

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, Lucknow BENCHOA/TA/RA/CP/MA/PT 222/88 of 20.....Mahesh Prasad Applicant(S)

Versus

U.C.I. Pvt. Respondent(S)

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Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

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destroyed

28/9/12

सेवा में

श्रीमान डिप्टी सी.डी.ओ.

केन्द्रीय प्रशासनिक आवेदन

लखनऊ

Central Administrative Tribunal
Lucknow Bench

Date of Filing 18.4.96

Date of Receipt by Post

महोदय

निवेदन है कि प्रार्थी का वाद सं० 222/88
महेश प्रसाद वगैरह माहल सरकार व अन्य। जिसका
जिसका दिनांक 5-4-95 को हा गया है कि प्रमाणित
प्रती अपने मुकदमा सं० 69/94 में प्रयोग हेतु
चाहिए। जिसके लिए मैं 10/सं का पोस्टल ऑर्डर
संलग्न कर रहा हूँ। सं० 646174707

अतः श्री मान जीसे निवेदन है कि कृपया
उपरोक्त वाद के प्रारंभ की कॉपी दिलाने की
कृपा करें।

18.04.96
दिनांक
18/4/96

23.4.96

प्रकाश
अवकाश
20/4/96

copy prepared
signed

प्रार्थी

26/4/96
कला मुराली डूबे
महेश प्रसाद वगैरह माहल सरकार व अन्य।

लखनऊ
पुणेकर रंजित

GA 222/00(1)

12/09

OR

Notices issued to the respondents through Regd. Post fixing 22.2.00 in main petition as well as on interim prayer.

11/12

17/4/09

OR

Notices has been issued to the respondents through Regd. Post.

No undelivered Regd. cover have been returned back.

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

Submitted for order.

17/4/09

22/2/09

For D. S. Mishra, Am.

Sri R. C. Saxena for the applicant is present.

Vakalatnama 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

Am.

10/02

23/2/09

For D. S. Mishra, Am.

For S. Sharma, Am.

Sri 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 within a week. Put up

29

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH AT LUCKNOW.

O.A./T.A. No. 222 1980(L)

Maresh Pd

Applicant(s)

Versus

U.O. 200

Respondent(s)

Sr. No.	Date	Orders
7.3.09	OR	No reply have so far been received in this office from the respondents.
8/3/09		<p>Non. Justice Kamleshwar Nath V.C. Non. Ajay Joshi, Am</p> <p>Shri A. N. Verma 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 week's time to file rejoinders. List for orders on 16-3-89 and by which date rejoinders may be filed.</p> <p>Am. V.C.</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION No. 222 of 1988/5

Mahesh Ch

APPELLANT
APPLICANT

VERSUS

U.O.L

DEFENDANT
RESPONDENT

Serial number 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. Vama, 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 have 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 <u>final hearing on 13-7-1989.</u></p> <p><u>A.M.</u> <u>J.M.</u></p> <p>(sns)</p>	<p>OR</p> <p>In compliance of Court's order dt. 8/5/89, no reply filed by learned counsel for the respondents. Submitted.</p> <p>OR</p> <p>No reply filed so far as respondents. Submitted for orders.</p>

22/100(4)

2/4

27 x 08 No Silling. Adv to S-190
Council for applicant is present

h
Boc

OR
No Main
secondary filed
Submitted
for hearing

90 Case not reached. Adv to B-390

h
S-1-50

h
4/1/51

B-3-90

No Silling. Adv to B-390
30.5-90 to hearing

h
Boc

OR

No Main R.A.
has been filed
S.P.H.

30.5-90

How to Mr P.C. Jain A.M.
How to Mr J.P. Sharma J.M.

h
5/1/51

Learned Counsel for the respondent has
stated to have gone out of India
due to sudden illness of the relations.
Mr R.C. Saxena Counsel for the applicant
does not oppose adjournment. It
may be listed on 5-7-90

h

h
Jain

Can

29.1.91 - No sitting Adj to 27.3.91.

27.3.91 No sitting Adj to 22.5.91
J

23.5.91 No sitting Adj to 7.8.91
J

7.8.91 No sitting Adj to 15.10.91
J

15.10.91 No sitting Adj to 18.12.91
J

18.12.91 No sitting Adj to 6.3.92
J

6.3.92 Due to Strike @ Advocates
Case n adjourn to 30.4.92
J
Proc

30.4.92 No sitting Case w. reason
adjourn to 21.5.92
J
Proc

21.5.92 Hcnl. Mr Justice Bristow &
Hcnl. Mr L. O'Byrne Am

On the request of Both
parties Counsel Case n adjourn
to 22.7.92 for hearing

2

J
Am

✓
K

main RA
Jace
S.F.H
J
S.S.92

82
Submitted
to court
J
9.4

30.3.93

Hon. Mr. Duttia C. Srivastava, VC
Hon. Mr. K. Chatterjee, AM

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

Dr.

VC

men

13.5.93

No filing of D.M. of
13.7.93

OK
CA 222/88
Dr.
10/9/93

30.7.93

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

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

(g.s.)

A.M.

OK
CA 222/88
Dr.
20/9/93

13.9.93

No filing of D.M. of
13.10.93

men

OK
CA 222/88
Supplementary
affidavit filed
by Mr.
Dr.
14/9/93

13.10.93

No filing of D.M. of

men

15/2/95

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

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

Heard Shri R. C. Saxena, learned
counsel for the applicant. Learned
counsel for the respondent 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 ^{12%}

19-9-94

Hon Mr V-K Seth, AM
Hon Mr D-C Verma, JM

OK

As per direction of
Hon vs. this case is
submitted before Hon
Court on 19-9-94 for
fit

None for the parties
list on 30-9-94 for
hearing

OK
30/9

JS
JM

W.K.
AM

JS

30-9-94

Hon Mr Justice B.C. Saxena &
Hon Mr V.K. Seth, AM

On the request of Counsel
for applicants as per no
17-11-94

W.K.
AM

Boh
W

17/11/94

Hon Mr V.K. Seth, AM
Hon Mr D.C. Verma, JM

for applicants: Sh. R.C. Saxena
for respondents: none

List on 20/12/94 for
hearing.

JS
JM

W.K.
AM

OK
Pleadings are complete
2/11/95

JS

5/1/95

20-12-94

No sitting of D.B. Adj. to
5-1-95 for hearing

Boh

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW

....

Original Application No. 222 of 1988

this the 5th 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 Jagonnath
under Traffic 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 s-creening 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 is an order dated 6.10.1988 cancelling the s-creening 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 directions to the respondents to declare the result of the s-creening proceedings held on 18.1.1988, 19.1.1988 & 20.1.1988 and absorb 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 1988.

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 application.

4. The case of the applicants is that they have acquired temporary status ^{after making working} 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 verification of number of ^{working} 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 Subordinates. 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

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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 affidavits 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 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.

u.s.
8. As regards the relief for quashing the order dated 3.3.1987 which mentions about the doubtful

bonafide of the applicants, the conspectus of the case makes its ~~amply~~ ^{not} clear that the applicants were ^{not} associated with any inquiry before the ^{certificates} ~~certificates~~ were declared as fake and fictitious. The principles of natural justice clearly require that the applicants should be given an opportunity to prove their bonafide before any adverse view ^{is} taken in the matter. We, therefore, order that the respondent No. 4 i.e. D.R.M. shall arrange to get the certificates submitted by the applicants 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.

MEMBER (A)

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

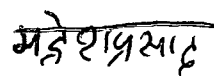
....

Respondents.

I N D E X

Sl. No.	Description of Documents relied upon	Page No.
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1.	APPLICATION	1 - 33
2.	<u>Annexure No. A-1</u> Order dated 6.10.88 canceling the screening proceedings.	34
3.	<u>Annexure No. A-2</u> Chart giving service particulars of the applications.	35 - 37
4.	<u>Annexure No. A-3</u> Circular dated 29.6.81 containing conditions of service of casual labour.	38 - 54
5.	<u>Annexure No. A-4</u> Rules regarding screening issued by G.M. (P) on 15.9.1979.	55 - 61
6.	<u>Annexure No. A-5</u> Letter dated 22.3.1984 regarding screening.	62 - 64
7.	<u>Annexure No. A-6</u> Letter dated 30.9.1985 regarding date of screening.	65 - 67
8.	<u>Annexure No. A-7</u> Letter dated 30.12.1985 fixing dates of screening.	68 - 69
9.	<u>Annexure No. A-8</u> List of selected candidates dated 11.7.1986.	70 - 78

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10.	<u>Annexure No. A-9</u> Order dated 03.3.87 for not utilizing the applicants further.	79 - 86
11.	<u>Annexure No. A-10</u> Order dated 13.2.87 for not utilizing the candidates of commercial Depart- ment.	87 - 89
12.	<u>Annexure No. A-11</u> Order dated 8.9.87 modifying order dated 13.2.88 regarding only 12 persons.	90 - 91
13.	<u>Annexure No. A-12</u> Letter dated 20.8.87 for screening	92 - 93
14.	<u>Annexure No. A-13</u> Order dated 28.12.1987 fixing dates of screening.	94 - 95
15.	VAKALATNAMA.	96.


 Signature of the
 Applicant.

For use in Tribunals Office.

Date of filing


OR

Date of receipt by post.

Registration No.

Signature
 For Registrar

Filed today
Noted for Submission
on 24.1.88


 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 Jagonnath, under Traffic 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 Lalta Prasad Misra, under Traffic Inspector, N.E. Railway, Aishbagh, Lucknow.
4. Mansoor Ali, aged about 32 years, son of Sri Ali Sheekh, under Traffic Inspector, N.E. Railway, Gonda.
5. Ram Naresh Yadav, aged about 31 years, son of Sri Ram Nath, under Traffic Inspector, N.E. Railway, Aishbagh, Lucknow.
6. Banwari Lal, aged about 32 years, son of Sri Itwari Lal, under Traffic 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 Traffic 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 Traffic Inspector, N.E. Railway, Mailani.
13. Ran Anjor, aged about 31 years, S/O Sri Nohari,

५३११२१६

- under Traffic Inspector, N.E. Railway, Mailani.
14. Bhagwati Prasad, aged about 32 years, S/O Sri Sampet, under Traffic Inspector, N.E. Railway, Sitapur.
 15. Ram Chander, aged about 34 years, S/O Sri Ram Kewal, under Traffic 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 Traffic Inspector, N.E. Railway, Mailani.
 19. Ram Raj, aged about 26 years, S/O Sri Ram Lakhan, under Traffic Inspector, N.E. Railway, Mailani.
 20. Vijai Bahadur Singh, aged about 30 years, S/O Sri Ram Raj Singh, under Traffic 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 Traffic Inspector, N.E. Railway, Nanpara.
 24. Raksha Ram, aged about 30 years, S/O Sri Chhada Lal, under Traffic Inspector, N.E. Railway, Gonda.
 25. Murlidhar, aged about 29 years, S/O Sri Dudh Nath, under Traffic Inspector, N.E. Railway, Mailani.
 26. Jewan Lal, aged about 32 years, S/O Sri Raj Narain, under Traffic Inspector, N.E. Railway, Nanpara.
 27. Shivkant Tripathi, aged about 38 years, S/O Sri Chandra Bhushan Tripathi, under Traffic Inspector, N.E. Railway, Mailani.
 28. Sankata Perasad, aged about 29 years, S/O Sri Lahuri, under Traffic Inspector, N.E. Railway, Mailani.

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... 3 ...

29. Govind Prasad, aged about 31 years, S/O Sri Malhoo, under Traffic Inspector, N.E. Railway, Mailani.
30. Jang Bahadur, aged about 29 years, S/O Sri ~~XX~~ 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 Traffic Inspector, Sitapur.
32. Ram Briksha, aged about 36 years, S/O Sri Chotai, under Traffic Inspector, N.E. Railway, Anand Nager.
33. Ram Bahadur Singh, aged about 32 years, S/O Sri Rudrapal Singh, under Traffic Inspector, N.E. Railway, Gonda.
34. Sobha Ram, aged about 32 years, S/O Sri Ram Singh under Traffic Inspector, N.E. Railway, Mailani.
35. Daya Shanker Verma, aged about 31 years, S/O Sri Ram Dularay Verma, under Traffic 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 Traffic 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 Traffic Inspector, N.E. Railway, Gonda.
40. Deena Nath, aged about 36 years, S/O Sri Ram Dass, under Traffic Inspector, N.E. Railway, Mailani.
41. Jagdish Prasad, aged about 31 years, S/O Sri Purshotam, under Traffic Inspector, NE. Railway, Anand Nager.
42. Maya Ram Giri, aged about 30 years, S/O Sri Shiv Baran Giri, under Traffic Inspector, N.E. Railway, Aishbagh.
43. Ram Jiv, aged about 44 years, S/O Sri Ram Durarey, under Station Superintendent, N.E. Railway,

महाराष्ट्र

Lucknow Jn.

44. Ram Pyare Yadav, aged about 36 years, S/O Sri Chhotey Lal Yadav, under Traffic Inspector, N.E. Railway, Sitapur.
45. Ram Lakhan, aged about 27 years S/O Sri Ram Dularey, under Traffic Inspector, N.E. Railway, Mailani.
46. Dwarika Prasad, aged about 29 years, S/O Sri Musai, under Traffic Inspector, N.E. Railway, Mailani.
47. Ram Deen, aged about 28 years, S/O Sri Ghirao, under Traffic Inspector, N.E. Railway, Mailani.
48. Shiv Pujan, aged about 33 years, S/O Sri Kishan, under Traffic 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 Traffic 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 Traffic Inspector, N.E. Railway, Anand Nagar.
53. Inder Pal, aged about 30 years, S/O Sri Ram Lallan, under Traffic 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 Traffic Inspector, N.E. Railway, Mailani.
56. Raj Karan, aged about 28 years, S/O Sri Pitai, under Traffic Inspector, N.E. Railway, Mailani.
57. Balekhware Prasad, aged about 28 years, S/O Sri Chinni Prasad, under Traffic Inspector, N.E. Railway, Munkapur.

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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 entry 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 entry 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 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 :-

(1) 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 penal of selected candidates for their absorption against regular posts in the Traffic Department of North Eastern Railway. A true copy of the order dated 6.10.1988 passed by respondent No. 3 is filed ~~has~~ 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, Gateman, Lampman, Pointsman and Chain conpling 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/OTPG in the Traffic 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 benefit of earning annual increment. They are ^{deprived} ~~deprived~~ with ^{the} ~~the~~ the benefits 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, ^{as} Annexure No. 2 to this application.

(IV) That it is relevant to mention here that all the applicant's ^{from the dates 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 important 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.

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(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 ^{un}~~found~~ disciplined, in-efficient or lacking the quality of hard working in their service period. They have also ~~a~~ not been subjected to disciplinary proceedings or any punishment etc. Their service record is wholly unblemished.

(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 ~~orders~~ 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 final 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} ~~referred~~ to above is filed herewith as Annexure No. A-4 to this application.

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

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 who ^{have rendered} ~~hence rendered~~ 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 in to 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, ^{it is clear that the screening is} to be held at the interval of one or two years and ~~it is absolutely 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

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 Traffic 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'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 ~~day~~ 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 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/Traffic/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 ful-fil 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 ful-fil 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 ^{with} possessing ripe experience of service against regular posts and maintained unblemished 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.

