

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE ..O.A.48.....OF ..1986.....

NAME OF THE PARTIES ..Shri.....P.N. Kaul.....Applicant

Versus

.....Union.....of.....India.....Respondent

Part A.

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CERTIFICATE

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

Dated ..27/12/2011

Counter Signed.....

Section Officer/In charge

Signature of the
Dealing Assistant

16

A 13

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. NO. 48/88

Shri P.N. Kaul

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

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

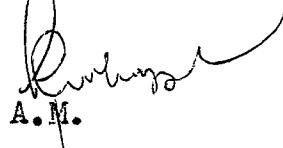
The applicant who has retired from service, of inspite/being given a number of opportunities has not filed rejoinder and has not been appearing and has appeared today and also did not appear on previous occasions, has prayed that his seniority may be directed to be fixed at proper place from the date of his initial appointment i.e. 14.4.1950 and according to the date of notional promotion i.e. 1.6.1974, the respondents be directed to revise his position in the seniority list dated 29.4.1988 and to quash the order dated 29.4.88 reverting the applicant from the post of Senior Supervisor and to allow him to continue on the said post uninterrupted, and has further prayed that his confirmation on the post of S.G.T.O. and his notional promotion already given with effect from 1.6.1974 as S.G.T.O. may be directed to be maintained.

2. It appears that in the year 1973 U.P.Circle was bifurcated into two separate Circles and a combined

W

gradation list of staff was maintained separately. The applicant, after bifurcation was maintained on the gradation list of Lucknow Telephones District, in the matter of seniority and the officials of a particular cadre had no correlation with the seniority and promotion of others. The seniority of staff of Lucknow Telephones, District was re-merged with the staff of U.P. Telecom Circle with effect from 31.7.75, as a matter of policy but the merger orders were not extending any protection to the District staff with regard to the fixation of their seniority in the promoted cadre which was to be fixed on merger on the basis of length of service in that cadre. Even though the merger order was later on changed but the seniority once fixed could not have been changed and that is why the applicant's claim was not accepted.

3. We do not find any good ground as to how the explanation which was given by the applicant, was justified after referring the matter to the departmental authorities. Appointment of the applicant was only officiating. Reversion order cannot be interfered. Application is dismissed with no order as to costs.


A.M.
V.C.

Shakeel/

Lucknow : Dated: 23.10.92.

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause No. 48/199
 Title P. N. Kail
 Name of the parties Applicants.

Versus

C.C.I

Respondents

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5	Annexure	A ₂₄ to A ₅₂
6	Power	A ₅₃ to A ₅₈
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CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001

Chandni Bhawan Lucknow

Registration No.

48 of 1988(4)

APPLICANT (s) P. N. Kaul

RESPONDENT(s) Union of India & ors.

Particulars to be examined

Endorsement as to result of Examination

1. Is the appeal competent ?
2. (a) Is the application in the prescribed form ?
3. (a) Is the appeal in time ?
 - (b) If not, by how many days it is beyond time ?
 - (c) Has sufficient cause for not making the application in time, been filed ?
4. Has the document of authorisation/Vakalat-nama been filed ?
5. Is the application accompanied by B. D./Postal-Order for Rs. 50/-
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?

yes

yes

yes

No (Two sets)

yes

yes. 3.P.O. No. K/53-867174 dt 4.6.88
to
K/53-867103 H. 4600
Rs. 5/- each
for Rs. 50/- only

yes

yes

yes

- (b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?

Particulars to be ExaminedEndorsement as to result of Examination

(c) Are the documents referred to in (a) above neatly typed in double space ? *Yes*

8. Has the index of documents been filed and paging done properly ? *Yes*

9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?

10. Is the matter raised in the application pending before any Court of law or any other Bench of Tribunal ? *No*

11. Are the application/duplicate copy/spare copies signed ? *Yes*

12. Are extra copies of the application with Annexures filed ? *Yes*

(a) Identical with the original ? */*

(b) Defective ? */*

(c) Wanting in Annexures

Nos...../Pages Nos.. ?

