by the applicants. So far as the contention of the opposite parties that the certificates submitted by them regarding their working days etc. were checked up by the members of the screening committee and the same on scrutiny were found fake, fictitious and as such they were not empanelled, is concerned, it is pointed out that the respondents have not pointed out in what respect and how the certificates of working days duly signed by the Sr. Subordinates submitted by the applicants in original, as already admitted, were found fake and fictitious. Moreover the responsibility of certifying the total number of working days of applicants rests with the Sr. subordinates who prepares and sends the lists of eligible candidates as per notification already forming part as enclosure No.A-6 to this application and the members of the screening committee are to be normally guided by the lists containing the details of the candidates including their total number of days worked submitted by the Sr. Subordinates to the Personnel Branch for inclusion in the statement of screening for the purpose of selection. It is also pointed

राम प्रार

Sr. subordinates who had issued the certificates in question to the applicants. The applicants declare that no action against any Sr. subordinate has yet been taken.

14. That the contents of paragraph 20 of the written statement needs no comments.

15. That with reference to the contents of paragraph 21 of the written statement it is stated that the bare denial of the facts stated in paragraphs 6(xxiv), (xxv) and (xxvi) of the application wherein specific allegation -s of corruption & mal-practices have been levelled against the respondents No.5 & 6 who have been impleaded by name, the bare denial by the respondents that too without any cogent reason or material is no denial in the eyes of law and tantamounts to clear admission of the facts stated by the applicants. Even otherwise also Mr. S. R. Misra, who has filed the written statement and has verified it, could not gather courage to deny and dispute the personal allegations levelled against him from his own knowledge rather he verified the contents of para 21 of the written statement as based on knowledge and information derived from the records and believed them to be true. This goes to show that he was conscious of the fact that he could have been prosecuted and punished for swearing false facts from his own knowledge and thus escaped himself from being prosecuted and punished. It is denied that any proper verification was done from any authenticated records i.e. paid vouchers from Accounts Deptt. This fact is proved from the fact that the respondents have not indicated the specific records from which the verification was made. The applicants re-affirmed the contents of garagraph 6(xxiv), (xxv) and (xxvi) of the application as correct.

16. That with reference to the contents of paragraph 22 of the written statement the contents of paragraph 6 (xxvii) of the application are re-affirmed as correct and it is pointed out names of the applicants were not included in the select list contained in enclosure No. A-8 to the application malafidely and without any just and valid reason.

17. That with reference to the contents of paragraph 23 of the written statement it is stated that the applicants have already clarified the position about the false-hood and fakeness of the certificates of the applicants in the preceeding paragraphs as such there is no further necessity to comment again. The certificate -s of the applicants are all genuine and bonafide and cannot be proved to be false or fake even now by the respondents.

18. That with reference to the contents of paragraph 24 of the written statement it is stated that the bare denial of the contents of paragraph 6(xxx) & (xxxii) is meaningless and tantamounts to admission as the respondents have not controverted the contents in specific terms. The applicants had indicated in para 6(xxx) of the application that the candidates mentioned at various serial numbers in Annexure No.A-8 i.e. the select list have not worked at-all in the Rly. and not had even 500 working days to their credit and were not eligible to be called for in screening, wereelected and is included in the panel of selected candidates dishonestly and unfairly by respondent No.5 & 6 but these facts have not been controverted in para under reply. Thus the dishonesty and unfairness on the part of respondent No.5 and 6 have been clearly proved on the face of record. The respondents have also not denied the facts stated in para 6(xxxi) of the application.

19. That with reference to the contents of paragraph 25 of the written statement it is stated that only the complaint was not made to the Chief Vigilance Officer, N.E.Rly., Gorakhpur regarding unfairness in the screening proceedings as admitted by the opposite parties but actually the enquiry was conducted and the facts stated in paragraph 6 (xxxiii) of the application were found correct. If the report of the Chief Vigilance Officer, is summoned the contention of the applicants will be proved to be true. Even otherwise also Mr. S.R. Misra, the respondent No. 6 was initially issued a minor charge sheet but subsequently at the instance of Rly. Board he was charge sheet for major penalty and his gratuity was also withheld which facts also goes to prove that he acted dishonestly in conducting screening proceedings.

20. That the contents of paragraph 26 of the written statement are denied and in reply the contents of para 6 (xxxiv) of the application are re-affirmed as correct.

21. That the contents of paragraph 27 of the written statement are emphatically denied and in reply the contents of paragraph 6 (xxxv) of the application are re-affirmed as correct.

22. That the contents of paragraph 28 of the written statement are totally false and baseless and are denied and in reply the contents of paragraph 6 (xxxvi) of the application are re-affirmed as correct. It is further pointed out that the respondents did not get any verification actually done with reference to the paid vouchers or any other authentic document while the certificates of the applicants were declared summarily as fake and fictitious. In fact subsequently the respondents verified the number of working days with reference to the paid vouchers available in the accounts Deptt. and published

27/2/2012

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list No.1 which contains the details of all those substitutes whose pre 81 working has been verified from the paid vouchers and circulated under the signature of AOS(G)/LJN vide No.T/55/Subs./Verification dated 19.3.91 containing the names of 118 substitutes. Out of 118 substitutes the names of more than 30 applicants have been included in the list duly verified from the paid vouchers. This fact goes to establish that the theory of fake and fictitious advanced by the respondents with respect to the certificates of working of the applicants without verification from the paid vouchers as has been done now, by following the correct procedure, was only a concocted one and baseless remarks were given in order to harm the applicants who have not yielded to the illegal wishes of respondent No.5 & 6. In case if proper verification with reference to paid vouchers is made for the remaining candidates, their working days as certified by Sr. subordinates while issuing them testimonials and as stated in the chart annexed as annexure No.A-2 to the application will be proved to be correct. An electro stat copy of aforesaid list published vide letter dated 19.3.91 referred to above is filed herewith as enclosure No.R-1 to this Rejoinder reply.