(XXVII) That thereafter the list of selected

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candidates, ignoring the applicants and other candidates, was published vide D.R.M. (P)'s letter No. E/227/Screening/Tra/Coun/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 Traffic/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 Traffic 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 ~~following~~ ^{the} 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 parlyament Mr. ~~Deep~~ ^{Bun} Narain ~~Deep~~ ^{De} 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 afore-said member of Parlyament, singlled-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 stends 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 Vigilence Officer, N.E. Railway, Gorakhpur at the instance of the applicants who examined the matter and found that the persons who were not ligible at all have been selected for extraneous considera-

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tions and the persons like applicants, senior in service, fully ligible 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 bonafide regarding number of working days was found doubtful. The Chief Vigilence Officer, Gorakhpur after enquiry regarding 8 candidates declared successful by respondents No. 5 & 6, found that out 8 selected candidates 6 were illegally declared successful and included in the penal through they were not even ligible 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.D./C.K.P as respondent No. 6 and Cheif 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 bonafide of the certificate duly issued by the concerned senior subordinate certifying the total number of days service rendered by him, is found doubtful by

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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 bonafide 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 bonafide 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 ~~A~~^B, sub-section IV (XIII) (a) (b) and (c) laying down criteria for absorption of casual labour/substitutes ~~ies~~ 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 ~~ei~~ virtue of longer service are not left out.

(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 benefits giving them seniority over their juniors who have already been absorbed in pursuance to select list contained in Annexure No. A-8.

(XXXVII) That the respondents 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 Traffic 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 Traffic 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 Suprintendent (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 boanafide and their number of days shown there in are correct.

(XXXX) That the applicants, boanafidely 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-I 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 cancelling 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 peruanee 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 involving 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 REMEDIES 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.

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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 in operative and the same may be quashed and the Hon'ble Tribunal may graceiously 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 ~~REKKE~~ 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 afore-said 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 bonafide 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 unblemished 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 fulfil 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 fulfil 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", "Vicious" "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 bonafide 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 ful-fil all requisite conditions ~~for~~ for being selected and absorbed against regular nature posts.

(X) Because the list of selected candidates

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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 bonafide 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

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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-3.

(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, nonspecking 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.

(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 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 065940
(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

~~XXX~~

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.
(V) Annexure No. A-5 Letter dated 22-3-84 30.9.85 regarding screening.
(VI) Annexure No. A-6 Letter dated 30.9.1985 regarding screening 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 12.2.1987 regarding only 12 persons.
(XII) Annexure No. A-12 Letter dated 20.8.87 for screening.

High Court

(XIII) Annexure No. A-13

Order dated 28.12.1987
fixing dates of screening

VERIFICATION

I, Mahesh Prasad, son of Sri Jagonnath
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,

समक्षा केन्द्रिय प्रशासकीय अधिकरण : सक्रिट ब्रान्चः, लखनऊ ।

प्रार्थनापत्र संख्या तब 1988 .

महेश प्रसाद तथा अन्य ----- वादी
बनाम

यूनियन आफ इंडिया तथा अन्य ----- विपक्षी गण

संलग्नक संख्या- ए-1
=====

पूर्वोत्तर रेलवे
=====

कार्यालय - आदेश
=====

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

कृते मण्डल रेल प्रबन्धक:कार्मिकः
लखनऊ ।

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


प्रतिर्लीप :-

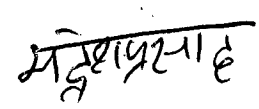
निम्नीलिख्त को सूचनाार्थ प्रेषित :-

- 1- छान-समिति के सदस्य-गण ।
- 2- प्रमपाधी/प्रमसोधा, पूउरे, लखनऊ । कृपया सम्बन्धित स्टेशन अधीक्षक, स्टेशन मास्टर एवं यातायात निरीक्षक को भी सूचित कर दें ।
- 3- कार्यालय अधीक्षक :कैडरः,मरेप्रःका: कार्यालय,लखनऊ ।

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ह/0 अपठनीय,
कृते मण्डल रेल प्रबन्धक:कार्मिकः,
लखनऊ ।


R. C. Saxena


महेश प्रसाद

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (CIRCUIT BENCH)
LUCKNOW.

R. C. Saxena
R. C. Saxena

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

Application No.

of 1988 .

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

Mahesh Prasad & Others

Applicants.

Versus.

Union of India & Others

Respondents.

ENCLOSER 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 upto 31-12-86	Under whom working
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	Lalta 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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महेश प्रसाद

U-8665 Rajaji Puram, Lucknow

1	2	3	4	5	6	7
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.	Govind Prasad	Makhan	10.8.57	9.5.80	1905	TI-MLN
28.	Shivkant Tripathi	Chandra Bhushan Tripathi	25.4.58	1.3.77	1910	TI-MLN
28.	Sankata Prasad	Lahori XXXX	16.3.59	23.12.79	1906	TI-MLN
29.	Govind Prasad	Malhoo	10.8.57	9.5.80	1905	TI-MLN
30.	Jang Bahadur	Kanhai Lal	20.1.59	16.1.79	1901	SCI-LTN
31.	Radhey Shyam	Ram Kripal	1.9.57	26.11.75	1896	TI-STP
32.	Ram Briksha	Chotai	1.8.52	8.6.76	1885	TI-ANDN
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	Chhotey Lal Yadav	12.10.52	1.4.78	1748	TI-STP

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1	2	3	4	5	6	7
45.	Ram Lakhan	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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R. C. Saxena

Advocate, High Court

B-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 Personnal 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-3665, 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.

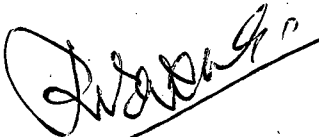
(b) The casual labour on Rlys. should be employed only in the following types of cases:-

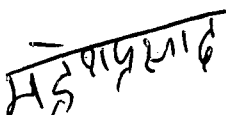
(i) Staff paid from contingencies except those retained for more than four months continuously : Such of those persons who continue to do the same work for which they were engaged or other work of the same type for more than 120 days without a break will be treated as temporary after the expiry of the 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
B-3665, Rajaji Puram, Lucknow



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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 taken 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 Depts, 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'.

Note (2) :- Once any individual acquires temporary status, after fulfilling the conditions indicated

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Advocate, High Court

2-11-63, Rajaji Puram, Lucknow.

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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.

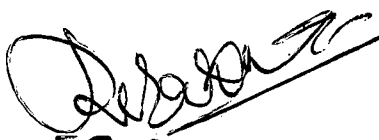
Note (3) :- Labour employed against regular vacancies whether permanent or temporary shall not be employed on casual labour terms.

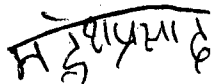
Casual labour should not be employed for work on construction of wagons and similar other work of a regular nature. Works of a regular nature cover workshops, loco sheds, train lighting establishments, carriage and wagon depots, yards and stations but exclude labour employed for loading and unloading. 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, resleepering, relaying etc.
- (b) Masonry and concrete work:
Work on buildings, bridges, quarters, platforms etc.
- (c) Steel work :
Erection of bridge girders, sheds, shelters etc.

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




- (d) Barth work :
Foundations, banks, platforms etc.
- (e) Fitting, simiphy, carpentry and such other arisen work and heppers.
- (f) All work, performed by the unskilled casual labour working under the same IOW, FWI and bridge Inspector etc. should be created 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 trollyman 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 wagoans 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 exectution 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 furture 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 authorisation not being delegated to a lower level.

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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

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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.

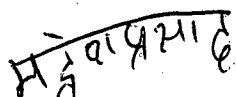
6. In order to provide documentary proof of

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R. C. Saxena

Advocate, High Court

E-3665, Rajaji Puram, Lucknow.



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 :

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R. C. Saxena

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

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 ~~of~~ 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 ~~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.

Handwritten note: 11/11/11

6.1 Loss of the card should be reported to

.. 8 ..

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:-

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Advocate, High Court
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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

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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(a) Casual labour given temporary status ~~are~~ 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.

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15/11/66

(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

.. 11 ..

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 for grant of such advances provided they furnish two surities 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 terms of Rule 753(1)-RI.

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[Signature]
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Advocate, High Court
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F. Absorption of Casual labour in regular vacancies:

(i) No outsider should be appointed to

Class IV posts which became 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.

Note:- 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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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 waterman, 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.

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(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 grades provided they have passed the requisite test to the extent of 25% of the vacanci-

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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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 ~~rail~~ 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

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.

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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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Advocate, High Court
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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.


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 in-patients (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.

55

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.

Dated: 15.9.1979

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

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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.

R. C. Saxena
Advocate, High Court
B-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, formation 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, formation of unit, formation of screening committee.

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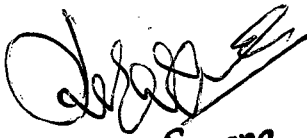
3.4 500 working days from 1.5.79 for staff employed in quasi government administration connected with Railway works:-

- (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,


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Homoeopathic dispensaries. Those quasi government organisations ~~may~~ may be attached with the unit of personal Branch of the Division/Hd. Qrs. The staff canteen attached with offices and the staff canteen attached with shops and Press may be attached with ~~the~~ 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 gazetted 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 would 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 reckoned 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

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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. Note:- (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 ~~xxxxxx~~ respect of Hd.Qr.Offices.

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(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

.. 5 ..

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.

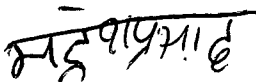
(b) The panel/screened list should be formed only to the extent of the vacancies as assessed for the current year plus anticipated vacancies of the following year.

(c) The number of candidates to be called for the screening test should be such 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 not published the results will be published upto the extent of assessed vacancies as 4(b).

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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 division/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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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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[Signature]
R. C. Saxena

Advocate, High Court 15.
B-3665, Rajaji Puram, Lucknow.

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In case of any representations or disputes the decision of DRM/DS in case of division and of ACPO 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, appitute 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 appraach has to be 'principle oriented' and not 'personal oriented'. Proper safeguard are requird 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.

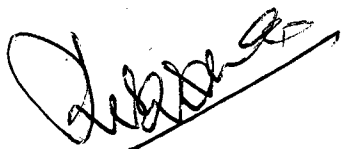
20. In need not emphasis that conduct, obedience, discipline, efficient and hard work are the qualities to be looked for. These should be continuously present for a casual labour/substitutes to be considered for employment. The screening Committee will look into these aspects before inclusion in the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

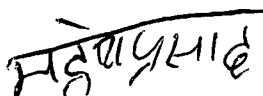
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R. C. Saxena

Advocate, High Court

7-2665, 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-5

North Eastern Railway

No. E/II/227/Screening/84

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

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

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

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

[Signature]
HS 11/21/84

It has been decided to ~~send to the~~

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 continuous in
the following proforma :-

.. 2 ..

Sl. No.	Name S/Shri	Father's name S/Shri	Caste, in case of S/C S/T, S.Wala	Date of birth	Date of first engagement
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.

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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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working days at the time of Screening.

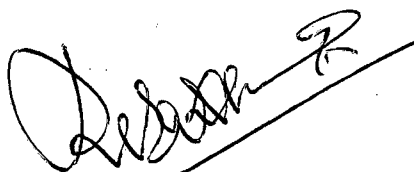
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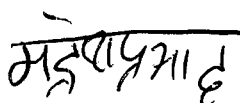
24.3.84

for Divl. Railway Manager (P)
Lucknow.

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**R. C. Saxena**

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



समस्त केन्द्रीय प्रशासनिक अधिकरण : सर्किट बेंच, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 .

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादीगण

संलग्नक संख्या - ए-6

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पूर्वोत्तर रेलवे

सं० ई/11/227/स्क्रीनिंग/84

कार्यालय
मण्डल रेल प्रबंधक कार्यालय,
लखनऊ दिनांक 30-9-85

समस्त प्रवर वार्डिज्म निरीक्षक,

समस्त यातायात निरीक्षक

स्टेशन अधीक्षक/कानपुर अनवरगंज,

लखनऊ जं०, गोण्डा, गोरखापुर, मैलानी,

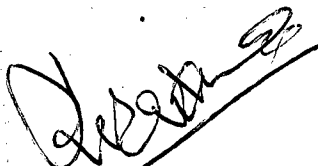
मुख्य यार्ड मास्टर/गोण्डा, गोरखपुर,

एरिया मैनेजर/गोण्डा, गोरखापुर,

सी०आर०एस०/गोण्डा ।

वार्डिज्म व परिचालन

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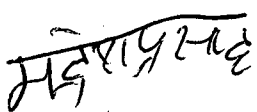
R. C. Saxena

Advocate, High Court

B-3665, Rajaji Puram, Lucknow.

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

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



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

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

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R. C. Saxena
Advocate, High Court
B-2665, Rajaji Puram, Lucknow

- 1- अन्य जाति के कैन्डीडेट = 500 दिन
 - 2- अनुसूचित जाति/अनुसूचित जनजाति = 300 दिन
 - 3- सबसीच्यूट सफाई वाला = 300 दिन
- सूची निम्न प्रोफार्मा पर बनाई जाए :-
- 1- क्रमांक
 - 2- कैजुअल लेबर/सबसीच्यूट का नाम
 - 3- पिता का नाम
 - 4- प्रवर प्रभारी जहाँ अंतिम तिथि को कार्य किया ।
 - 5- जाति अनुसूचित जाति/अनुसूचित जनजाति/सफाई वाले के मामले में प्रमाण पत्र सहित ।
 - 6- जन्मतिथि
 - 7- प्रथम नियुक्ति की तिथि
 - 8- अंतिम कार्य दिवस की तिथि
 - 9- 120 दिन को लगातार सेवा पूर्ण कर लेने की तिथि
 - 10- 31-12-84 तक कुल कार्य दिवस
 - 11- कालम 10 में दिए गए कार्य दिवसों का ब्रेकअप ।
 - 12- टिप्पणी ।

स्टेशन अधीक्षक सूची वाणिज्य और परिचालन ड्यूटी पर लगाये गये कैन्डीडेटों के लिए अलग अलग बनाएँ । इसका आधार 31-12-84 माना जाय । जो अर्थात् 31-12-84 को रोल पर नहीं थे उनका अंतिम कार्य तिथि विभाजन का आधार होगा ।

कैजुअल लेबर और सबसीच्यूट के व्यक्तिगत प्रमाण पत्रों पर कार्य दिवस का सत्यापन आपका व्यक्तिगत उत्तरदायित्व होगा ।

पात्र कैन्डीडेटों की कन्सालीडेटेड सूचियाँ ही आपके इस प्रमाण पत्र के साथ कि अब कोई पात्र ~~अन्य~~ कैन्डीडेट भेजा नहीं है इस कार्यालय को भेजी जायें ।

कैन्डीडेटों के व्यक्तिगत अलग अलग प्रार्थनापत्र मान्य नहीं होंगे ।

स्क्रीनिंग हेतु कैन्डीडेटों को बुलाये जाने की सूचना प्रवर प्रभारियों को ही दी जायेगी जो कि बुलाये जाने वाले पात्र कैन्डीडेटों को देंगे ।

समस्त कैन्डीडेटों को यह स्पष्ट कर दिया जाय कि

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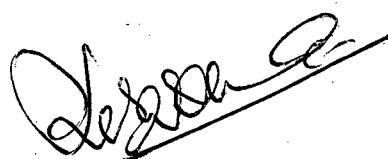
स्क्रीनिंग कमेटी द्वारा घोषित सफल कैन्डिडेटों का पैनल कार्य दिवस पर आधारित परीयता क्रम में रिक्त पदों के बराबर ही होगा ।

समस्त पात्र कैन्डिडेटों को सूचित कर दिया जाय कि उनको स्क्रीनिंग के समय कार्य दिवस के प्रमाण पत्र, जन्मतिथि के प्रमाण पत्र एवं जाति प्रमाण पत्र केवल अनुसूचित जाति/अनुसूचित जनजाति/सफाईवाले मूल रूप में स्क्रीनिंग कमेटी के समक्ष प्रस्तुत करने होंगे ।

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कृते मण्डल रेल प्रबंधक का।,
लखनऊ ।

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R. C. Saxena

Advocate, High Court

B-3663, Rajaji Puram, Lucknow.