13. Have file size envelopes bearing full addresses, of the respondents been filed ? *No*

14. Are the given addresses, the registered addresses ?

15. Do the names of the parties stated in the copies tally with those indicated in the application ?

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?

17. Are the facts of the case mentioned in item No. 6 of the application ?

(a) Concise ?

(b) Under distinct heads ?

(c) Numbered consecutively ?

(d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for indicated with reasons ?

19. Whether all the remedies have been exhausted.

SA 48 of 88 (L)

A.N. Kaul vs U.O. & Ors.

Order Sheet

A3

6-6-88 For D. S. Mishra, A.M.

Admit. Issue "ad hoc" (See month for
C.A. 10 days thereafter) for R.A.

Put up on 18-7-88

13.

Office Report

(Am) 18/7/88

18-7-88

Hon. Ajay Dalmi, A.M.

See D.S. Chauhan for applicant.

Put up on 20-7-88

as prayed.

3
A.M.

Adm

20-7-88

Hon. Ajay Dalmi, A.M.

Heard Sri D.S. Chauhan for applicant
and Sri V.C. Chaudhary for respondents.
It is said that the applicant has already
been promoted on ad hoc basis and
on behalf of respondents it was said
that there was no intention to revert
him from the ad hoc promotion. In view
of the same the interim relief
prayed for does not exist any
more. Sri V.C. Chaudhary may file
reply within a month and thereafter
rejoinder may be filed within fifteen
days if the applicant so desires.
The case be listed for final
hearing on 20-9-88.

Adm

PLW

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH AT LUCKNOW.

O.A./T.A. No. 40 1980 (C)

P. N. Kaur

Applicant(s)

Versus

U.O.L.

Respondent(s)

Sr. No.	Date	Orders
	<u>24.10.88</u>	<p>Ld. Advocate Sri D.S. Chauhan Advocate Spouse of officer Reply not filed. Re 22.11.88 for reply</p> <p><u>DR</u></p>
<u>22/11/88</u>		<p>Learned Advocate Sri D.S. Chauhan Adv. is present for applicant. Reply not filed. List this case 24.11.88 for Reply</p> <p><u>DR</u></p>
<u>24.11.88</u>		<p>Reply not filed. Counsel for both the parties are present. On the request of Sri Chauhan counsel for respondent the case is adjourned to 22.12.88.</p> <p><u>DR</u></p>

DR (J)

(A-2)

6.3.89

Hon. Justice Ramkeshwar Nath, N.C.
Hon. Mr. A. Dohar, A.89

On the request of the parties, the
Case is adjourned to 6.4.89 for trial
hearing.

AM

Dr
V.C.

6/4/89.

Hon. Justice K. Nath, V.C.
Hon. D. S. Misra, Adv.

Shri V.K. Chaudhary files Counter
affidavit on behalf of all the opposite
parties. Its Copy has been delivered
to the learned counsel for the
applicant. Rejoinder, if any,
may be filed within ten days.
dist for hearing on 19-5-89.

Br

Dr

AM.

V.C.

OB

No rejoinder has
been filed.
Submitted for adu

19/5/89.

No sitting Adjourneed
to 7/7/89 for hearing.

CBO

10/5

OB
The case is submitted
for hearing. No rejoinder
has been filed so far.

11-7-91
D.R.

(A 9)

Sri D. S. Chauhan
appears for the
applicant. No appearance
has been made on
behalf of the Respondent
case is listed on 14/8/91
for filing counter.
Rejoinder Latin on
Sri V. K. Chaudhary
appeared for the O. P.
Hence case is listed on 14/8/91
for filing R.A.

14.8.91

D.R.

Respondent is present
Applicant did not file
Rejoinder by 1/11/91.

1/11/91

D.R.