23. That with reference to paragraph 29 of the written statement the contents of paragraph 6 (xxxvii) of the application are re-affirmed as correct.
24. That the contents of paragraph 30 of the written statement do not call for any reply.
25. That the contents of paragraph 31 of the written statement are denied and those of para 6 (xxxix) of the application are re-affirmed as correct.
26. It is also pointed out that the respondents have failed to point out the specific irregularities justify-

ing the cancellation of screening proceedings thereby depriving the applicants from being empanelled. As regards certificates and their genuineness the position has been explained in detail in the proceeding paragraphs.

26. That the contents of paragraph 32 of the written statement are vague and denied and in reply the contents of para 6 (xxxx) of the application are re-affirmed as correct.

27. That the contents of paragraph 33 of the written statement are denied and those of para 6 (xxxxi) of the application are re-affirmed as correct.

28. That the contents of paragraph 34 of the written statement are denied and those of para 6 (xxxxii) of the application are re-affirmed as correct.

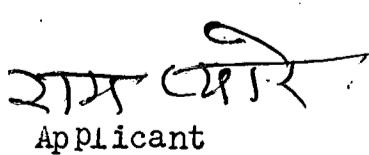
29. That the contents of paragraph 35 of the written statement are denied and those of para 6 (xxxxiii) of the application are re-affirmed as correct.

30. That the contents of paragraph 36 & 37 of the written statement are denied and those of para 6 (xxxxiv) & (xxxxv) of the application are re-affirmed as correct.

31. That the contents of paragraph 38 of the written statement do not call for any reply.

32. That the contents of paragraph 39 & 40 of the written statement are denied and in reply the contents of paragraph 6 (xxxxvi) of the application are re-affirmed as correct. The application bears merit and deserves to be allowed.

Lucknow


Applicant

Dated 15.10.1991

VERIFICATION

I, the above named applicant, do hereby verify that the contents of paragraph 1 to 32 of the re-joinder reply are true to my own knowledge and that I have not suppressed any material fact.

Lucknow

QH/CS/2
Applicant

Dated 15.10.1991

127
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH, LUCKNOW.

O.A. No. 222 of 1988 (L)
Mahesh prasad & others Applicants
Versus
Union of India & Respondents
ENCLOSURE NO. R-1

N.E.Railway

MEMORANDUM

No.-T/55/Subs/Verification dated: 19.3.91

To,

TI's/SS's/SM's/NERMU/PRKS/LJN's Division.

Sub: List of Substitutes of Traffic Deptt.'

List of Substitutes working in Traffic Deptt. (Optg.) has been compiled, and is being sent to you for giving vide publicity.

The list is in 3 parts:-

List No.-1 has 118 names of Substitutes whose provisional verification has been done from available records.

List No.-2 has 82 names of Substitutes who had worked in Engineering Deptt. prior to 1983. Their verification is under process.

List No.-3 has 140 names of Substitutes whose pre-81 working could not be verified for want of records. However, efforts are still being made to find out their pre-81 working.

As per instructions given engagement of Substitutes is to be done from List No.-1.

Any representation from Substitutes regarding non-inclusion of names or any other discrepancy in their details must be forwarded to AOS/C or APO-III with in 30 days i.e. 19.4.91 after which no representation/claim will be entertained.

11
AOS(C)/LJN

27/3/91

TRUE CO
ATTESTED

(28)

16	TIMUR	SACHIDANAND
17	TIMUR	PATON DEEN
18	TIMUR	RABHE
19	TIMUR	BHAWALI PRASAD
20	TIMUL	MAHESH PRASAD
21	TIMUL	GOVIND PRASAD
22	TIMUL	A K SAXENA
23	TILJP	KANUJI LAL
24	TILJP	SRI PAL
25	TILJP	OM PRAKASH
26	TILJP	RAM PRASAD
27	TILJP	PRITHVI PAL
28	TILJP	RAM PYAREY YADAV
29	TILJP	SUNDER LAL
30	TILJP	SURESH YADAV
31	TIGKP	SANT SARAN BHATT
32	TIGKP	MATA FD PANDEY
33	TIGKP	SHED PODJAN
34	TIGKP	FAHQ RAM
35	TIGKP	ANGAD PD PATEV
36	TIGKP	RAM KIRPAL
37	TIGKP	RAJ LAKHAN
38	TIGKP	C S PANDAY
39	TIGKP	RAM KIOR
40	TIGKP	KUJI KUMAR
41	TIGKP	RAM UJAGAR
42	TIGKP	PALITLAL BHATT
43	TIGKP	GRANI SHANKER
44	TIGD	ALLAH RUX
45	TIGD	EDIL RAM TEWARI
46	TIGD	PHOD CHAUDH
47	TIGD	RAJ SURESH YADAV
48	TIGD	TIEND
49	TIENZ	AMBEDKAR PRASAD
50	TIEND	TIEND
51	TIEND	MAYA RAM GIRI
52	TIEND	KASIM ALI
53	TIEND	KAMYAN
54	TIEND	RAM CHANDRA
55	TIEND	JAGDISH PRASAD
56	TIEND	BAHOO RAM
57	TIEND	SHYAM NARAIN YADAV
58	TIEND	NDUR MOHD
59	SSSTP	ASHA RAM
60	SSSTP	CHHARTKA PRASAD
61	SSLJN	RAMESHWAR
62	SSLJN	RAM PYAREY
63	SSLJN	RAM JEEV
64	SSLJN	BABOO LAL
65	SSLJN	RAJENDRA PRASAD
66	SSLJN	SHIV POOJAN
67	SSLJN	IDDU
68	SSGKP	LALMAN
69	SSGKP	RAMJEE
70	SSGKP	KARAMRAJ