महेश कुमार

समक्ष केन्द्रीय प्रशासनिक अधिकरण। सर्किट बेंच।, लखनऊ।

प्रार्थनापत्र संख्या

आफ 1988 .

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादीगण

संलग्नक संख्या-ए-7


पूर्वोत्तर रेलवे

सं० ई/11/227/स्क्रीनिंग परीक्षा/
यातायात/84

कार्यालय
मंडल रेल प्रबन्धक। कार्मिक।
30-12-85

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स्टेशन अधीक्षक/कानपुर अनवरगंज,
लखनऊ, गोण्डा, गोरखपुर, मैलानी,
समस्त प्रवर वार्डन/निरीक्षक/लखनऊ मण्डल
समस्त यातायात निरीक्षक/लखनऊ मण्डल।


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

विषय:- यातायात विभाग के चतुर्थ श्रेणी के पदों को भरने
के लिए आ०श्रीमक/सब्टीच्यूट की स्क्रीनिंग परीक्षा।

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यातायात विभाग के आर्किस्मक श्रीमको/सबस्टीच्यूट अभ्यर्थियों
की स्क्रीनिंग परीक्षा दिनांक 27-1-86 व 28-1-86 को गोण्डा में
सहायक सि० व द्वर सं० इंजी० कार्यालय में होना निर्दिष्ट हुई है।

अनुपस्थिति स्क्रीनिंग परीक्षा दिनांक 10-2-86 को गोण्डा
में होगी।

पात्र अभ्यर्थियों की सूची वरीयता क्रम में बाद में भेजी जायेगी
स्क्रीनिंग परीक्षा में सम्मिलित होने के लिए केवल उनको ही भोजा जाय।

यातायात निरीक्षक/सीतापुर, मैलानी, रीरिया मैनेजर गोण्डा,
क्षेत्रीय अधीक्षक/गोरखपुर स्टेशन अधीक्षक/गोरखपुर, कानपुर अनवरगंज,
प्रवर्गन/मैलानी व शौहरतगंज के अधीन कार्यरत अभ्यर्थियों को स्क्रीनिंग
परीक्षा में उसी दशा में सम्मिलित किया जायेगा जबकि वरीयता सूची
को अन्तिम 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, जन्मतिथि का प्रमाण पत्र
मूलरूप में स्क्रीनिंग कमेटी के समक्ष प्रस्तुत करना होगा।

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

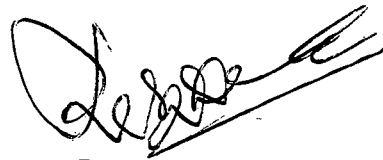
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परीक्षा नहीं होगी । आपके अधीन जो कैन्डीडेट कार्य कर रहे हैं या कार्यरत थे को तिथियों से सूचित करना आपकी व्यक्तिगत जिम्मेदारी होगी ।

कृपया इसकी पावती दें ।

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कृते मण्डल रेल प्रबन्धक कार्यालय
लखनऊ ।

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R. C. Saxena

Advocate, High Court

B-3663, Rajaji Puram, Lucknow.

महेश प्रसाद

समक्षा केन्द्रीय प्रशासनिक अधिकरण : सर्किट ब्रान्चः, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988

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महेश प्रसाद तथा अन्य

वादीगण

बनाम

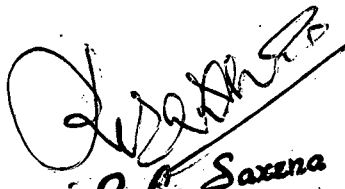
यूनियन आफ इंडिया तथा अन्य

विपक्षीगण

संलग्नक संख्या- ए-8

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पूर्वोत्तर रेलवे


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

परिचालन एवं वाणिज्य विभाग के आर्कीस्मक श्रमिक/सब्सटीट्यूट को स्क्रीनिंग परीक्षाएँ 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 वाणिज्य विभाग के आर्कीस्मक श्रमिक/सब्सटीट्यूट की स्क्रीनिंग परीक्षा जो दिनांक 27-1-86, 28-1-86, 29-1-86 को एवं 27-2-86 एवं 8-2-86 को हुई अनुपस्थिति स्क्रीनिंग परीक्षा के फलस्वरूप परिचालन एवं वाणिज्य 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 आदेशा द्वारा अनुमोदन प्राप्त है ।

इस सेलेक्ट लिस्ट से चिकित्सा परीक्षा के आधार पर परिचालन एवं वाणिज्य विभाग के लिए अलग-अलग पैनल बनाए जाने का अनुमोदन भी अमरेप्र ने दिया है । जो अभ्यर्थी चिकित्सा श्रेणी ए-2 एवं ए-3 में सफल होंगे उन्हें परिचालन विभाग के पैनल पर तथा शोषा जो बी-1, बी-2, सी-1, सी-2 में सफल होंगे उन्हें वाणिज्य विभाग के पैनल पर रखा जायेगा ।

अनुसूचित जाति के शार्टफाल को पूरा करने हेतु 120 दिन के ऊपर कार्यदिवस वाले अभ्यर्थी को भी स्क्रीनिंग किए जाने का अनुमोदन प्राप्त है, जिसे शीघ्र ही सम्पन्न किया जायेगा । अनु0 जनजाति का शार्टफाल क्लेश प्रोग्राम के तहत अन्य विभागों से और यदि आवश्यक

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R. C. Saxena

Advocate, High Court

E-3665, Rajaji Puram, Lucknow.

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हुआ तो रोजगार कार्यालय के माध्यम से पूरा किया जावेगा ।

सामान्य अभ्यर्थी

क्र०सं०	नाम	पिता का नाम	कार्यस्थान	जन्मतिथि	कार्य दिवस
					: 31-12 84: तक
1-	गणेश	रामजस	स्टे०अधी०/गोरखपुर	1-7-56	2700
2-	प्रभुनाथ	जगदीश प्रसाद	..	25-2-55	2228
3-	अमीर	नूर मोहम्मद	या०न/आनन्दनगर	31-12-57	2189
4-	व्यास चन्द्र पाण्डे	शेषमणि पाण्डेय	..	17-9-57	2128
5-	फूलदेव	खजान्ची	स्टे०अधी०/गो०पुर	10-11-55	2080
6-	सुकेश कुमार तिवारी	हर्षनाथ तिवारी	या०न/ऐशबाग	15-3-60	2077
7-	कमलेश कुमार श्रीवा०	विजयबहादुर श्री०	स्टे०अधी०/ल०	17-1-57	2068
8-	रामवृक्ष यादव	बंशराज	.. /गोरखपुर	2-2-55	2002
9-	विदया प्रसाद	रजई यादव	..	20-8-56	1945
10-	विक्रम-11	अवधू	स्टे०अधी०/गो०पुर	20-8-51	1909
11-	अवतार	अब्दुल करीम	.. /ल०जं०	8-10-50	1890
12-	गिरीश लाल	यदुपति	..	1-4-61	1887
13-	मो० सगीर	मो० युसुफ	या०न/ऐशबाग	8-2-51	1863
14-	सलीमुल्लाह	सफीउल्लाह	प्रवा०न/शोहरतगढ़	12-11-54	1856
15-	मो० यासीन	गुल मोहम्मद	स्टे०अधी०/ल०जं०	20-10-58	1844
16-	विश्वनाथ	बिहारी लाल	या०न/सीतापुर	18-5-57	1840
17-	शरीफ अहमद	हमीद अहमद	..	18-6-57	1821
18-	मो० हनीफ	मो० ईसा	स्टे०अधी०/ल०जं०	8-10-55	1818
19-	सतीश चन्द्र मिश्रा	चन्द्रसेन मिश्रा	.. गोरखपुर	1-1-57	1817
20-	कमलेश कुमार वर्मा	यक्षपाल	.. /ल०जं०	10-1-58	1800
21-	विजय कुमार गुप्ता	पट्ट	प्रवा०न/गोरखपुर	1-7-60	1785
22-	भगवान बक्श सिंह	मुन्ना सिंह	.. /बहराइच	20-2-53	1780
23-	परदेशी	बुधोराम	.. /शोहरतगढ़	4-5-58	1778
24-	मो० लड्डन	मो० यासीन	या०न/ऐशबाग	15-6-58	1772
25-	रामरक्षा	सुखदेव	प्रवा०न/गोरखपुर	3-12-57	1750

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[Signature]

[Signature]

R. C. Saxena

Advocate, High Court

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E-3663, Rajaji Puram, Lucknow.

26-	श्रीधर	लक्ष्मीशंकर	स्टे0अधी0/ल0जं0	1-7-56	1734
27-	ओंकारनाथ पाण्डे	जगनरायन	प्रवाीन/सीतापुर	1-1-52	1729
28-	श्रीत प्रसाद मिस्त्री गुप्ता		स्टे0अधी0/गोण्डा	15-2-56	1727
29-	ओमप्रकाश मिश्रा	रामप्यारे	प्रवाीन/सीतापुर	30-10-55	1725
30-	बाबुराम	बंशू	..	31-12-56	1723
31-	समीउल्ला	कल्लू	.. /रेशबाग	12-1-58	1717
32-	शिवसरन त्रिपाठी	गोमती प्रसाद तिवारी	.. /मैलानी	8-1-57	1710
33-	रामसूरत	भगौती	याीन/आनन्दनगर	10-2-56	1705
34-	रामचेल पाल	सुमेर चन्द्र	.. /मैलानी	1-7-53	1699
35-	हरिशंकर	असरफी लाल	प्रवाीन/मैलानी	6-10-49	1672
36-	चिन्ताराम	मुन्ना लाल	याीन/नानपारा	1-12-56	1670
37-	हरीशचन्द्र	रामजुगल	स्टे0अधी0/गोरखपुर	1-8-54	1656
38-	सदानन्द	अवधराम	याीन/मनकापुर	21-7-54	1643
39-	रामजी	नोबर	स्टे0अधी0/गो0पुर	2-1-52	1627
40-	छोटेलाल	दुधई	याीन/आनन्दनगर	15-3-57	1626
41-	मोतीलाल	रामअवध	.. /गोण्डा	7-10-55	1625
42-	धनश्याम द्विवेदी	शिवदास	स्टे0अधी0/गोण्डा	1-11-49	1617
43-	रामकैलाश	रामदत्त	.. /गोण्डा	1-1-50	1614
44-	शिवदास	जगनरायन	प्रवाीन/सीतापुर	1-6-58	1614
45-	अब्बास अली	रहमतउल्ला	प्रवाीन/रेशबाग	5-1-57	1603
46-	गोरखनाथ यादव	बीलराम यादव	स्टे0अधी0/गो0पुर	1-11-60	1599
47-	रामदास चौधरी	महादेव चौधरी	याीन/मैलानी	28-2-61	1599
48-	रामदेव	उदयराम	.. /गोण्डा	11-7-67	1587
49-	श्रीमती सुन्दरपति	गयाप्रसाद	प्रवाीन/गोण्डा	10-6-50	1582
50-	रामफलोत	रामकिशुन	स्टे0अधी0/गो0पुर	2-2-57	1582
51-	रामसूरत	रामजीयावन	प्रवाीन/बहराइच	3-12-56	1565
52-	श्रीमती रेचन	फजल दास	प्रवाीन/सीतापुर	25-3-52	1554
53-	विभीत प्रसाद	रामानन्द	.. /गोरखपुर	12-12-59	1547
54-	पारस प्रसाद	सूरजबली	स्टे0अधी0/गोरखपुर	1-7-55	1539
55-	भगवतीप्रसाद	टिन्नी	प्रवाीन/सीतापुर	5-3-57	1538
56-	समीउल्ला	मो0 यासीन	स्टे0अधी0/का0अ0मै जं	15-8-55	1532

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57-	रामअचल	रामकंचल	प्रवार्तिन/गोरखपुर	20-7-57	1522
58-	लड्डन	सेतु	.. /ल0जं0	30-5-54	1521
59-	बाबूराम	दिनकर	.. /बहराइच	3-12-54	1515
60-	श्रीनिवास	गिरजाशंकर	.. /गोण्डा	1-1-53	1507
61-	रज्जब अली	मुहम्मद अली	स्टे0अधी0/गो0पुर कैन्ट	24-9-58	1494
62-	रामकुशल	जमुना प्रसाद	यार्तिन/गोरखा	30-1-51	1493
63-	कृष्णकान्त श्री0	दुर्गाप्रसाद श्री0	प्रवार्तिन/मैलानी	12-6-53	1484
64-	प्रभू दयाल	दुधकरन	स्टे0अधी0/गोण्डा	8-12-56	1473
65-	जितेन्द्र प्रसाद	मारुकांडे दुबे	.. /गोरखापुर	15-7-65	1470
66-	गिररीशचन्द्र भट्ट	बच्चन शर्मा	..	2-1-52	1469
67-	बाबूराम	नीबर	प्रवार्तिन/शोहरतगढ़	12-8-54	1456
68-	चेतराम	शंति प्रसाद	यार्तिन/गोण्डा	1-2-55	1455
69-	बद्री प्रसाद	जगदेव	स्टे0अधी0/गो0पुर	18-1-54	1454
70-	श्याम किशोर	लालमन	प्रवार्तिन/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	गुरुप्रसाद	प्रवार्तिन/मैलानी	1-1-52	1434
74-	शिवगोविन्दप्रसाद	रामनारायणप्रसाद	.. /बहराइच	-	1429
75-	समशेर अली	साहेब अली	यार्तिन/मैलानी	25-9-54	1418
76-	सर्वदेव	उमाशंकर	प्रवार्तिन/शोहरतगढ़	25-8-52	1413
77-	शंति प्रसाद	रामचन्द्र	सोटोएनएल/गोण्डा	20-2-58	1411
78-	मो0 मुसफ	नूर मोहम्मद	प्रवार्तिन/सीतापुर	15-7-54	1410
79-	कपिलदेव मिश्रा	मुन्ना प्रसाद	यार्तिन/आनन्दनगर	5-5-57	1406
80-	लालता प्रसाद	खोतन	.. /मैलानी	15-10-55	1403
81-	रामकिशोर	गयाप्रसाद	एलएस/सुभाषपुर	11-2-56	1396
82-	लक्ष्मी	तीरथ	.. /गो0पुर	1-1-55	1394
83-	जीवन लाल	रामसहाय	.. /गोण्डा	27-7-50	1380
84-	मायाराम	रामसुन्दर	यार्तिन/गोण्डा	20-9-55	1379
85-	कमला प्रसाद	पिताम्बर	स्टे0अधी0/मैलानी	15-7-58	1378
86-	कौशल किशोर	छोटेराल	प्रवार्तिन/सीतापुर	8-10-57	1378
87-	शत्रुघ्न लाल	जोधलाल	.. /सीतापुर	20-8-50	1370
88-	प्रेमचन्द्रसिराज अहमद	देवप्रसाद सहाय अली	यार्तिन/गोरखा	15-7-60	1385
89-	प्रेमचन्द्र	देलासाम	प्रवार्तिन/गोरखपुर	10-1-56	1358
90-	परमात्मा प्रसाद	राधेश्याम	यार्तिन/नानपारा	30-1-53	1354