Respondent's side is
present. Applicant
to file Rejoinder by
19/11/92.

(AII)

O.A. 48/88

17.1.92
D.R.

Both the parties
are present. Applicant
is directed to file
Rejoinder by 24/3/92

24.3.92
D.R.

Respondent's side is
present. Applicant
to file Rejoinder by
13/4/92.

13.4.92
D.R.

Counsel for O.P. is
present. Applicant to
file Rejoinder by 10/7/92.

10.7.92
D.R.

Counsel for Respondent
is present. Applicant
to file Rejoinder by
16/9/92.

In the Hon'ble Central Administrative Tribunal, Allahabad.
Lucknow Bench, Lucknow.

Application Registration No. 4 of 1988 (c)

Application under Section 19 of the
Administrative Tribunal Act, 1985.

P.N. Kaul Versus Union of India and others.

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	Extract of gradation list.	
4.	<u>Annexure No.3.</u>	17-20
	Communication dated 12-4-1978.	
5.	<u>Annexure No.4.</u>	21-24
	Communication dated 26-4-1980.	
6.	<u>Annexure No.5.</u>	25-26
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7.	<u>Annexure no.6.</u>	27-28
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8. Annexure No.7. 29-30
Letter dated 28-1-1988
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9. Annexure No.8. 31-32
Representation dated
22-2-1988.

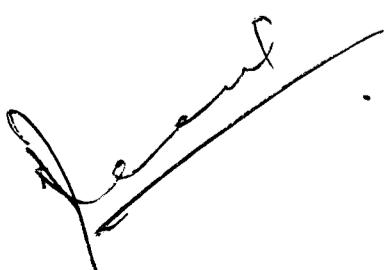
10. Annexure No.9. 33-34
Letter dated 29-4-1988
regarding rejection
of representation.

11. Annexure No.10. 35-37
Letter dated 29-4-1988
regarding final seniority.

12. Annexure No.11. 38-39
Reversion order
dated 29-4-1988.

Lucknow: Dated:
June, 6, 1988.


Signature of
Applicant.


Signature

(A15)

In the Hon'ble Central Administrative Tribunal, Allahabad.

Lucknow Bench, Lucknow.

Application Registration No. 40 of 1988. (C)

P.N. Kaul, aged about 57 years, Son of Late Shri B.N. Kaul, resident of 5, Gwynne Tank, Aminbad, Lucknow.

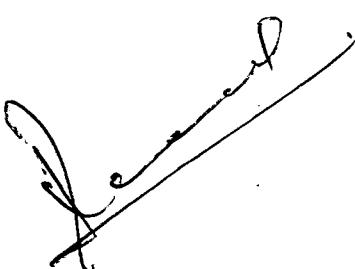
Applicant.

Versus.

1. Union of India through the Secretary, Department of Telecommunication, New Delhi.
2. Director General, Department of Telecommunication, New Delhi.
3. General Manager, Telecommunication, U.P. Circle, Lucknow.
4. Telephone District Manager, Shahnajaf Road, Lucknow.

Respondents.

Application under Section 19 of the
Administrative Tribunal Act, 1985.



AIG

1. Particulars of the applicant.

(i). Name of the applicant. **Fratap Narain Kaul.**

(ii). Name of Father. **Late Shri B.N. Kaul.**

(iii). Designation and office in which employed. **Officiating Senior Supervisor Telephones-Trunks, Office of Telephone District Manager, Lucknow.**

(iv). Office address. **Office of Assistant Engineer (Trunks), Lucknow.**

(v). Address for service of notice. **Designation of 5, Gwynne Tank, Aminabad, Lucknow.**

2. Particulars of Respondents.

(1). Union of India through Secretary, Department of Telecommunication, New Delhi.

(2). Director General, Department of Telecommunication, New Delhi.

(3). General Manager, Telecommunication, U.P. Circle, Lucknow.

(4). Telephone District Manager, Shahjanaf Road, Lucknow.