041557	050175	CYMD
041058	050179	SRST
020358	050174	PULGP
070159	050779	SMNSW
050258	050776	SMNLN
081057	050480	SGK
050980	050880	SSGK
040382	050880	SMRNR
010158	050678	FUMLN
011556	051677	10WBN
011361	110979	SBVN
010161	040180	SMDC
040556	040375	SSBVN
120654	012071	F41MLN
121652	080178	SMMR
100564	062984	SMCKG
042984	SSIJ	123189
012161	012179	IOWBN
042984	SSIJ	123189
050157	060476	CSYMD
120558	111679	ESBNT
060555	061579	ESBNT
012558	040178	SMUR
040178	SMUR	113089
030156	070178	SRJTB
070157	042080	SMJTB
051560	051578	SMGAU
070156	010178	SMKLD
060155	010177	SMJTE
070157	010180	SMJTB
010158	050880	SSBNT
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070157	012276	SSBNT
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030155	060772	SMGIR
030153	112673	SMELP
070157	012276	SSBNT
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010157</		

71	SSGKP	HARISH CHANDER
72	SSGKF	RAJENDRA
73	SSGKF	MENA
74	SSGKP	EUDHNATH (6)
75	SSGKP	SRIRAM
76	SSGKF	DEEN DAYAL
77	SSGKF	RAM LAUT
78	SSGKF	CHOTAK
79	SSGKF	SOHAN LAL
80	SSGKP	RAM PRASAD
81	SSGKF	BHAGWAT
82	SSGD	PAWAN KUMAR
83	SSGD	RAM NARAIN
84	SSGD	KRISHNA PD.
85	SSGU	BURRJO
86	SSGD	SUNDER LAL
87	SSGD	DINDAL
88	SSGD	JAGDAMBA PD.
89	SSGD	SHEO KUMAR
90	SSGD	DURGA PRASAD
91	SSGD	HANUMAN PRASAD
92	SSGD	SHANTI PRASAD
93	SSGD	MUKH LAL
94	SSGD	RAM BAHADUR
95	SSGD	BHIMAN PRASAD
96	SSGD	GANGA RAM
97	SSGP	R L SHUKLA
98	SSGP	RAM KISHORE
99	SSEST	R K CHAUDHARY
100	SSKST	P P PANDEY
101	SSEST	RAJTHIR SINGH
102	SSEST	RAM MURAT YADAV
103	SSASH	SHAMULLAH
104	DTLJN	MUSTAFA ALI (2)
105	DTLJN	RAMESHAR KUSHWAHA
106	DSUJN	RAM AUTAR
107	DSUJN	JAGDISH PD SHUKLA
108	DSUJN	KUM SHUKLA
109	CYMGD	IBRAHIM (5)
110	CYMGD	MANSOOR ALI (24)
111	CYMGD	GAURI SHANKER (6)
112	CYMGD	VED NARAIN
113	CYMGD	JAGDAMBA PD PATHAK
114	CYMGD	RAMJAN ALL
115	CYMGD	SHAGWATI PD
116	ANGD	RADHEY SHYAM
117	ANGD	JAGDISH PRASAD
118	ANGD	HARDWAN FRASHU

070860	091979	SSGKP	091979	SSGKP	113089	1696	GRF	1299	101380
022060	040180	SEJKP	040180	SSGKP	113084	1476	GRF	665	071180
081154	030980	SSGKP	050980	SSGKP	113088	1395	GKP	665	071180
042534	030479	SSGKP	030479	SSGKP	113089	1112	GKP	1707	121380
040657	070977	SSGKP	070977	SSGKP	103189	1107	GKP	1909	011380
021061	072080	SSGKP	072080	SSGKP	113089	1105	GKP	1299	101380
111258	080178	SSGKP	080178	SSGKP	113089	1095	GKP	954	081180
020151	080178	SSGKP	080178	SSGKP	112989	1012	GKP	61	041280
010161	060180	SEJEA	113084	SSJEA	123189	995	GKP	487	061380
100348	050178	SSGKP	050178	SSGKP	053189	991	GKP	487	061380
060152	030179	SSGKP	030179	SSGKP	071789	549	GKP	487	061380
060157	050879	SSHUBR	050879	SSGDP	071789	1493	SUBR	673	071179
011360	081078	SSGDP	010179	SSGDP	123189	961	GD	2303	032380
020160	030177	SSGDP	030177	SSGDP	123189	1464	GD	275	051279
021239	080179	SSGDP	010879	SSGDP	123180	1249	GD	1295	101280
050861	080179	SSHLIR	080179	SSGDP	043087	1129	GD	1295	101280
123157	010179	SSYMD	010179	SSGDP	123189	123189	GD	1295	101280
072960	090378	SSGDP	090378	SSGDP	073189	870	GD	1295	011281
031562	040580	SSGDP	040580	SSGDP	123189	730	GD	1895	011281
100154	090774	SSGDP	090774	SSGDP	123179	687	GD	275	051279
121256	090377	SSGDP	090377	SSGDP	073189	510	GD	677	061280
123067	073080	SSGDP	073080	SSGDP	051287	301	GD	1895	011281
071553	090774	SSGDP	090774	SSGDP	051181	253	GD	436	060578
021360	062650	SSGDP	062680	SSGDP	075087	168	GD	1477	111180
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010157	042478	SEJDP	042478	SSGDP	021281	100	GD	436	060678
031358	061173	SEJPA	061175	SMCPA	123169	2223	CFA	1900	011281
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120159	040180	SEJST	040180	SSRST	113068	1393	BST3	1299	101380
030157	060180	SSBST	060180	SSBST	113088	971	BST	1706	121280
070456	070179	SSMUR	070179	SSMUR	113088	626	BST	851	081180
010161	051679	PUJMLN	060483	SSBNY	121789	1405	MLN	071679	071179
120659	050775	DSOLJN	050775	SSASH	121789	2035	RFF	1095	091280
050555	042976	SSCPA	072976	SSCPA	123189	223	RFO	484	061380
061355	011980	SSLJN	011980	SSLJN	123189	1610	LJN	1696	121180
123157	110180	SSRHS	121082	DSLJN	123189	2396	RTS	1692	121180
111255	022475	SSCPA	022474	SSCPA	123189	2255	RFO	4492	121180
050161	061579	TIMUR	061579	TIMUR	123189	1975	KLD	677	071179
031657	081875	CYMGD	081875	CYMGD	113089	3452	GD	1295	101280
101756	111074	CYMGD	111074	CYMGD	113089	2933	GD	2303	032380
102058	090579	CYMGD	090579	CYMGD	113089	2797	GD	877	081280
100756	071376	CYHGD	071376	CYMGD	113089	2415	GD	1295	101280
081458	072480	SSGDP	050683	CYMGD	123189	2404	GD	1895	011281
030356	031577	CYMGD	031577	CYMGD	052180	278	GD	2303	032380
010456	110878	CYMGD	110676	CYMGD	052081	253	GD	696	081280
120161	090180	SEJGD	010180	SSGDP	123189	1872	ITE	688	071480
073163	062072	ITMGD	062080	ITMGD	123187	1722	ITE	4393	011281