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91- तीरथ राज	जयदत्त	स्टे0अधी0/ल0ज0	20-8-58	1351
92- अन्जनी कुमार	त्रिलोकी नाथ	.. /गोण्डा	14-9-58	1351
93- सांवल प्रसाद	गयालाल	प्रवार्तिन/सोहरतगढ़	5-7-56	1333
94- दुखहरन प्रसाद	रामअभिलाख	.. /ल0ज0	25-12-55	1331
95- नन्दकेशरी	रामसूरत	सीटीटीआई2ल0ज0	1-8-60	1320
96- रामजीत	राजबली	स्टे0अधी0/गोण्डा	1-1-58	1312
97- चन्द्र प्रकाश	शम्भू प्रसाद	प्रवार्तिन/सीतापुर	1-2-57	1311
98- जसुनाप्रसाद वर्मा	रामरतन	.. /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	मिथरी	स्टे0अधी0/मैलानी	11-12-54	1284
102-जगदीश प्रसाद	साधु	..	1-7-57	1284
103-मो0 अहमद खाँ	महमूद खाँ	.. /रेशाबाग	8-2-48	1278
104-मो0 शाफीक	मो0 शाफी	.. /का0अन0गंज	7-3-53	1278
105-महादेव प्रसाद	रामसुमिरन	प्रवार्तिन/गोण्डा	24-12-58	1275
106-धर्मराज	सुसाउल	.. /गोण्डा	1-5-53	1265
107-रतनेश कुमार चौधरी	राजाराम चौधरी	यार्तिन/मैलानी	3-5-61	1262
108-भागवत प्रसाद	टिन्नी	प्रवार्तिन/सीतापुर	3-2-58	1262
109-ओम प्रकाश	सुरजन मिश्रा	.. /गोरखपुर	-	1257
110-रमेशा चन्द्र	खेमकरन	प्रवार्तिन/मैलानी	2-7-60	1250
111-श्री कान्त	सुरजनाथ	यार्तिन/आनन्दनगर	17-7-57	1248
112-लालता प्रसाद	सत्यनारायण	प्रवार्तिन/सोहरतगढ़	13-9-54	1243
113-भरत कुमार मिश्रा	रामचन्द्र मिश्रा	.. /गोण्डा	1-1-55	1242
114-केशरी प्रसाद	अवधोश	स्टे0अधी0/गोण्डा	25-1-51	1242
115-शत्रुघ्न प्रसाद	रामचन्द्र	.. /गोण्डा	12-7-57	1225
116-हरिलाल	राम लखान	प्रवार्तिन/बहराइच	21-12-58	1217
117-टिकोरी	विदेशी	स्टे0अधी0/गोण्डा	1-9-60	1205
118-सुन्दरलाल गोस्वामी	अयोध्या प्रसाद	यार्तिन/रेशाबाग	5-4-56	1204
119-राम सुरेसन पाण्डे	गोविन्दराम पाण्डे	.. /नानपारा	29-7-48	1200
120-मो0 यतीन	अब्दुल रज्जाक	स्टे0अधी0/मैलानी	31-7-60	1190
121-मिथलेश कुमार पाण्डे	विश्वनाथ पाण्डे	..	25-4-59	1189
122-व्याससुनि शर्मा	रामआधार	.. /गोण्डा	4-2-56	1187
123-सुस्तिम	ईदू	प्रवार्तिन/सोहरतगढ़	8-6-54	1186
124-दुधीच प्रसाद मिश्रा	दुर्गा प्रसाद	.. /रेशाबाग	15-7-58	1180
125-राम प्रसाद यादव	सीताराम यादव	यार्तिन/मनकापुर	25-10-58	1179

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126-इन्द्र बहादुर सिंह	महादेव सिंह	स्टेट अधीन/लोज	5-8-58	1168
127-एनबीवीवशवात	वीवीवीवशवात	यानि/गोण्डा	5-10-59	1166
128-रामचन्द्र सिंह	रामलखान सिंह	प्रवािन/ऐशबाग	1-8-57	1164
129-राजपति	राजेश्वरी प्रसाद	यानि/आनन्दनगर	1-1-59	1152
130-अशोक कुमार वनजी	जीसीबनजी	प्रवािन/लोज	27-1-56	1151
131-बाबूराम मिश्र	महाराज दत्त	.. /गोण्डा	1-9-57	1151
132-अमृतनाथ	रामप्यारे	.. /सीतापुर	10-1-63	1144
133-सीधदानन्द	रीवकरन	स्टेट अधीन/सीतापुर	1-9-58	1107
134-जायस राम	रामसुमिरन	.. /कानपुर	3-7-59	1106
135-रामधनी	रामनयन	.. /गोरखपुर	-	1100
136-जगदीश कुमार	बनवारी लाल	प्रवािन/मैलानी	24-8-55	1097
137-शरीत प्रसाद	रामसुझ	एसएस/गोण्डा	14-8-56	1094
138-आश टा राम	सूरजी	प्रवािन/सोहरतगढ़	1-1-54	1082
139-नित्यानन्द	भूमिनाथ	स्टेट अधीन/गोपुर	-	1067
140-रामकृष्ण	गुरुप्रीतम	यानि/आनगर	2-5-58	1040
141-केदार नाथ	रामदुलारे	एसएस/गोरपुर	10-8-58	1037
142-रामदुलारे	तिलकराम तिवारी	प्रवािन/सोणद	1-1-58	1034
143-मुंगा राम	बलदेव प्रसाद	प्रवािन/मैलानी	1-1-58	1031
144-रामबिहारी	हूब लाल	एसएस/काअनगंज	1-10-53	1030
145-मो० नसीम	मासूम अली	एसएस/लोज	1-3-59	1028
146-मुन्नी लाल	मुहम्मद यादव	यानि/मनकापुर	10-11-62	1028
147-केशरी प्रसाद	हीरालाल	..	15-1-57	1025
148-श्रीमती मुन्नी देवी	राजाराम	एसएस/गोण्डा	31-3-40	1022
149-अखिलेश कुमार	तुलसी राम	..	25-7-55	1016
150-शिवकुमार पाण्डे	गया प्रसाद	प्रवािन/सोणद	2-1-53	1013
151-अनिरुद्ध पाण्डे	सुग्रीव पाण्डे	एसएस/गोरखपुर	1-7-56	1004
152-रामप्रसाद	स्वारथ	..	15-8-60	1000
153-छेदी राम	बच्चन	प्रवािन/बहराइच	-	999
154-हामिद अली	अहमद गफूर	.. /लोज	-	999
155-अखतर	मुहम्मद	एसएस/काअन	1-2-58	969
156-मीणा रमेन्द्रनाथ प्रभाकर तीरथ राजमणि	यानि/मनकापुर	1-12-55	959	
157-मुसकर अली	मौसीन खाँ	एसएस/काअन	17-12-47	959
158-राधाधरमन	रामदेवे	सीटीटीआई/लोज	15-4-55	955
159-अणीरथी	रामखिलावन	एसएस/गोण्डा	15-11-56	955

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160-रामचन्द्र यादव	रामलाल यादव	एसएस/गोरखपुर	1-7-52	952
161-श्रीम अहमद	श्रीमत्याज अली	.. /मैलानी	5-7-58	952
162-जयन्ती प्रसाद	श्रीमती	.. /न०ज०	15-9-57	947
163-योगेन्द्र प्रसाद	सुधादेव प्रसाद	..	15-10-58	947
164-भगवाने	रामप्रसाद	.. /गोण्डा	8-5-60	942
165-रामसेवक शुक्ल	रामरंग शुक्ल	यात्री/मनकापुर	11-5-62	932
166-रामनारायण गुप्ता	जीयावन	एसएस/गोण्डा	1-8-61	929
167-मो०समसुल्लाह हनफी	मो० अमीउल्लाह	यात्री/आनन्दनगर	1-5-59	910
168-जगप्रसाद	हृदय राम	एसएस/गोण्डा	25-5-58	905
169-जमुना प्रसाद	विन्देश्वरी प्रसाद	प्रवासी/गोण्डा	18-7-60	905
170-बनवारी प्रसाद	लालजि	यात्री/मनकापुर	31-12-54	903
171-श्रीपत	प्यारी	एसएस/गोण्डा	27-1-56	890
172-जगन्नाथ प्रसाद	महन्त राम	.. /गोण्डा	-	888
173-दोदा प्रसाद	रामगोपाल	..	15-8-56	884

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क्र०सं०	नाम	पिता का नाम	कार्य स्थान	जन्मतिथि	कार्यदिनस
सर्वश्री	सर्वश्री				: 31-12-84 तक
1- कैलाश	राजदेव	यात्री/गोण्डा	1-11-55	1489	
2- रामानन्द	रामेश्वर	एसएस/गोण्डा	1-1-60	1448	
3- चन्देश्वर पासवान	नन्द पासवान	प्रवासी/..	2-1-51	1280	
4- राम प्रसाद	बेदन राम	.. /शेखाग	9-7-51	1210	
5- दुधनाथ	जगन	एसएस/गोण्डा	20-7-51	1082	
6- राम मूरत	रामसिंह	यात्री/मैलानी	14-1-51	1016	
7- ओम प्रकाश	कामता प्रसाद	प्रवासी/सोण्डा	8-1-59	999	
8- रामप्रताप	बाबूलाल	यात्री/मैलानी	10-2-58	993	
9- सुददन राम	शोभा राम	प्रवासी/गोण्डा	20-8-54	957	
10- पल्लू प्रसाद	तीरथ	..	3-7-49	946	
11- नरीसिंह	ननकू	..	7-7-59	918	
12- हरीशचन्द्र	सुखालाल	यात्री/मैलानी	15-5-54	914	
13- प्रेमराज	पित्तर्	..	19-1-59	905	
14- दयानन्द	महेश	एसएस/गोरखपुर	1-1-57	872	
15- राजाराम	दुधारी	..	2-3-58	826	

== 9 ==

- 3- सभी सम्बन्धित प्रवर प्रभारी/लखानऊ मण्डल ।
- 4- कार्यार्थ/केडर : पीर0 व वार्णिज्य : वे चिकित्सा परीक्षा और दूसरी औपचारिकताएं पूरी करेंगे ।
- 5- मण्डल मंत्री/नूर्म/लखानऊ एवं मण्डल मंत्री/पी0आर0के0एस0/लखानऊ ।
- 6- नोटिस बोर्ड ।

ह/0 x x x
 कृते मण्डल रेल प्रबन्धक : कटो
 लखानऊ ।

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R. C. Saxena

Advocate, High Court

E-3665, Rajaji Puram, Lucknow.

महाराष्ट्र

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 LJM Division.
SSs/GKP, GD, LJM, CPA, MLN & STP.
OS(T), OS(Stores), AOS(G) & APO/III-LJM.

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 charging of salary of only genuine persons.

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

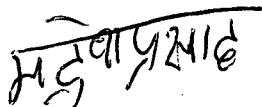
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80


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E-3665, Rajaji Puram, Lucknow.



Annexure-I

1. Shri Jagdamba Pd.Misra s/o Lalta 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 Jiv 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/^{ANDN}AMDN
16. ,, Raksharam s/o Ghhedra Lal - TI/GD
17. ,, Abraham s/o Allabux - SS/GD
18. ,, Mayaram Giri s/o Shiv Baran Giri - TI/ASH
19. ,, Jagdish Prasad s/o Purshottam - TI/^{ANDN}AMDN
20. ,, Ram Jit s/o Khajanchi - SS/GEF
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 ..

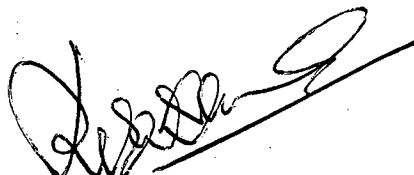
Advocate, High Court

- E-2665, Rajaji Puram, Lucknow.
- | | |
|---|-----------|
| 33. ,, Hanuman s/o Ram Sagar | - TI/GD |
| 34. ,, Idniani Khan s/o Miazzi 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 Dul arey | - 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 Kiran Mohari | - TI/MLN |
| 59. ,, Ram Din (SC) s/o Chiran | - TI/MLN |
| 60. ,, Indrapal s/o Ram Lakhan | - ,, |
| 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 Dul arey | - ,, |

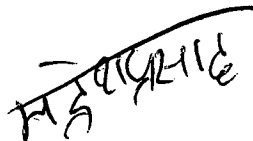
.. 3 ..

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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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. ,, Shabdai.

6. ,, Rama Kant.

7. ,, Sri Kant.

8. ,, Ram Bux s/o Narain Dutt Misra.

BUW-STP Section:

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 Section:

18. ,, Shri Niwas.

19. Anjari Kumara.

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 Section:

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

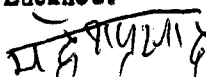
40. ,, Ashok Kumar Saxena - IL

41. ,, Ram Pratap.

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.. 2 ..

MBF-LMP Sec:

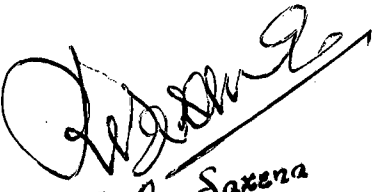
- 42. ,, Ram Milan.
- 43. ,, Vishwa Nath.
- 44. ,, Ram Swaroop.
- 45. ,, Ramesh Kumar
- 46. ,, Shyam Shanker.
- 47. ,, Chandra Shekhar S.wala.
- 48. ,, Suresh Chandra.
- 49. ,, Ram Govind Pandey.

DEO-MLN Sec:

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

GORAKHPUR

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15/04/21

- 54. ,, Harish Chandra s/o Ram Jugul.
- 55. ,, Vasishth Tewari.
- 56. ,, Vinda Devi.
- 57. ,, Inder Deo Tewari.
- 58. ,, Harish Chander s/o Juggam.
- 59. ,, Ram Pd.
- 60. ,, Mewa.
- 61. ,, Ram Suresh.
- 62. ,, Sohar.
- 63. ,, Ram Narain.
- 64. ,, Ram Adharis s/o Ram Baran.
- 65. ,, Ram Dhani.
- 66. ,, Deen Dayal.
- 67. ,, Jata Shanker.
- 68. ,, Bankey Lal.
- 69. ,, Raj Kumar.
- 70. ,, Denesh s/o Abid Bux.

DRW-DMG SECTION:

- 71. ,, Sant Saran Bhatt.
- 72. ,, Munder.
- 73. ,, Chandra Shekhar Pandey.
- 74. ,, Surendra.

CPA-PRO SECTION

- 75. ,, Ram Kishore.
- 76. ,, Ram Lakhan Shukla.
- 77. ,, Rameshwar Kushwaha.

ASH-BUW SECTION:

- 78. ,, Sami Ullah.
- 79. ,, Liaqat Ali.
- 80. ,, Upendra Pandey.
- 81. ,, Pyarey.
- 82. ,, Jagdish.

.. 3 ..

LJN STATION:

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

SUBR-NUH SECTION:

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

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15/8/21

BST-BRCK SECTION

- 104. ,, Ram Lalit s/o Hubai
- 105. ,, Pramatiya 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. ,, Lalloo.
- 112. ,, Madhuri Devi.

BRK SECTION:

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

.. 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. ,, Chet 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
E-3665, Rajaji Puram, Lucknow.

11/11/16

समक्षा केन्द्रीय प्रशासनिक अधिकरण: सफ़्टिड बेन्च: लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 .

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महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादीगण

संलग्नक संख्या- ए-10

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

संख्या ए वा/177/डी 08 ब्लू 0/86

मंडल कार्यालय, पूर्वांतर रेलवे
लखनऊ ।

दिनांक : 13-2-1987

प्रवानि/गोरखापुर, शीहरतगढ़, गोण्डा, बहराइच,
रेशबाग, सीतापुर, मैलानी

स्टे 0अ0/गोरखापुर, गोण्डा, मैलानी

विषय : स्क्रीनिंग में असफल अभ्यर्थियों की सूची ।

वाणिज्य विभाग के उन अभ्यर्थियों की सूची नीचे दी जा रही है जो पिछली स्क्रीनिंग 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 15 दिनों के अन्दर इस आशय का प्रमाण पत्र इस कार्यालय को भेजे कि निम्न असफल घोषित अभ्यर्थियों की सूची में दशादि 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 दर्शाए ।

अभ्यर्थी का नाम	पिता का नाम	प्रवानि
सर्वप्री	सर्वप्री	
1- बाबूराम	श्री राम	प्रवानि/शीहरतगढ़
2- आशा राम	बसलू	प्रवानि/सीतापुर
3- आर 0 के 0 चौधरी	---	प्रवानि/गोरखापुर
4- शंकर	लोहन	स्टेअ/गोरखापुर
5- रामसुखा दुबे	बोधी दुबे	प्रवानि/सीतापुर
6- रामेश्वर प्रसाद	रामधरसन	स्टेशन अधीक्षक/गोण्डा

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Advocate, High Court

B-3665, Rajaji Puram, Lucknow

[Signature]

7- हरिशंकर	रामकरन	प्रबानि/मेलानी
8- राकेश कुमार	सूर्य प्रकाश	प्रबानि/गोण्डा
9- चन्द्रिका प्रसाद	पन्ना दास	प्रबानि/सीतापुर
10- दीप नारायण	छोदू	..
11- धनीराम	हरीलाल	..
12- प्रेम प्रकाश	बृजलाल	..
13- भानु किशोर	पौधू	..
14- रामदेव	गोकुल	..
15- संगम लाल	सुरज लाल	स्टेअ/गोण्डा
16- श्रीराम	बाबादीन	..
17- गोकर्ण नाथ	भागीरथी	प्रबानि/गोरखापुर
18- ब्रह्मानन्द विद्यार्थी	दुखी राम	प्रबानि/सीतापुर
19- राम प्रताप	छेदा लाल	प्रबानि/बहराइच
20- महेश्वर श्री विश्वकर्मा	महेश्वर राम प्रसाद	प्रबानि/गोरखापुर
21- पावन दीन	श्याम लाल	..
22- पवन कुमार	त्रिलोकीनाथ	स्टेअ/गोण्डा
23- विजय नारायण गुप्ता	हरिद्वार	प्रबानि/शोहरतगढ़
24- रामकरन सिंह	सूर्य बकाश सिंह	प्रबानि/सीतापुर
25- रामसुमेर	राम जियावन	प्रबानि/गोरखापुर
26- रामसुमन	मुरली	स्टेअ/गोरखापुर
27- रामसुभारत	गौरी प्रसाद	..
28- अलगू प्रसाद गुप्ता	जमुना प्रसाद	स्टेअ/सीतापुर
29- हरिशंकर यादव	महादेव	स्टेअ/गोण्डा
30- ओम प्रकाश यादव	जगू राम	प्रबानि/बहराइच
31- शिबबन लाल	प्रयागी	प्रबानि/गोरखापुर
32- खलील अहमद	बच्चन झाँ	प्रबानि/शोहरतगढ़
33- रामसुमेर	रूद्र प्रसाद	स्टेअ/मेलानी
34- मूल चन्द	कतवारू	स्टेअ/गोरखापुर
35- अशीक कुमार दुबे	शिवशंकर दुबे	स्टेअ/गोण्डा
36- विनोदकुमार	कमल धारी	प्रमवाधी/लखनऊ

2- सम्बन्धित ~~श्र~~ स्टेअ0 भी उपरोक्त सूची में से उनके अधीन कार्यरत अभ्यर्थियों को तुरन्त कार्यमुक्त कर वांछित प्रमाण पत्र एवं कार्यमुक्त करने की तिथि इस कार्यालय को 15 दिनों के अन्दर भेजें।
ह/0 अपठनीय,
कुते मंडल रेल प्रबन्धक/वाणिज्य,
लखनऊ।

== 3 ==

दिनांक 15-12-86 की दिप्पणी संख्या ई/एसएस/स्त्री 0/86
के संदर्भ में सकाधि/।।। को प्रेषित ।

प्रतिलिपि कार्याधी/बा, केडी को आवश्यक कार्यवाही
हेतु ।

ह/0 अपठनीय,
कृते मंडल रेल प्रबन्धक/बाणिज्य,
लखनऊ ।

TRUE COPY
ATTESTED



R. C. Saxena

Advocate, High Court

B-3665, Rajaji Puram, Lucknow.

महाराष्ट्र

TRUE COPY
ATTESTED

समझा केन्द्रीय प्रशासनिक अधिकरण : सर्किट बेंचः, लखनऊ ।

प्रार्थना पत्र संख्या

आफ 1988 .

[Signature]

R. C. Saxena

Advocate, High Court

E-3665, Rajaji Puram, Lucknow.

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ इंडिया तथा अन्य

प्रतिवादी गण

मि. 14/11/88

संलग्नक संख्या - २ - ११

पूर्वोत्तर रेलवे

सं० सी/177/डी०ब्लू०/86

कार्यालय
मण्डल रेल प्रबन्धक : वाणिज्यः
लखनऊ : दिनांक 8-9-87

प्रमवानि/गोरखापुर; उः पः मेन; शीहरतगढ़, गोण्डा,
बहराइच, मैलानी, सीतापुर, बरैन, रेशबाग ।

स्टे०अधी०/गोरखापुर; गोण्डा, लखनऊ जं०

विषयः - स्क्रीनिंग में असफल अभ्यर्थियों की सूची ।

इस कार्यालय के पत्र सं० बा/177/डी०ब्लू०/86 दिनांक 13-2-87 को निम्नलिखित केजुअल लेबरों के मामलों में आंशिक हिनप्रभावी किया जाता है । यह लोग गत ग्रीष्मकाल में सीजनल पानी वालों के रूप में काम पर लगाये गये हैं ।

क्र०सं० नाम पिता का नाम प्रमवानि कार्यक्षेत्र

सर्वश्री	सर्वश्री	
1- रामसुखा ठुवे	बोधी ठुवे	प्रमवानि/शीहरतगढ़
2- रामेश्वर प्रसाद	राम परसन	स्टे०अधी०/गोण्डा
3- ब्रह्मानन्द बिदयार्थी	दुःखी राम	प्रमवानि/सीतापुर
4- राम प्रताप	छेदा लाल	प्रमवानि/बहराइच
5- विश्वकर्मा	रामप्रसाद	प्रमवानि/गोरखापुर
6- पाटनदीन	श्याम लाल	प्रमवानि/गोरखापुर
7- पवन कुमार	त्रिलोकी नाथ	स्टे०अधी०/गोण्डा
8- रामसुमेर	रामजियाबन	प्रमवानि/गोरखापुर
9- राम बुझारथ	गौरी यादव	स्टे०अधी०/गोरखापुर
10- हरिशंकर यादव	महादेव	स्टे०अधी०/गोण्डा

== 2 ==

11- सलील अहमद	बच्चन खॉ	प्रमबानि/गोहरतगढ़
12- विनोद कुमार	कमलधारी	प्रमबानि/शशबाग

उपरोक्त कैजुअल लेबरों को प्रभावित अपने प्रक्षेत्र में कार्यदिवसों की वरीयता के आधार पर काम पर पुनः लगा सकते हैं ।

ह/0 अपठनीय

कृते मण्डल रेल प्रबन्धक ।बाप0।
लखनऊ ।

प्रतिलिपि:- सवाधि-।। कार्यार्थी ।बाप0। सम्बन्धित केन्डीडेट
को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित ।

ह/0 अपठनीय

कृते मण्डल रेल प्रबन्धक ।बाप0।
लखनऊ ।

**TRUE COPY
ATTESTED**

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

TRUE COPY
ATTESTED


R. C. Saxena

Advocate, High Court
B-2663, Rajaji Puram, Lucknow.

FORMAT

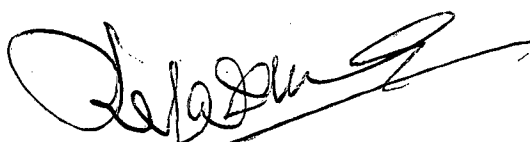
S.N.	Name	Father's name	Date of first engagement under		No of days as casual labour.	
			Previous Employer.	Present Employer.	Under previous employer	Under present employer.
1	2	3	4	5	6	7

Last date of working under present employer as on 31.12.87. Authority for engagement.

8 9

Certified that the amecedents of candidates given as above are under verification done by me personally from the records verilable in the restective Station Master NE Rly. Jurisdiction and the leave senterity list of Casual labours/Substitutes of the Division.

**TRUE COPY
ATTESTED**



R. C. Saxena

Advocate, High Court

B-2663, Rajaji Puram, Lucknow.

महेश्वर

सम्झा केन्द्रीय प्रशासनिक अधिकरण : सर्किट बेंच, लखनऊ ।

प्रार्थनापत्र संख्या

आफ 1988 .

महेश प्रसाद तथा अन्य

वादी

बनाम

यूनियन आफ ह्रीडिया तथा अन्य

प्रतिवादीगण

संलग्नक संख्या-ए 13

पूर्वोत्तर रेलवे

कार्यालय

सं० ई/11/227/द्वारिक स्त्रीनिग/87

मण्डल रेल प्रबन्ध : का० 08
लखनऊ : दिनांक 28-12-87

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


विषय:- परीचालन विभाग में आर्कीस्मक/एवजी श्रमिकों
की छानबीन परीक्षा ।

परीचालन विभाग में कार्यरत/भूतपूर्व आर्कीस्मक/एवजी
श्रमिकों की छानबीन परीक्षा निम्नीलिखित तिथि, स्थान एवं समय
पर करने की विनिश्चय किया गया है । अतः आप कृपया अपने
अधीन कार्यरत/भूतपूर्व आर्कीस्मक/एवजी श्रमिकों को यह निर्देश दे दें
कि वह निश्चित स्थान, समय व तिथि को पहुँच जायें जिससे उनकी
छानबीन परीक्षा हो सके ।

क्र०सं०	स्टेशन	तिथि	समय	छानबीन परीक्षा स्थान
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ATTESTED

- | | | | | |
|----|--|---------|----------|------------------------------------|
| 1- | बदनी से गोरखपुर, गोरखपुर
सीटी, बस्ती से गोरखपुर | 20-1-88 | 10-00बजे | एस०जी०ए०
आफिस/
गोरखपुर |
| 2- | बदनी से गोण्डा। बदनी छोड़कर
बस्ती से गोण्डा। बस्ती छोड़कर।
तिकुनिया से गोण्डा तथा
नानपारा-नेपालगंज | 19-1-88 | 10-00बजे | सकायिध
कार्यालय
गोण्डा |
| 3- | लखनऊ से गोण्डा। गोण्डा छोड़-
कर। लखनऊ से तिकुनिया
। तिकुनिया छोड़कर।
बुढ़वल-सीतापुर, रावतपुर, सीपीए
द्विधा-चन्दनचौकी । | 18-1-88 | 10-00बजे | मनोरंजन
केन्द्र एवम्भाग
लखनऊ |


R. C. Saxena
Advocate, High Court

12-12-88, Rajaji Puram, Lucknow.

कृपया अभ्यर्थियों को यह भी स्पष्ट कर दिया जाय कि

वे छानबीन परीक्षा में अपने साथ वैध योग्यता, जन्मतिथि,
महेश प्रसाद

== 2 ==

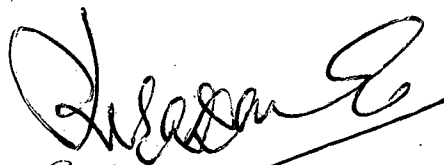
अनुसूचित जाति/अनुसूचित तथा आकीस्मक श्रमिक कार्य/सेवाकाल सम्बन्धी सभी मूल प्रमाण पत्रों को साथ लाये तथा सभी की दो-दो फोटो कापी किसी राजपत्रित अधिकारी द्वारा सत्यापित कराकर लायें। उक्त प्रमाण पत्रों के अभाव में उनकी छानबीन परीक्षा नहीं की जायेगी और न ही बाद में कोई ध्यान दिया जायेगा।

ह/0 अपठनीय

कृते मण्डल रेल प्रबन्धक 1का01
लखनऊ।

- प्रतिनीति :- 1- क्षेत्रीय अधिकारी/गोरखपुर-कृपया गोरखपुर में छानबीन परीक्षा की प्रबन्धा व्यवस्था सुनिश्चित कराने की कृपा करें।
- 2- सहायक/1/लखनऊ-कृपया गोरखपुर में छानबीन परीक्षा की प्रबन्धा व्यवस्था सुनिश्चित कराने की कृपा करें।
- 3- सहायक 1एम/लखनऊ-कृपया ऐशबाग में छानबीन परीक्षा की प्रबन्धा व्यवस्था सुनिश्चित करने की कृपा करें।
- 4- क्षेत्रीय प्रबन्धक/गोरखपुर को सूचनार्थ प्रेषित।

ह/0 अपठनीय,

कृते मण्डल रेल प्रबन्धक 1का01,
लखनऊ।TRUE COPY
ATTESTED


R. C. Saxena

Advocate, High Court

B-3663, Rajaji Puram, Lucknow.