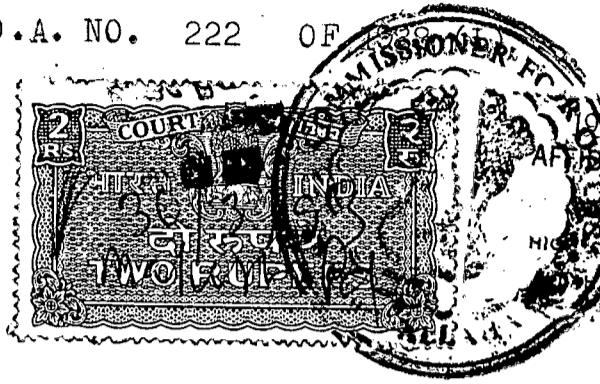
TRUE COPY
ATTESTED

Q. C. Gorain
Advocate, High Court
Aligarh, Lucknow

Fixed for 30.7.93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH : LUCKNOW

0.A. NO. 222 OF



131

Mahesh Prasad & others Applicants

Versus

Union of India & others Opposite parties

SUPPLIMENTARY AFFIDAVIT

*F.T
25/5/93*
I, Shiv Kant Tripathi, aged about 32 years, s/o Sri C.B. Tripathi, substitute gatekeeper under Traffic Inspector, Mailani now under Traffic Inspector Lakhimpur Kheri, do hereby solemnly affirm and state on oath as under :-

*J.S.
25/5*

1. That the deponent is the applicant No. 27 in the above noted case and he is fully conversant with the facts deposed to here under.
2. That during the pendency of the above case 32 applicants mentioned at serial no. 1 to 12, 15 to 17, 19, 21, 24, 26, 29, 31, 36 to 43, 48, 50 & 52 were called to appear before the screening committee on different dates in the year 1991 and they were declared successful and were impounded in the penal published vide letter no. E/II/227/Screening/Operating/91 dated 10.12.91.
3. That the total number of working days of the aforesaid applicants were verified from the paid vouchers and found correct. The names of these applicants are mentioned in list no. 1 contained in Annexure No. K-1. They have been certified to be appointees of pre

4. That there are 58 applicants in total out of which applicant no. 25, Muralidhar s/o Doodh Nath ~~had~~ died on 1.5.1989. The 26 applicants whose names are mentioned at serial no. 13, 14, 18, 20, 22, 23, 27, 28, 30, 32, 33, 34, 35, 37, 44 to 47, 49, 51, 53 to 58 were not called in the screening as their verification was under process and their number of working days could not be verified. Had their verification of working days ~~been~~ completed and they would have been called to appear in the screening held in the year 1991 alike other 32 applicants mentioned in para 2 above definitely their total number of working days would have been found correct and they would have also been selected and declared successful but the negligence remained on the part of the Railway that their total number of days could not be verified in the date of screening.

5. That it is respectfully submitted that from the above facts it is proved beyond doubt that the plea taken by the Railway in their counter affidavit that the bonafide of the applicants was found doubtful and that the certificates submitted by the applicants regarding their working days etc. were checked up by the members of the screening committee and the same on scrutiny were found fake, fictitious and as such they were not empaneled, was without any basis and these facts were stated in para 19 of the counter affidavit without any actual verification having been made from the paid vouchers. If the certificates regarding working days of the applicants had actually been verified and found fake showing incorrect number of days then there was no occasion that on further verification their total number of working days ~~would~~ have been found correct.



29/12/1992
RJ

6. That under the facts and circumstances of the case not only 32 applicants mentioned in para 2 above are entitled to be treated as selected alongwith other candidates mentioned in list dated 11.7.86 contained in Annexure No. A-8 to the application but 26 other remaining applicants mentioned in para 4 above are also entitled to be as selected alongwith the candidates mentioned in the aforesaid list dated 11.7.1986 contained in Annexure No. A-8 and all the applicants are further entitled for regularisation w.e.f. 11.7.1986 and also for counting their seniority w.e.f. the same date with other consequential benefits.

7. That the deponent is filing herewith the electrostate copy of pannel dated 10.12.1991 referred to in para 2 above for the persual of this Hon'ble Tribunal as Annexure No. S-1 to this supplimentary affidavit.