महेश प्रसाद

ब अदालत श्रीमान

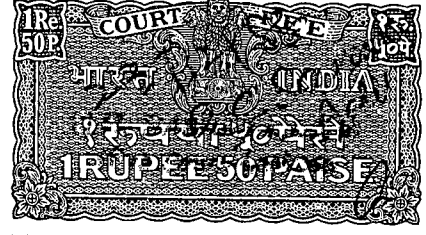
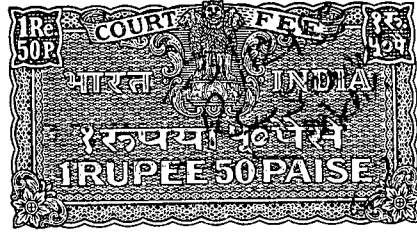
In the Central Administrative Tribunal
(Lucknow Bench) Lucknow महोदय

[वादी] अपीलान्त

श्री Mahesh Prasad & others

प्रतिवादी [रेस्पान्डेंट]

का वकालतनामा



Mahesh Prasad & others

बनाम

प्रतिवादी (रेस्पान्डेंट)

Union of India & others

मुकदमा नं०

सन्

पेशी की ता०

१६

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

R. C. Saxena, Advocate, High Court

(Lucknow Bench) Lucknow

वकील

महोदय

E-3665, Raja Zilpuram, 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 रुपया वसूल करें या मुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें या हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई 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 रहूंगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Accepted

Advocate

①

राम बहादुर सिंह

हस्ताक्षर

②

दोना नाथ

साक्षी (गवाह)

साक्षी (गवाह)

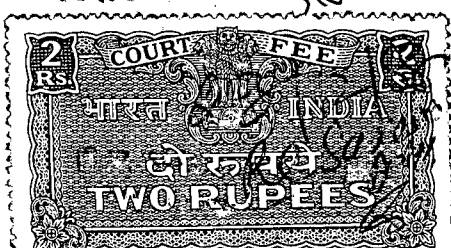
दिनांक

30

महीना

11

सन् १९९४ ई०



③

दया शंकर शर्मा

④

मुत्तलीय

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

26/07

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 Pd. 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 persuance to the above screening, a
panel was drawn on 11-07-86.

[Signature]
S. R. Misra
Assistant Personnel Officer
Divisional Railway Manager
N.E. Railway, Lucknow

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.

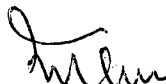
6. That some of the candidates who did not find place in the panel of 1986, went before the Hon'ble Central Administrative Tribunal, Allahabad in Reg. No. 696 of 1987 - Ram Bujhawat Yadav and others V/S. General Manager, N.E. Railway, Gorakhpur and others, and Reg. No. 697 of 1987- Jang Bahadur V/S. 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 ^{photo} typed copy of which are annexed and marked as Annexure No. A/1 and A/2 respectively.

8. That on ⁽⁸⁾ 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


सहायक कमिश्नर अधिकारी /
पूर्वोत्तर रेलवे, लखनऊ

the publication of the result of the Screening Committee. 18/9

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 ~~xxx~~ 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.

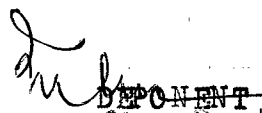
14. That the detailed counter affidavit is not being filed at the movement on account of non-availability of ~~relevant~~ ~~railway~~ records. The Opposite parties, however, reserve their right to file a detailed counter affidavit to the claim petition as soon as the entire record is made available.

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


DEPONENT
उद्दायक कामिक अधिकारी,
पूर्वोत्तर रेलवे, जलनड

Signature of Counsel for the
Respondants

In The Central Administrative Tribunal
Circuit Bench, Lucknow.

~~Case~~ Reg. No. 222 of 88 (L)
Mahesh Pd and others
vs
Union of India and others.

Annexure No 20/11

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.

SD/-

A.M.

SD/-

J.M.

TRUE

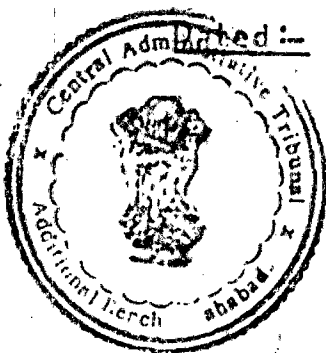
CC

20/11/88

(D S SUBEY)

SECTION OFFICER

Central Administrative Tribunal
Allahabad.



Dated:- 20.1.88

True Copy

[Signature]

सहायक फार्मिक अधिकारी,
पूर्वोत्तर रेलवे, लखनऊ

[Signature]
25/1/88

In The Central Administrative Tribunal
Circuit Bench, Lucknow.

Reg. No. 222 of 1988 (L)

Mahesh Pd & others.

U/s
Union of India and others

Annexure No 2

126/101

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Registration no. 607 of 1987.

Jang Bahadur ... Applicant.

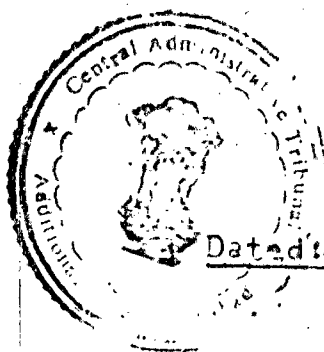
Versus

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 ~~xxxxxxx~~ decision of this case.

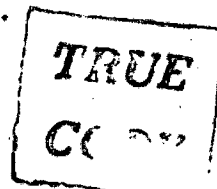


SD/-

A.M.

Dated:- 20.1.88

SD/-



(D. S. DUBEY)

SECTION OFFICER
Central Administrative Tribunal
Allahabad.

MAHESH
25/1/88

True Copy

प्रधान कार्यकारी अधिकारी
पूर्वोत्तर रेलवे, लखनऊ

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

42/102

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

Mahesh 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, Mahesh Prasad, S/O Sri Jagonnath, Substitute,
under Traffic 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 Proceed

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....

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 respondents No. 5 and 6 did not act fairly in conducting the Screening Proceedings, the applicants impleaded them by name in person as respondents 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 malafidely incalculated with respondent No. 6 without any verification 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 (Safety) 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 utilised 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

महेश्वर २१/६

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.. 3 ..

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 penal 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 oblique motive and ulterior purpose without affording any opportunity to the applicants to put their case before holding their bonafide doubtful, they cannot be considered as unsuccessful in the Screening Proceedings. Since, all applicants successfully ~~lift~~^a up 50 Kg. weight (Point) like all other candidates, it is clear that they did not fairwell in the Screenings specifically when no other test was conducted. The contrary contentions of the respondents is absolutely false and devoid of merits.

3. That with reference to para 6 and 7 of the object of the application that certain other subsidiaries of the Central Administrative Tribunal were not included in para under reply but that their prayer for inclusion was not considered.

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 alleged ^{by} noticed by the higher authorities. There is no mention as to what procedural irregularities ^{were} ~~where~~ 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. ^h 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 substates. ~~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 stop [;] taking work from various applicants as and when they like so.

Lucknow: Dated,
March 16, 1989.

(R.C. Saxena)
Advocate,

Counsel for the applicants

Applicant No. 1.

Pratik

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

VERIFICATION

Lucknow: Dated,
March 16, 1989.

Applicant No. 1.

Pratik

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

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

BEFORE THE CENTRAL ADMINISTRATIVE
TRIBUNAL, CIRCUIT BENCH, LUCKNOW

O.A No 222 of 1988 (L).

Meheesh Dasgupta & others — Petitioner

VS

Union of India & others — Opposite Parties

Application for condonation
of Delay.

Council 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 it is available and written state-
ment is ready.
- So it is most respectfully 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 petition relates to the orders against which the instant petition is directed and as such need no reply.

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

.....2/-

4. That the contents of paragraph 2 are denied. All the applicants were engaged as Substitutes against casualties from time to time. 4/09

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. Bly., Lucknow.

10. That the contents of paragraph 11 relate to the 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/-.


Asst. 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 identify^{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. ~~was 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 put in, ~~and medical examination~~ *in*


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, ^{they were} rejected.

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

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

.....5/-

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


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

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


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

Contd.7/..

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 ^{sub sh'ners} casual labours 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 itx is false and nothing material has been concealed. So help me God.

Dated: 12.7.88

Lucknow.

Deponent

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

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Misc. petition No. 622 of 1991 (L)

IN-RE

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

Maresh 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

syh

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 प्यारे

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 intermitent 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 casuality 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.

राम च्यारे

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.

राम प्यार

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 च्यार

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 paragraph 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 falsehood 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) & (xxxi) 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.

7

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 with-held 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 emphathetically 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

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-

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ing the cancellation of screening proceedings thereby depriving the applicants from being empanelled. As regard -s 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

राम चौर
Applicant

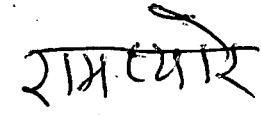
Dated 15.10.1991

V E R I F I C A T I O N

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

Dated 15.10.1991


Applicant

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH, LUCKNOW.

O.A. No. 222 of 1988 (L)
Mahesh prasad & othersApplicants
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/LCN'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 wide 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 within 30 days i.e. 19.4.91 after which no representation/claim will be entertained.

(11)
AOS(C)/LCN

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N.E.Railway

SUBSTITUTE LISTING (Tfc & Engg.)

List No.1 contains the details of all those substitutes whose pre-81 working has been verified from the paid vouchers. Engagement of substitutes as per rule will be restricted within this list till further orders.

List No.2 contains details of those substitutes whose pre-81 service is under verification.

List No.3 contains details of the candidates whose pre-81 working has not been verified by the paid vouchers candidates in this should present their credentials of service prior to 1981 to AOS(C), within 30 days which will be jointly examined by APO(III) & AOS(C). The seniority for the purpose of screening will be reckoned by the number of working days of pre-81 candidates.

The number of days indicated in all these lists are as furnished by or Subordinated and are provisional and subject to further final verification & alteration.

If claims regarding number of working days of any substitute is found incorrect or false, he will be debarred from further engagement and screening.

These three provisional lists should be brought to the notice of all concerned immediately. Any person who has objection regarding the names included/excluded in the list and their working days can do so in the office of the AOS(C) / APO(III) alongwith documentary evidence within 30 days. After 30 days they will not entertain any representation and the list will be finalized accordingly for screening.

List No. 2 & 3 attached.

UN-ERTI NAME
1 TISTP RAM NARESH
2 TISTP JEEWAN LAL
3 TISTP AMBIKA PRASAD
4 TISTP RAKSHA RAM
5 TISTP BANSI DHAR
6 TISTP HANUMAN
7 TISTP DEENA NATH
8 TISTP RAM RAJ
9 TISTP BARKATULLAH
10 TISTP RAM KUNHAREY
11 TISTP GAYA PRASAD
12 TISTP HARI RAM
13 TISTP RAM ACHAL
14 TISTP RAM LALIT
15 TISTP RAM LALIT

FNNAME
CHREBU
SUNDER LAL
RAM NARAIN
PATMESHWARI PD
CHEDA LAL
DOODH NATH
RAM SAGAR
RAM LAKHAN
BAL MOHD
BENI MADHAV
JOKHAN LAL
TEJOD
HUBAI

DOB	PCAT	UNDER	TECDUE	UNDER	LASTDOW	DAYS	STN	ABNO	ABDTE
01000	000172	SMSP	060176	SMSP	123185	2237	STP	663	071279
041061	071678	FWIEVN	022384	SMIL	123185	1638	BVN	PMI	071678
010056	060379	SMKARH	060379	SMKARH	123189	2812	BGAN	1291	101180
050955	070176	SM GADH	070176	SMKARH	123189	2692	BGAN	1291	101180
030958	020280	SMHGAN	020280	SMCLM	123189	2632	BEU	1291	101180
020161	120180	SMHGAN	120180	SMHGAN	123189	2451	BGAN	1291	101180
070153	050676	SMHUBR	050676	SMHUBR	123189	2397	RNIR	1067	011281
021052	040878	SMRNR	040878	SMRNR	123189	2386	RNIR	1067	011281
050157	080578	SSGD	080578	SMHNP	123189	2261	BRK	488	061480
081258	030877	SSGD	030877	SMHNP	123189	2232	BRK	1893	011281
111255	120976	SMHND	120976	SMHNP	123189	2009	NNP	867	081180
040159	041979	SMHND	041979	SMHND	123189	1509	NNP	488	061480
010135	041578	SMHNC	041578	SMHNC	110579	2394	SMC	1299	101380
010158	082976	SMHNC	010179	SSBST	113069	2081	NGB	1706	121280
022260	011680	SSBST	011680	SSBST	111789	1951	BST	2107	021280

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16	TIMUR	SACHDEVANAND (28)	DURGA PRASAD	041557	050175	CYMGD	050175	CYMGD	113085	1732	GD	2303	032380
17	TIMUR	PATIN DEEN	SHIV LAL	041058	050179	ESBST	050179	SSBST	123189	1486	SDAM	1080	091179
18	TIMUR	RADHEE	MOTI	020358	030174	PMUGKP	100174	SMSCN	112289	1232	BST	14895	081279
19	TIMUR	BRAMHAI PRASAD	ANAR NATH	070159	020177	SMSCN	020177	SMSCN	113089	1107	KLD	677	071179
20	TIMUR	MAHESH PRASAD (3)	JAGANNATH	050258	020176	SMSCN	020176	SMSCN	11589	3022	MLN	1669	121078
21	TIMUR	GOVIND PRASAD (7)	MILLHAU	081057	050980	SMGK	050980	SSGK	011589	2703	MLN	REG 33	JUN 80
22	TIMUR	A K SAXENA	MAHESH P. SAXENA	010158	090678	PMULN	040382	SMRNR	011589	2703	MLN	PMI	092978
23	TIMUR	RAMNARI LAL (23)	ITWARI	011556	051677	LOMBVN	031384	SNKB	123189	2580	BVN	IDM	030176
24	TIMUR	SRI PAL	SHYAM LAL	011561	110979	EMBVN	091179	SMBCN	073189	1787	GK	1295	101179
25	TIMUR	OM PRAKASH	JODHEY LAL	010161	040180	SMDC	040480	SMDC	073189	1496	BRK	488	061480
26	TILMP	RAM PRASAD	RAM BHAROSEY	040556	040375	SSBVN	040375	SSBVN	091088	1312	TSF	1687	121178
27	TILMP	PRITHVI PAL	LALLA RAM	120654	012071	PMULN	031084	SSGD	121985	2785	MLN	PMI	012077
28	TILUN	RAM PYAREY YADAV	CHOTEY LAL YADAV	121652	080178	SMIR	080178	SMIR	123189	2298	CPA	1900	012077
29	TILUN	SUMER LAL	LAKSHMAN	100564	062984	SMCKG	042984	SMCKG	123189	2021	APP	BY GM	012179
30	TILUN	SURESH YADAV	R N YADAV	012161	012179	LOMBVN	042984	SSIJ	123189	1589	BVN	IDM	071179
31	TIGKP	SANT SARAN BHATT	RAM RAJ BHATT	050157	060476	ESGD	060476	CYMGD	123189	2542	JTB	677	021280
32	TIGKP	MATA PD PANDEY	DEVI PD PANDEY	120358	111679	ESBST	111679	SSBST	073189	2327	MSM	2107	021280
33	TIGKP	SHEO POUJAN	KISHUN	060555	041579	ESBST	091579	SSBST	123189	2257	BST	1294	101179
34	TIGKP	BAROD RAM	AGARDI	012558	040178	SMUR	040178	SMUR	123089	1397	MUR	489	061480
35	TIGKP	ANGAD PD PANDEY	CHANDRIKA PD PANDEY	030156	070178	SMUTR	070178	SMUTR	123089	1397	MUR	489	071179
36	TIGKP	RAM KAPAL	BUDDHI RAM	070157	092080	SMUTR	092080	SMUTR	123089	1397	MUR	489	071179
37	TIGKP	RAM LAKHAN	MUCHAI	051560	051578	SMGK	051578	SMGK	123089	1358	JTB	1658	121180
38	TIGKP	C S PANDEY	KASHI PD PANDEY	070156	010178	SMKLD	010178	SMKLD	123089	1265	BV	1296	101179
39	TIGKP	RAM ARIOR	CHANDRIKA PRASAD	060159	010777	SMUTR	010777	SSBST	073189	1107	KLD	856	081180
40	TIGKP	RAM KUMAR	RAM AGIS	010157	010180	SSBST	010180	SSBST	073189	1099	RST	636	070980
41	TIGKP	RAM UJAGAR	RAM AGIS	110158	052377	SSBST	032377	SSBST	073189	1006	BST	636	070980
42	TIGKP	PARBHANAND BHATT	CHANDRIKA BHATT	060162	070280	SMUTR	100280	SMUTR	053189	782	BST	2311	031380
43	TIGKP	GOVIND SHANKER	RAM A. TEWARI	070157	071276	SMUTR	071276	SSBST	123189	700	JTB	1856	011081
44	TIGD	DEVI RAM	P. A. TEWARI	021756	021575	SSUBR	021575	SSUBR	051387	299	BST	1296	101179
45	TIGD	ALLAH RUK	MUCHAI	030155	070772	SMUR	050772	SMUR	113089	2219	BLP	1898	101180
46	TIGD	RAM RAM TEWARI	S. K. TEWARI	030155	112673	SMUR	112673	SMUR	113089	1814	BLP	1493	011281
47	TIGD	PHONE CHAND	RAM LALJI	121555	070177	EMSUBR	070177	SMUR	113089	1637	BLP	1493	111278
48	TIBNZ	RAM SURESH YADAV (24)	RAM NATH	010757	090176	EMSUBR	040177	SMUR	113089	1065	SMA	1089	091279
49	TIBNZ	ANDESH PRASAD	RAM HIRAJAN	110158	021277	SMCLJ	021377	SMCLJ	123189	3397	ANDN	1296	101280
50	TIBNZ	MOHINDER (22)	RAM HIRAJAN	100158	020174	SMCKG	020174	SMCKG	123189	3136	CLJ	661	071180
51	TIBNZ	MAVA RAM GIRI (15)	SHEO BAKAN GIRI	020858	033179	SMGDK	033179	SMGDK	123189	2724	GDK	661	071180
52	TIBNZ	KASIM ALI (8)	REHMAT ALI	031259	010277	SMDC	010277	SMDC	123189	2109	CLJ	1267	011081
53	TIBNDN	KAMAYAN (35)	RAMJEET	063056	031576	SMULN	031576	SMULN	123189	3185	GD	2181	031076
54	TIBNDN	RAM CHANDRA (25)	RAM KEVAL	101654	020876	SMULN	020876	SMULN	123189	2682	SOT	1489	111279
55	TIBNDN	JAGDISH PRASAD (9)	PURSHOTTAM	011257	060377	SMULN	060377	SMULN	123189	2464	PRM	1290	101180
56	TIBNDN	BAROD RAM	SRI RAM	060555	030174	ESNUH	030174	SMULN	011988	1884	PRZ	1284	101180
57	TIBNDN	SHYAM NARAIN YADAV	TEJHIVAN PRASAD	091560	010180	SMRP	010180	SMRP	102289	1286	ANDN	86	041379
58	TIBNDN	NODR MOHD	WALI MOHD	010560	020980	SMRIT	020980	SMRIT	061187	1205	MIM	656	071080
59	SSSTP	ASHA RAM	BADLOO	010650	042275	SMSTP	042275	SMSTP	100788	972	MLN	FWI	060174
60	SSSTP	CHANDRIKA PRASAD	SHAMBOO	010550	060174	PMULN	090174	SMSTP	072389	3931	LJN	487	061279
61	SSLJN	RAMESHWAR (2)	SHAMBOO	122456	052574	SSLJN	052574	SSLJN	123189	3505	LJN	487	061279
62	SSLJN	RAM PYAREY (2)	BADLOO	122551	110175	SSLJN	110175	SSLJN	123189	2331	MLN	1890	011281
63	SSLJN	RAM JEEV (10)	DULAREY	060454	032276	SSGD	032276	SSGD	123189	2156	BRK	896	081279
64	SSLJN	BAROD LAL	CHEDI LAL	121552	051375	SSBRK	051375	SSBRK	123189	2021	GD	896	081279
65	SSLJN	RAJENDRA PRASAD	SHIV KAILASH	031061	052179	SSGD	042080	SSASH	122589	1592	ASH	1466	111060
66	SSLJN	SHIV POOJAN	RAJA RAM YADAV	081260	042080	SSASH	072574	SSASH	010184	1324	LJN	267	051179
67	SSLJN	IDDU (32)	NIVAZI	052056	072574	SSLJN	050180	SSGKP	113089	2071	GKP	487	061380
68	SSGKP	LALMAN	CHAUTHI (5)	050180	SSGKP	SSGKP	030979	SSGKP	113089	1919	GKP	487	071280
69	SSGKP	RAMJEET (2)	KHAJANCHI	060154	030979	SSGKP	110280	SSGKP	113089	1881	GKP	1891	011281
70	SSGKP	KARAMRAJ	KODAI	101059	110280	SSGKP	110280	SSGKP	113089	1881	GKP	1891	011281

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- a.c.c. Garg
21/4/91

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71	SSGKF	HARISH CHANDER	JUGGAN	070860	071979	SSGKF	091979	SSGKF	113089	1456	GKP	1299	101380
72	SSGKF	RAJENDRA	SATTAN	022060	040180	SSGKF	040180	SSGKF	113089	1476	GKP	665	071170
73	SSGKF	MEWA	PRAYAGI	081154	050980	SSGKF	050980	SSGKF	112889	1395	GKP	665	071180
74	SSGKF	UDHMAITH (25)	SATTAN	042554	030479	SSGKF	030479	SSGKF	113089	1112	GKP	1707	121380
75	SSGKF	SRIKANT	RAMRAJ	020657	070977	SSGKF	070977	SSGKF	103189	1107	GKP	1909	011380
76	SSGKF	DEEN DAVAI	SHYAM LAL	021061	072080	SSGKF	072080	SSGKF	113089	1105	GKP	1299	101380
77	SSGKF	RAM LAUT	BALLI	111258	080178	SSGKF	080178	SSGKF	113089	1095	GKP	954	081180
78	SSGKF	CHOTAK	CHIRKUT	020151	080978	SSGKF	080978	SSGKF	112989	1012	GKP	81	041280
79	SSGKF	SOHAN LAL	BANSHU	010161	060180	SSGKF	010161	SSGKF	123189	995	GKP	487	061380
80	SSGKF	RAM PRASAD	SHYAM LAL	100348	050178	SSGKF	050178	SSGKF	053189	991	GKP	487	061380
81	SSGKF	BHAGMAT	RAJAN BHAGAT	060152	030179	SSGKF	030179	SSGKF	073189	549	GKP	487	061380
82	SSGKF	PRAMAN KUMAR	TRILOKI NATH	060157	050878	SSGKF	050878	SSGKF	073189	1493	SUBR	673	071179
83	SSGKF	RAM NARAIN	KRISHNA MOHAN	011560	081078	SSGKF	081078	SSGKF	123189	1464	GD	275	051279
84	SSGKF	KRISHNA PD.	RAM UGRAH	020160	030177	SSGKF	030177	SSGKF	123189	1328	GD	1295	101280
85	SSGKF	BUKROO	CHHEDI	021259	080179	SSGKF	080179	SSGKF	123189	1249	GD	1295	101280
86	SSGKF	SUNDER LAL	BHULAI	050861	080179	SSGKF	080179	SSGKF	043087	961	GD	2303	032380
87	SSGKF	DINDAYAL	BHAGMATI	123157	010179	SSGKF	010179	SSGKF	123189	1129	GD	1295	101280
88	SSGKF	JAGDAMBA PD. 50	MATA BADAL	072960	090378	SSGKF	090378	SSGKF	123189	870	GD	1295	101280
89	SSGKF	SHEO KUMAR	RAM CHANDER	031562	040580	SSGKF	040580	SSGKF	123189	730	GD	1895	011281
90	SSGKF	DURG PRASAD	G D TEMARI	100154	090774	SSGKF	090774	SSGKF	123179	667	GD	275	051279
91	SSGKF	HANUMAN PRASAD	CHHEDI	121256	090377	SSGKF	090377	SSGKF	073189	510	GD	877	061280
92	SSGKF	SHANTI PRASAD	MAHADEO PRASAD	123067	073080	SSGKF	073080	SSGKF	051287	301	GD	1895	011281
93	SSGKF	MUKH LAL	RAM SUKH	071253	090774	SSGKF	090774	SSGKF	051287	253	GD	436	060578
94	SSGKF	RAM BAHADUR	BAABO LAL	021360	062680	SSGKF	062680	SSGKF	073087	168	GD	1477	111180
95	SSGKF	BHAKAM PRASAD	HAZARI	151257	110179	SSGKF	110179	SSGKF	022881	124	GD	1694	121279
96	SSGKF	GANGA RAM	SURJAN	010157	042478	SSGKF	042478	SSGKF	021281	100	GD	436	060678
97	SSGKF	R L SHUKLA	J P SHUKLA	031358	061175	SSGKF	061175	SSGKF	123189	2223	CFA	1500	011281
98	SSGKF	RAM KISHORE	SRI KISHAN	100958	040277	SSGKF	040277	SSGKF	123189	1447	CFA	1082	091179
99	SSGKF	R K CHAUDHARY	KARIYA CHAUDHARY	120159	040180	SSGKF	040180	SSGKF	113088	1393	BST	1299	101380
100	SSGKF	P P PANDEY	R N PANDEY	070456	070179	SSGKF	070179	SSGKF	113088	931	BST	1706	121280
101	SSGKF	RAJENDR SINGH	PRANLAD YADAV	030157	060180	SSGKF	060180	SSGKF	123189	826	BST	851	081180
102	SSGKF	SHANTIULLAH	REHMATULLAH	120659	050775	SSGKF	050775	SSGKF	123189	1408	MLN	PMI	071679
103	SSGKF	RUSTAG ALI (2)	MAJI BUX	050555	042976	SSGKF	042976	SSGKF	123189	2033	RFR	1095	091280
104	SSGKF	RAM MURAT YADAV	REHMATULLAH	061356	011580	SSGKF	011580	SSGKF	123189	3283	RPD	484	061380
105	SSGKF	RAMSHAR KUSHWAHA	LATE MITHOO	123157	110180	SSGKF	110180	SSGKF	123189	1610	LUN	1696	121180
106	SSGKF	RAM AUTAR	ASHARAFI LAL	111255	022472	SSGKF	022472	SSGKF	123189	2396	RTS	1692	121180
107	SSGKF	JAGDISH PD SHUKLA	ASHARAFI LAL	050161	061579	SSGKF	061579	SSGKF	123189	1975	KLD	677	071179
108	SSGKF	RAM GURU	ALLAH BARISH	031657	081875	SSGKF	081875	SSGKF	113089	3452	GD	1295	101280
109	SSGKF	IBRAHIM (24)	ALI SHER	101756	111074	SSGKF	111074	SSGKF	113089	2932	GD	2303	032380
110	SSGKF	MANSOOR ALI (24)	RAM SANUJH	102058	090579	SSGKF	090579	SSGKF	113089	2797	GD	1295	081280
111	SSGKF	GAURI SHANKER (5)	TRILOKI NATH	100756	071376	SSGKF	071376	SSGKF	113089	2415	GD	1295	101280
112	SSGKF	VED NARAIN	RAMRAJ PATNAK	081458	072480	SSGKF	072480	SSGKF	123189	2402	GD	1895	011281
113	SSGKF	JAGDAMBA PD FAITHAK	SARDAR ALI	050856	031577	SSGKF	031577	SSGKF	052180	278	GD	2303	032380
114	SSGKF	RAMJAN ALI	NGRAI	010456	110678	SSGKF	110678	SSGKF	052081	252	GD	696	081279
115	SSGKF	BHAGMATI PD	RAM DHIRAJU	120161	010180	SSGKF	010180	SSGKF	123189	1877	ITE	688	071480
116	SSGKF	RADHEY SHYAM	LT. KASHI PRASAD	073153	042072	SSGKF	042072	SSGKF	123189	1723	GD	1895	011281
117	SSGKF	JAGDISH PRASAD	DURG PRASAD	123159	010178	SSGKF	010178	SSGKF	123189	1348	GVR	851	081180
118	SSGKF	HARDWAR PRASAD											

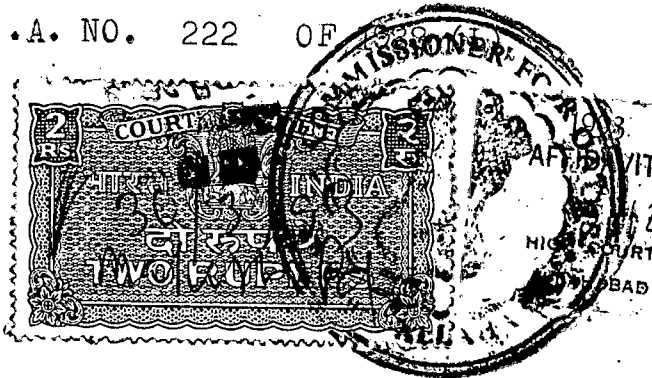
14/11/91

TRUE COPY
ATTESTED
Attested: Rajajjaram, Lucknow
a/c Secretary

Fixed for 30.7.93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH : LUCKNOW

O.A. NO. 222 OF



Mahesh Prasad & others ... Applicants

Versus

Union of India & others ... Opposite parties

SUPPLEMENTARY AFFIDAVIT

I, Shiv Kant Tripathi, aged about 32 years,
s/o Sri C.B. Tripathi, substitute gateman under Traffic
Inspector, Mailani now under Traffic Inspector Lakhim-
pur Kheri, do hereby solemnly affirm and state on
oath as under :-

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 impenalled 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.
R-1. They have been certified to be appointees of post



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.

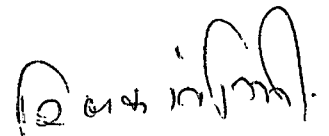


D. S. Srinivasan

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 ^{treated} 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.

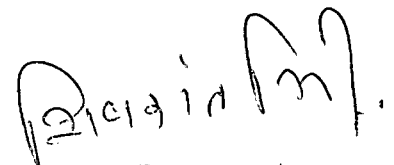
Lucknow.
Dated : 30.3.1993


Deponent

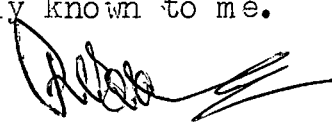
VERIFICATION

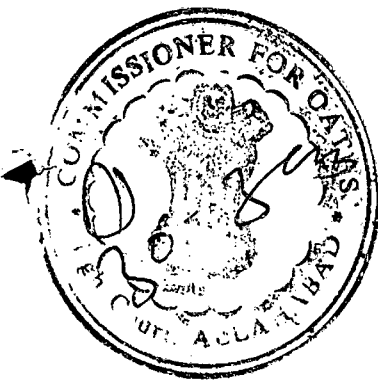
I, the deponent named above do hereby verify that the contents of para 1 to 7 of this affidavit are true to my own knowledge. Nothing material has been concealed and no part of it is false. So help me God.