Deponent

Lucknow.
Dated : 30.3.1993

Deponent

VERIFICATION

I, the deponent named above do hereby verify that the contents of para 1 to 7 of this affidavit are true to my own knowledge. Nothing material has been concealed and no part of it is false. So help me God.

Deponent

Lucknow
Dated : 30.3.1993

Deponent

I identify the deponent named above who has signed in my presence and is personally known to me.

*(R.C. SAXENA)
ADVOCATE*

Solemnly affirmed before me on 30-3-93 at 9-30
a.m./p.m. by Sri S.K. Tripathi, the deponent who is
identified by Sri R.C. Saxena, Advocate, High Court.

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



21/3/93 in fm.

M. D. AROZI

OATH COMMISSIONER

High Court, Lucknow Bench, Lucknow

No. 3942

Date:

30-3-93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH (LUCKNOW)

O.A. No. 222 OF 1988 (L)

Mahesh Prasad & Others Applicants

Vs.

Union of India & Others Respondents

ANNEXURE NO. S-1

पर्वतीकर रेलवे
अधिसूचना।

लखनऊ रेलवे पारचालन विभाग के अधिस्थिक / स्वजा श्रमिकों को स्थानिक परामर्श जो 15/7/91, 16/7/91, 17/7/91, 18/7/91, 23/9/91 एवं 24/9/91 की तिथियों में सम्पन्न हुई का परिणाम :-

दिनांक 15/7/91, 16/7/91, 17/7/91, 18/7/91, 23/9/91 एवं 24/9/91 के अन्तर्वाचालन विभाग के अधिस्थिक / एवं श्रमिकों का स्थानिक परामर्श के परिणामस्वरूप निम्नलिखित अध्यर्थी पारचालन विभाग को चतुर्थ श्रेणी के नियुक्त नं. 750-940 के पदों पर नियुक्ति हेतु अनुस्तुति रूप से सकलधीरित किये जायेंगे।

इन अध्यर्थियों के जन्मतिथि और अनुसूचित जाति/अनुसूचित जनजाति के मूल प्रयाग पत्र, चित्तरा, परामर्शदाता, सर्वोच्च नियुक्ति के सम्बन्ध पुनः संविधित अनुभाग द्वारा पुनः नियुक्त कर दिया जाय।

लखनऊ रेल प्रबन्धक ने दिनांक 01/11/91 की उल्लंघन पैनल अनुमोदित किया है।

क्रम संख्या	नाम	पिता का नाम	कार्यस्थल
1- दरोगा सिंह	सर्वकारी	सर्वकारी	स्टेमा/ तिकुनियां
2- राम प्यारे	दरोगा सिंह	दरोगा सिंह	स्टेमा/ लखनऊ ज०
3- लल्लम प्रसाद	वदलु	रामनन्दन	स्टेमा/ गोविन्दनगर
4- राम नरेश दत्त	रामनाथ	रामनाथ	यानि/ आदरशास्नगर
5- उल्लाक अला	नवीकरण	रामलक्ष्मन	यानि/ लखनऊ ज०
6- रामाज	रामलक्ष्मन	रामजोत	यानि/ मैलाना
7- रामाक	रामलक्ष्मन	रामजोत	यानि/ अमननगर
8- मंकिं प्रसाद	जगन्नाथ	जगन्नाथ	यानि/ मैलाना
9- रामसिंह (अ०.१०)	मंगल	मंगल	मैसाधि/ लखनऊ
10- रामसुख	रामन नराजन	रामन नराजन	यानि/ मैलाना
11- रामभूर्ज	दुलारे	दुलारे	स्टेमा/ मैलानी

क्रमांक

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क्रमांक -



26/8/91
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	अर्द्धश्री	अर्द्धश्री	श्री
✓ 12- गोदिंद्र प्रसाद	मिल्लदू	यानि०/ मैलना	
✓ 13- गोदिंद्रदान	स्माइल	यानि०/ बादशाहनगर	
✓ 14- रामेश्वर	रामफेवल	यानि०/ जसन्दनगर	
✓ 15- लालाराम	वंदलू	स्टेधा/ सातापुरा	
✓ 16- राम राम	देवलाल	यानि०/ ननपारा	
✓ 17- मायाराम राम	शिववर्ण	यानि०/ बादशाहनगर	
✓ 18- नवाराम	इतवारो	यानि०/ लोभपुरा	
✓ 19- रामेश्वर	कृपाल	यानि०/ लज्जनज ज०	
✓ 20- दंशधर	दृष्टनाथ	यानि०/ ननपारा	
✓ 21- देवलाल	रामपारे	ध०प्र०/ गोडा	
✓ 22- जावनलाल	रामरायन	यानि०/ ननपारा	
✓ 23- वरवार	देवकला	मैसाधि/ लज्जनज	
✓ 24- पृथ्वीपंडि	लल्लू राम	यानि०/ लज्जनज ज०	
✓ 25- शनि० प्रसाद लाल	वकि लाल	स्टेधा/ मैलना	
✓ 26- लक्ष्मीशरण मद्दृष्ट	रामराज मद्दृष्ट	यानि०/ गोदापुरा	
✓ 27- लक्ष्मीराम	अल्लाहवार्स	मु०यामा०/ गोडा	
✓ 28- लोराम	स्वराम	ध०प्र०/ गोडा	
✓ 29- दानसाथ	रामदास	यानि०/ ननपारा	
✓ 30- उन्नामात्त	लक्ष्मीप्रसाद	यानि०/ सातापुरा	
✓ 31- रामजीतार	जंगनू	मैसाधि/ लज्जनज	
✓ 32- रामाम	भगदती	यानि०/ सतापुरा	
✓ 33- नन्दुक	वामते प्रसाद	मैसाधि/ लज्जनज	
✓ 34- गोदुलेन	मी० अला	यानि०/ लोभपुरा	
✓ 35- अनिका प्रसाद	प०मेश्वरा	यानि०/ ननपारा	



क्रमाः -

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रुद्रश्री	सर्वश्री	
✓36- लगदोश प्रपद	पुराणोत्तम	यानि०/ अनन्दनगर
37- श्यामा यादव	रामहग्रह यादव	स्टेधा/ लैन्जू
✓38- खेत्र जला	अलोचिर	मु०यामा०/ गोप्ता
39- रामगुलाम	रामेश्वर	स्टेधा/ लैन्जू ज०
40- राजमांडि	राजनराधन पाठि	यानि०/ गोरखपुर
✓41- रामपाल शुक्ला	भारान शुक्ला	यानि०/ लैन्जू ज०
42- निंदलेन्द्रनारायण शुक्ला	रामकिशोर शुक्ला	यानि०/ लैन्जू ज०
✓43- शिवपूजन	किशन	यानि०/ गोरखपुर
44- गुरी शंकर	रामसुश	मु०यामा०/ गोप्ता
45- अ०म० अला	मौ० अला	यानि०/ सातापुर
46- लालमन (अद०५०)	चौधी	स्टेधा/ गोरखपुर
47- उगदधा प्रसाद पाठक	रामराज पाठक	मु०यामा०/ गोप्ता
✓48- रामकुवारी	देना शाहब	यानि०/ ननपारा
49- जगप्रसाद	दुद्धु लाल	यानि०/ लैन्जूमपुर
50- हुन्दर लाल	लभम	यानि०/ लैन्जू
51- वेदनराधन	विलोकानध	मु०यामा०/ गोप्ता
52- पूजनमीला	सुरजवला	यानि०/ मनकापुर
53- गया प्रसाद	रधुवर दयाल	यानि०/ लैन्जूमपुर
54- विजयनराधन	हरद्रवार	यानि०/ अनन्दनगर
55- रैशा बन्द्र	रामलोत्न	यानि०/ लैन्जू ज०
✓56- लाशिम जला	रहमत	यानि०/ बादशाहनगर
57- कर्मराज	कोदई	स्टेधा/ गोरखपुर
58- रामेन्द्र प्रसाद	शिव कैलाश	स्टेधा/ लैन्जू ज०



क्र. नं० -

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	सर्वश्रो	सर्वश्रो	
59-	रामशब्द	निवृ	यानि०/ गोरखपुर
60-	अद्विता प्रसाद	राम निरञ्जन	यानि०/ बादशाहनगर
61-	राधेश्याम	रामधीरज	दो०प्र०/ गोप्ता
62-	रामचंद्र	तैजू	यानि०/ माकापुर
63-	रामकेश सरेता	महेश प्रसाद सरेता	यानि०/ मेलानी
64-	रामगोप्ति	आ०आ०आ०पाप्ते	यानि०/ लधीमपुर
✓65-	नरेश अहमद	कादिर अहमद	स्टेधा/ गोरखपुर
✓66-	चान्द्रिका प्रसाद	माला प्रसाद	यानि०/ नमपारा
67-	जगदार्थ प्रसाद	काशा प्रसाद	दो०प्र०/ गोप्ता
68-	अल्लामा स	मुस्लिम	यानि०/ गोप्ता
✓69-	रामवसि निला	नारायणदत्त मिश्र	स्टेधा/ बढ़ना
70-	प्रेमाध	राजाराम	स्टेधा/ लधनऊ
71-	रामेश कन्द्र	जग्न	स्टेधा/ गोरखपुर
72-	राजमुमार	जोखु लाल	स्टेधा/ गोरखपुर
✓73-	रजिन प्रसाद	सुखदेव प्रसाद	यानि०/ मेलानी
74-	कृष्ण हुमार	कृष्ण दयाल	यानि०/ लधनऊ ज०
✓75-	सच्चिदानन्द	दुर्गा प्रसाद	यानि०/ माकापुर
76-	शिवपूजन	राजाराम	स्टेधा/ लधनऊ
✓77-	रहीमकुस	वला मोहम्मद	यानि०/ सातापुरा
78-	रामप्रेमराम	विश्वनाथ	यानि०/ लधनऊ
79-	विश्वनाथ	जलधारा यादव	यानि०/ लधनऊ ज०
80-	रामरेश	राजवरन	मैसिंग/ लधनऊ
81-	समरजात		यानि०/ लधनऊ ज०

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क्रमशः -

स्वामी :-

✓ 82 रामजोव
 83 रामदान
 84 सीमर्ह
 85 दमलेश दुमार
 86 राजेन्द्र
 87 मोठ अजोज
 ✓ 88 राम विशोर
 89 दोन
 90 श्रीपल
 ✓ 91 हनुमत
 92 रामनारेत
 93 जयसिंह
 94 जर्सोदा मिश्र
 95 विशिष्ट तिवारी
 96 रामराज
 97 रामेश्वर दुश्माना
 98 शिव दुमार
 ✓ 99 रामजोत
 ✓ 100 जगद्मंडा प्रसाद
 ✓ 101 वंदिलाल
 102 मेवा
 ✓ 103 रामचन्द्रपौर्जोजाति)
 104 दुलारा