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 9.05
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.



Deponent's signature

[Signature]
N. D. ARJUN
OATH COMMISSIONER
High Court, Lucknow Bench, Lucknow
No. 39112
Date: 30-3-93

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

Mahesh Prasad & OthersApplicants

Vs.

Union of India & Others.....Respondents

ANNEXURE No. S-1

पूर्वोत्तर रेलवे

अधिसूचना।

लखनऊ रेलवे के पारिचालन विभाग के अग्रस्थिक / स्वजा श्रमिकों को छानविंग परामर्श जो दिनांक 15/7/91, 16/7/91, 17/7/91, 18/7/91, 23/9/91 एवं 24/9/91 को 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 को सम्पन्न हुई पारिचालन विभाग का अग्रस्थिक / स्वजा श्रमिकों का छानविंग परामर्श के फलस्वरूप निम्नलिखित अग्रस्थिक पारिचालन विभाग को चतुर्थ श्रेणी के निम्नलिखित ग्रेड 750-940 के पदों पर नियुक्ति हेतु अनन्तिम रूप से सफल घोषित किये जा रहे हैं।

इन अग्रस्थिकों के जन्मतिथि और अनुसूचित जाति/अनुसूचित जनजाति के मूल प्रमाण पत्र, विद्या, परामर्श एवं नियुक्ति के सम्बन्ध पुनः संबंधित अनुभाग द्वारा पुनः जाँच कर लिए जाय।

अग्रस्थिक रेल प्रबन्धक ने दिनांक 01/11/91 को उक्त पैनल अनुमोदित किया है।

क्र० सं०	नाम	पिता का नाम	कार्यस्थल
	<u>सर्वश्री</u>	<u>सर्वश्री</u>	
1-	दरोगा सिंह	सिंह	स्टेशन/ तिकुनियां
2-	राम प्यारे	वदल	स्टेशन/ लखनऊ जं०
3-	लाल प्रसाद	रामनन्दन	स्टेशन/ गोविन्दनगर
4-	राम नरेश दास	रामनाथ	यानि/ बादशाहनगर
5-	मुत्ताक अली	नवीवस	यानि०/ लखनऊ जं०
6-	रामराज	रामलखन	यानि०/ मैलाना
7-	रामाक	रामजीत	यानि/ जनन्दनगर
8-	मविश प्रसाद	जगन्नाथ	यानि/ मैलाना
9-	रामसिंह (अ० 110)	मंगल	मंसिध/ लखनऊ
10-	रामसुध	राम नारायण	यानि०/ मैलाना
11-	रामाक	दुलारे	स्टेशन/ मैलाना



दिनांक 15/11/91

क्रमशः -

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1	2	3	4
	अर्द्धश्रा	अर्द्धश्रा	डा
✓ 12-	गोविन्द प्रसाद ✓	मिल्लू	यानि0/ मैलना
✓ 13-	गोविन्ददान	स्मार्त	यानि0/ बादशाहनगर
✓ 14-	रामचन्द्र ✓	रामकेवल	यानि0/ जनन्दनगर
15-	जशाराम	वदलु	स्टेधा/ सीतापुर
28/1/20 ✓ 16-	रत्ना राम ✓	देदालाल	यानि0/ नानपारा ✓
✓ 17-	माया राम गिरि ✓	शिवराम	यानि0/ बादशाहनगर
✓ 18-	नवारी लाल ✓	इतवारी	यानि0/ लखीमपुर
✓ 19-	रविश्याम ✓	कृपाल	यानि0/ लखनऊ जं0
28/1/20 ✓ 20-	अंशुधर	दूधनाथ	यानि0/ नानपारा ✓
21-	वेदलाल	रामप्यारे	बो0प्र0/ गोष्ठा
✓ 22-	जावनलाल ✓	रामनारायन	यानि0/ नानपारा ✓
23-	नरवार	देवकला	मैसाधि/ लखनऊ
24-	पृथ्वीपाल	लक्ष्मी शन	यानि/ लखनऊ जं0
25-	अनिल प्रसाद बालल	वकि लाल	स्टेधा/ मैलना
26-	अन्तराण मद्रट	रामराज मद्रट	यानि0/ गोरखपुर
✓ 27-	इब्राहिम ✓	अल्लाहवारिस	मु0यामा0/ गोष्ठा
28-	हेताराम	सुब्राम	बो0प्र0/ गोष्ठा
✓ 29-	दाननाथ ✓	रामदास	यानि0/ नानपारा ✓
30-	उमाकान्त	लक्ष्मीप्रसाद	यानि0/ सीतापुर
31-	रामजोतार	अंगन	मैसाधि/ लखनऊ
32-	रत्तराम	भगवता	यानि0/ मन्दापुर
33-	नन्दक	कामत प्रसाद	मैसाधि/ लखनऊ
34-	गो0देन	मो0 अला	यानि0/ लखीमपुर
21/1/20 ✓ 35-	अनिका प्रसाद	पटेश्वरा	यानि0/ नानपारा ✓

अनुमति

10/11



क्रमः -

वि. प्र. के. त. वि.

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	सर्वश्री	सर्वश्री	
✓ 36-	जगदीश प्रसाद	पुष्पोत्तम	यानि०/आनन्दनगर
37-	श्यामा यादव	रामग्रह यादव	स्टेधा/ लखनऊ
✓ 38-	जगदीश जलौ	जलोशेर	मु०यामा०/ गोष्ठा
39-	रामगुलाम	रामेश्वर	स्टेधा/ लखनऊ जं०
40-	राजमो पाठे	राजनरायन पाठे	यानि०/ गोरखपुर
✓ 41-	रामपाल शुक्ला	भारान शुक्ला	यानि०/ लखनऊ जं०
42-	निधिलेन शुक्ला	रामकिशोर शुक्ला	यानि/ लखनऊ जं०
✓ 43-	शिवपूजन	किशुन	यानि०/ गोरखपुर
44-	गोरी शंकर	रामसमुच्च	मु०यामा०/ गोष्ठा
45-	जगन्मो अला	मो० अला	यानि०/ सातापुर
46-	लालम (जग०ज०)	चौधो	स्टेधा/ गोरखपुर
47-	जगदीश प्रसाद पाठक	रामराज पाठक	मु०यामा०/ गोष्ठा
✓ 48-	रामकुवारी	देना शाह	यानि०/ नानपारा
49-	जगप्रसाद	दुद्रधु लाल	यानि०/ लखीमपुर
50-	सुन्दर लाल	लालम	यानि०/ लखनऊ
51-	वेदनरायन	त्रिलोकानाथ	मु०यामा०/ गोष्ठा
52-	पूजनमाला	सुरजवल	यानि०/ मन्नापुर
✓ 53-	गया प्रसाद	रघुवर दयाल	यानि०/ लखीमपुर
54-	विजयनरायन	हरद्वार	यानि०/ आनन्दनगर
55-	रमेश कन्द	रामलोचन	यानि०/ लखनऊ जं०
✓ 56-	शशिम जलौ	रहमत	यानि०/ बादशाहनगर
57-	कर्मराज	कोदई	स्टेधा/ गोरखपुर
58-	राजिन्द्र प्रसाद	शिव कैलाश	स्टेधा/ लखनऊ जं०



क्रमशः -

वि. म. ३

(8)

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1	2	3	4
	सर्वश्री	सर्वश्री	
59-	रामशब्द	चिन्म	यानि0/ गोरखपुर
60-	अश्विनी प्रसाद	राम निरंजन	यानि0/ बादशाहनगर
61-	राधेश्याम	रामधौरज	बे0प्र0/ गोष्ठा
62-	रामचेल	तेज	यानि0/ मन्नापुर
63-	र0के0 सस्ते	महेश प्रसाद सस्ते	यानि0/ मैलानी
64-	रामगोविन्द	आर0आर0पाण्डे	यानि0/ लखीमपुर
✓65-	नशीर अहमद	कादिर अहमद	स्टेधा/ गोरखपुर
✓66-	चन्द्रिका प्रसाद	माला प्रसाद	यानि0/ ननपारा ✓
67-	जगदीश प्रसाद	काशी प्रसाद	बे0प्र0/ गोष्ठा
68-	अल्लावस	मुस्तफा	यानि0/ गोष्ठा
✓69-	रामवस मिश्रा	नरायनदत्त मिश्रा	स्टेधा/ बड़ना
70-	प्रेमनाथ	राजाराम	स्टेधा/ लखनऊ
71-	एरीश कन्न	जगन	स्टेधा/ गोरखपुर
72-	राजुमार	जोषू लाल	स्टेधा/ गोरखपुर
✓73-	राजिन्द्र प्रसाद	सुखदेव प्रसाद	यानि0/ मैलानी
74-	कृष्ण कुमार	कृष्ण दयाल	यानि0/ लखनऊ जं0
✓75-	सज्जिदानन्द	दुर्गा प्रसाद	यानि0/ मन्नापुर
76-	शिवपूजन	राजाराम	स्टेधा/ लखनऊ
✓77-	रहममस	वल मोहम्मद	यानि0/ सातापुर
78-	रामप्रेमराम	विश्वनाथ	यानि0/ लखनऊ
79-	विश्वनाथ	जलधारी यादव	यानि0/ लखनऊ जं0
80-	रामनरेश	राजकरन	मैसधि, लखनऊ
81-	सुमारजात		यानि0/ लखनऊ जं0

18/12



क्रमशः -

18/12/12

1. 2. 3. 4.

सर्वश्री :-

- दस्तावेज-६

~~P. Prakash~~

1	2	3	4
	<u>सर्वी :-</u>	<u>सर्वी :-</u>	
✓ 105	मातपेठ (अनु० जाति)	सुखाराम	यानि/नानपारा
106	हाव्वा प्रसाद	दुर्गाप्रसाद	हो ० प्र०/गोपडा
✓ 107	दृष्टप्रसाद	राम उग्रह	स्टेधो/गोपडा
108	पटनदीन	श्याम लाल	यानि/मल वामु
✓ 109	सुन्दर लाल	राम प्रसाद	यानि/लखीमुर्त
110	राम वृपाल	बुधराम	यानि/गोरामु
✓ 111	बन्हेयालाल (अनु० जाति)	सुतोषो	स्टेधो/मैलसो
✓ 112	वृजलाल (अनु० जाति)	नंग	यानि/ नानपारा
✓ 113	राम नाथ (अनु० जाति)	नंग	स्टेधो/नानपारा
114	रक्षाराम (अनु० जाति)	राम जोत	मु० या० मा०/गोपडा
115	जगदम्बा प्रसाद (अनु० जाति)	मनोहर लाल	यानि/ नानपारा
✓ 116	दुर्गाप्रसाद (अनु० जाति)	सुखाराम	यानि/नानपारा
✓ 117	राम अचल (अनु० जाति)	जगदेव	यानि/ल० ज०
118	मुरारो लाल (अनु० जाति)	शिवमूर्ति	यानि/गोरामु
119	श्याम नारायण (अनु० जाति)	अक्ष बिहारो	स्टेधो/गोरामु
120	धनोराम (अनु० जाति)	हगोलाल	स्टेधो/सोतमु
121	भगवतो प्रसाद (अनु० जाति)	नगई	मु० या० मा०/गोपडा

=====

वेवल स्व सौ झको स नाम ।

=====

कृते मण्डल रेल प्रबन्धक (वार्मिन्ग)
लखनऊ

क्रमः — 7



12. 10. 23 in 10/10/23

(7)
सं०ई/ 11/227/आनिग/पार०/ 91

दि० 10/12/91

प्रतिनिधि सचिवालय प्रेषित :-

- 1- महानिरीक्षक (आर्मि) गोरखपुर की सूचनाएं
- 2- प्रत्यक्षी / लखनऊ, दो. प्र. / मोरदा, प्रै. आजी. / मोरदापुर।
- 3- संश्लेषित प्रया प्रया / लखनऊ मंडल, समस्त टी. आडि।
- 4- प्रत्यक्षी / कैर (पार०) के चिकित्सा परीक्षा और दूसरा औपचारिकताएं पूरा करेंगे।
- 5- महानिरीक्षक मन्त्रो नई / प. 00 पार० के 08 स० / लखनऊ मंडल
- 6- नोटिस बोर्ड
- 7- समस्त स्टेडी / रैमा (लखनऊ) मंडल।

महानिरीक्षक (आर्मि)
लखनऊ

वि. 14 का. 2 मि.



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

(CIRCUIT BENCH) LUCKNOW

Misc. Application No. 11 of 1989 (L)

A11
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 Traffic 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 ~~xxx~~ 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

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महेश प्रसाद

....2/...

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

Lucknow.

Dated : 25.1.89

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

महेश प्रसाद
Signature of the applicant

Advocate
Signature of the Advocate

Registered

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

No. CAT/CB/LKO/

655 to 660

Dated :

Registration No. of 193

M. L. K. S.

Applicant

Versus

M. L. K. S.

Respondent's

To

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 _____ day of _____ 1938 for

fix for 30.3.05 for final hearing.

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 _____ 1938.

For DEPUTY REGISTRAR

dinesh/

VAKALATNAMA

Before

In the Court of

Central Administrative Tribunal / Lucknow Bench

No. 222 of 1988

..... Mahesh Prasad and others Applicants

Versus

..... Union of India and others

H/We. Aniruddh Mithal DBM, R.K. Singh ADM., K.R. Ahirwar AOS(G)

and S.R. Mishra A.O., N.E. Railway Adok Marg Lucknow

do hereby appoint and authorise Shri. A.N. Verma 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.

I/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 1989

(K.R. Ahirwar)
Assistant operator Supdt (C)
N.E. Ry / Lucknow

(Aniruddh Mithal)
Divisional Railway Manager
N.E. Railway Lucknow

(S.R. Mishra)

Accepted

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

NS/CCS
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VAKALATNAMA

Registration No 222 of 1988 (L)

Before
in the Court of

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

Plaintiff
Defendant

Mahesh Prasad and others

Claimant
Appellant

Versus

Defendant
Plaintiff

Union of India and others

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 .

Dated198

NER-84850400-8000-4 7 84

Accepted
[Signature]

[Signature]
(C. K. R. Dhusia)
Designation of the Executive Officer,

On behalf of Union of India

वर वंडल कारिक बावकारी,
पुर्वोतर रेजवे, लखनऊ
Sr. Divisional Personnel Officer,
N. E. Railway, Lucknow

NS/CCS

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VAKALATNAMA

Central Administrative Tribunal, Circuit Bench,
Lucknow

Before

In the Court of

Regn.No.222/1988.

Plaintiff

Mahesh Pd.& ors.

Defendant

Claimant

Appellant

Versus

Defendant

Union of India and Ors.

Plaintiff

Petitioner

Respondent

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

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 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 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 the.....day of **Feb.**.....1989.

Dated.....198

NER-84850400-8000-4 7 84

Designation of the Executive Officer,

(**A. Tete**)

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

for Union of India.