सर्वाती :-

दुलारी देखो/ल०ज०
 रामअचल यानि/मनवपुर
 छुम्हाज देखो/ल०ज०
 सस० सस०लाल वर्मा यानि/ल०ज०
 सत्तन देखो/गोरखपुर
 मोठ छलोल यानि/मनवपुर
 श्री वृष्णि देखो/सौपौर
 जविद वद्धा देखो/गोरखपुर
 श्यामलाल यानि/ल०ज०
 राम सागर यानि/ननपारा
 सुन्दरलाल यानि/सौतपुर
 वृजपाल सिंह यानि/ल०ज०
 वडोनरायन देखो/गोरखपुर
 विनो मध्यत देखो/गोरखपुर
 राम लाल यानि/ननपारा
 स्व०मिठू यानि/ल०ज०
 वेच्छलाल यानि/ल०ज०
 छ जांचो देखो/गोरखपुर
 म ताल्बदल र देखो/गोरखपुर
 दूधू नाथ र देखो/गोरखपुर
 पाराणो देखो/गोरखपुर
 रामलौट यानि/ननपारा
 श्रीराम यानि/असन्दनगढ़

इमर०-६

कृपाकृपा
 101/1



कृपाकृपा

संक्षीप्त :-

105. मातमेन (अनु० जाति)

106. हराक्षार प्रसाद

107. दृष्टि प्रसाद

108. पट्टनदीन

109. सुन्दर लाल

110. राम वृपल

111. वन्देयलाल (अनु० जाति)

112. वृजलल (अनु० जाति)

113. राम नाथ (अनु० जाति)

114. रक्षाराम (अनु० जाति)

115. जगदम्बा प्रसाद (अनु० जाति) मनोहर लाल

116. दुर्गप्रिसाद (अनु० जाति) सुशाराज

117. राम लंचल (अनु० जाति) जगदेव

118. मुरारो लाल (अनु० जाति) शिवदूर्ति

119. श्यम नरायन (अनु० जाति) अक्ष छिहारो

120. धनोराम (अनु० जाति) हरोलाल

121. भृशस्त्री भगवतो प्रसाद (अनु० जाति) नगर्ह

वैवल सद सौ लक्ष्मी स नाम ।

संक्षीप्त :-

सुशाराम

दुर्गप्रिसाद

राम उग्रह

श्यम लाल

राम प्रसाद

वृद्धाराम

सत्त्वेषो

नंगु

नंगु

राम जोत

सुशाराज

जगदेव

शिवदूर्ति

अक्ष छिहारो

हरोलाल

नगर्ह

यानि/नामपारा

ष्टो ० प्र०/गोप्ता

स्टेधो/गोप्ता

यानि/मन दमुरा

यानि/लज्जामुरा

यानि/गोराजमुरा

स्टेधो/मैलक्ष्मी

यानि/ननपारा

स्टेधो/ननपारा

मु० या०म००/गोप्ता

यानि/ननपारा

स्टेधो/ननपारा

यानि/ल०ज०

यानि/गोराजमुरा

स्टेधो/गोराजमुरा

स्टेधो/सोतामुरा

मु०या०म००/गोप्ता

कृते मण्डल रैल प्रबन्धक (वार्षिक)
लज्जामुरा

दृमरा — 7



१२.०१.१९४०

સુદી/૧૧/૨૨૭/ખાનિં/૫૧૮૦/૫૧ (૭)

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50 10/12/91

प्रतिलिपि रचनार्थ प्रेषित : -

- 1- विद्युत विभाग (वार्षिक) गोरखपुर की सचिवार्थ
- 2- प्राप्तिकां / लखनऊ, दिल्ली, पुरी / गोरखपुर, अद्वैत / गोरखपुर।
- 3- विद्युत प्रदाता प्रबन्धारा / लखनऊ मुख्य समिति टॉ. अनोड़।
- 4- विधी / कैठा (पाठी) के चिकित्सा परीक्षा लौट दूसरा औपचारिकतये पूरा करेगे।
- 5- लखनऊ मुख्य समिति / प. 07120406880 / लखनऊ मुख्य
- 6- नोटर वीडी
- 7- समर्पित स्टेटीटीमा (जल्दी) मार्गदर्शक।

प्राचीन भाषा

ଅନୁଷ୍ଠାନ

Parsons, John



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

(CERCUIT BENCH) LUCKNOW

Misc. Application No. 11 of 1989 (L)

AII
142

IN

Application No.222/88(L)

MAHESH PRASAD & OTHERS

..... Applicants

Vs.

Union of India & Other

..... Respondents

APPLICATION UNDER RULE 4(5)(a) OF THE CENTRAL ADMINISTRATIVE
TRIBUNAL (PROCEDURE) RULES 1987

It is respectfully submitted as under :-

1. That the applicants are poor substitutes holding class IV Posts in the Trafic Department of North Eastern Railway, Lucknow Division, Lucknow and are aggrieved against the common order dated 6.10.88 cancelling the screening proceedings in which all the applicants appeared on 18.1.88, 19.1.88 and 20.1.88.
2. That the aforesaid order dated 6.10.88 impugned in the application and filed as Annexure No. A-I commonly affects adversely to ~~the~~ all the applicants and gives common cause of action to all applicants.
3. That similarly Annexure No. A-9 impugned in the application so far as it relates to the applicants, also adversely affects to all the applicants and gives common cause of action.
4. That all the applicants have a common interest and the nature of relief prayed for is also common.
5. That all the applicants are extremely poor and are unable to contest the cases separately.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to permit the applicants to join together and file a single application

मुद्रित

based on common cause of action have common interest in the nature of relief prayed for.

Lucknow.

Dated : 25.1.89

9
महेश प्रसाद
Applicant

VERIFICATION

I, Mahesh Prasad, S/O Shri Jagan Nath, aged about 30 years, working as substitute under Traffic Inspector, N.E. Railway, Nanpara Distt. Behraich, Resident of Nanpara, do hereby verify that the contents of para 1 to 5 are true on legal advice and that 2 have not suppressed any material fact.

Lucknow.

Dated : 25.1.89

Signature of the applicant

9
महेश प्रसाद

Signature of the Advocate

Deewan Chawla

Registered

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD
CIRCUIT BENCH, GANDHI BHAWAN
LUCKNOW

No.CAT/CB/LKO/ 63 Dated : 11/11/11

Registration No. 100 of 1934

Applicant

Versus

Respondent's

To

④ No. 6 of the series is a copy of the
28th of the 18th century, and
is the only one of the series that
is not a copy of the 18th century.

Please take notice that the applicant above named has presented an application a copy whereof is enclosed herewith which has been registered in this Tribunal and the Tribunal has fixed 28 day of July 1938 for

If no, appearance is made on your behalf, your pleader or by some one duly authorised to Act and plead on your in the said application, it will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal
this _____ day of _____ 1993.

For DEPUTY REGISTRAR

dinesh/

145
VAKALATNAMA

Before Central Administrative Tribunal / Lucknow Bench
In the Court of Reg.

Reg. No. 222 of 1988

..... Mahesh Prasad and others A. applicants

Versus

..... Union of India and others

Adv. Anirudh Mittal DRM, R.K. Singh ADM., K.R. Ahirwar AOS(G)
and S.R. Mishra ADO, N.E. Railway Add. Manager Lucknow

do hereby appoint and authorise Shri A. N. Verma R. railway Advocate

Railway Advocate to appear, act apply and prosecute the above described Writ/Civil Revision/Case/Suit/Application/Appeal on my/our behalf, to file and take back documents, to accept processes of the Court, to deposit moneys and generally to represent myself/ourselves in the above proceeding and to do all things incidental to such appearing, acting, applying, pleading and prosecuting for myself/ourselves.

We hereby agree to ratify all acts done by the aforesaid Shri A. N. Verma

Railway Advocate, Lucknow

..... in pursuance of this authority.

IN WITNESS WHERE OF these presents are duly executed by me/us this.....

..... day of 1988

(K.R. Ahirwar)
Assistant Manager (c)
N.E. Regt Lucknow

(S.R. Mishra)

NER-84850400-8000-4784
पूर्णिमा रेलवे, काशीनगर

..... (Anirudh Mittal)
Hon. K. R. Ahirwar
Divisional Railway Manager
N.E. Railway Lucknow

..... (R.K. Singh)
Add. Divisional Railway Manager
N.E. Railway, Lucknow

VAKALATNAMA

Registration No 222 of 1988 (L)

Before
in the Court of

THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD
CIRCUIT BENCH GANDHI BHAWAN, LUCKNOW

Plaintiff Maheesh Prasad and others
Defendant

Claimant
Appellant

Versus

Defendant Union of India and others
Plaintiff

Petitioner
Respondent

The President of India do hereby appoint and authorise Shri... A. N. Verma.....

Railway Advocate, Lucknow.....

.....to appear, act, apply, plead in and prosecute the above described suit/appeal/proceeding on behalf of the Union of India to file and take back documents, to accept processes of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys and generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying, Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceeding against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute therein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate or Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agree to ratify all acts done by the aforesaid Shri... A. N. Verma...

Railway Advocate, Lucknow.....
in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this theday of.....198.....

Dated 198.....

NER-84850400-8000-4784

(C. K. K. Dhusa)
Designation of the Executive Officer

On behalf of Union of India

रेलवे मंत्रालय कार्यालय कामकारी,

पूर्वोत्तर रेलवे, सख्तनग

Sr. Divisional Personnel Officer
N. E. Railways, Lucknow

Accepted
Sohm

VAKALATNAMA

Central Administrative Tribunal, Circuit Bench,
Lucknow

Before

in the Court of

Regn. No. 222/1988.

Plaintiff	Mahesh Pd. & ors.	Claimant
Defendant		Appellant
<i>Versus</i>		
Defendant	Union of India and Ors.	Petitioner
Plaintiff		Respondent

The President of India do hereby appoint and authorise Shri **A.N.Verma, Railway Adv.**
Lucknow.....

.....to appear, act, apply, plead in and prosecute the above described suit/appeal/proceeding on behalf of the Union of India to file and take back documents, to accept process of the Court, to appoint and instruct Counsel, Advocate or Pleader, to withdraw and deposit moneys generally to represent the Union of India in the above described suit/appeal/proceedings and to do all things incidental to such appearing, acting, applying, Pleading and prosecuting for the Union of India SUBJECT NEVERTHELESS to the condition that unless express authority in that behalf has previously been obtained from the appropriate Officer of the Government of India, the said Counsel/Advocate/pleader or any Counsel, Advocate or Pleader appointed by him shall not withdraw or withdraw from or abandon wholly or partly the suit/appeal/claim/defence/proceeding against all or any defendants/respondents/appellant/plaintiff/opposite parties or enter into any agreement, settlement, or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted or refer all or any matter or matters arising or in dispute herein to arbitration PROVIDED THAT in exceptional circumstances when there is not sufficient time to consult such appropriate Officer of the Government of India and an omission to settle or compromise would be definitely prejudicial to the interest of the Government of India and said Pleader/Advocate or Counsel may enter into any agreement, settlement or compromise whereby the suit/appeal/proceeding is/are wholly or partly adjusted and in every such case the said Counsel/Advocate/Pleader shall record and communicate forthwith to the said officer the special reasons for entering into the agreement, settlement or compromise.

The President hereby agree to ratify all acts done by the aforesaid Shri **A.N.Verma, Railway Adv.**
Lucknow.....

in pursuance of this authority.

IN WITNESS WHEREOF these presents are duly executed for and on behalf of the President of India this the day of **Feb.** 1989.

Dated 198

NER-84850400-8000-4784

*Accepted
Advo/Adv
Advocate*

Designation of the Executive Officer,

(A. Tete)

Dy. Chief Personnel Officer (Gaz.),
North Eastern Railway,
Gorakhpur.

for Union of India.