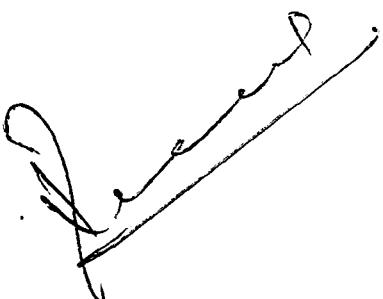
3. Particulars of the order against which application is made.

(1). Order No. **ST-71/4CH1/217.**

(2). Date: **29-4-1988.**

(3). Passed by: **Telecommunication District Manager, Lucknow.**

(4). Subject in brief: **The applicant was promoted to the post of Senior Supervisor, Telephones, with effect from 16-9-1987.**



-: 3 :-

(A17)

He has been ordered to be reverted
to his substantive post of Telephone
Supervisor.

4. **Jurisdiction
of the
Tribunal .** The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of this Hon'ble Bench.

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

6. **Facts of
the case.**

(1) The applicant's date of birth is 23-6-1931. He entered service of Post and Telegraph Department as Telephone Operator on 14-4-1950 and was confirmed on this post on 1-3-1952.

(2) In accordance with the direction contained in communication No.45-17/56-SPB dated 30-4-1959 issued by Director General, Post and Telegraph, New Delhi, the seniority of applicant was determined according to length of service reckoned from the date of initial appointment i.e. 14-4-1950 and his name was placed at Sl.No.91 of

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A, B

the 1977 edition of gradation list of Telephone Operators in the U.P. Telecommunication Circle.

A true copy of the communication dated 30-4-1959 is enclosed as Annexure-1 and an extract true copy of gradation list is enclosed as Annexure-2 to this application.

(3) The applicant was given promotion to the post of Selection Grade Telephone Operator, hereinafter referred to as S.G.T.O, with effect from 27-7-1974 in accordance with his seniority in the Office of District Manager (Telephones), Lucknow.

(4) The Director General, Post and Telegraph, New Delhi in his further communications contained in No.45-1/74/SPB-ii dated 12-4-1978 and No. 45/1/74-SPB-ii dated 26-4-1980 directed to make revision in the seniority and for giving notional promotion to those employees retrospectively who were earlier not given promotion from due dates. True copies of these communication are enclosed as Annexures-3 and 4 respectively to this application.

(5) The applicant was, accordingly, given notional promotion on the post of S.G.T.O. with effect from 1-6-1974 by the order of General Manager (Telephones) contained in No. Staff/M-9/14/

A19

-: 5 :-

78-79/2-III dated 21-2-1985. A true copy of this order is enclosed as Annexure-5 to this application. He was confirmed on this post with effect from 1-12-1981.

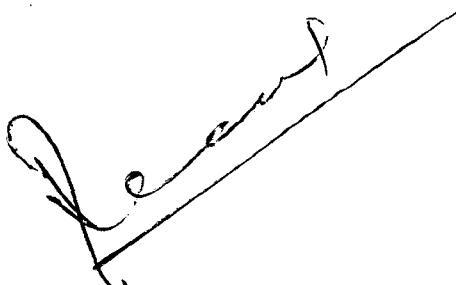
(6) The applicant continues to hold the post of S.G.T.O. efficiently and honestly and thereafter, he was promoted to the post of Senior Supervisor (Telephones) with effect from 16-9-1987 by the order of Telephone District Manager, Lucknow contained in No. ST/71/4/ChI/199 dated 14-9-1987. A true copy of order dated 14-9-1987 is enclosed as Annexure-6 to this application.

(7) The applicant was given a notice by the General Manager, ~~Telepharm~~ Telecommunication, U.P. Circle, Lucknow vide his No. Staff/M-10/9/87/2, dated 28-1-1988 requiring him to make representation against the proposed action of making revision in the date of his confirmation as S.G.T.O. on the ground that he was wrongly confirmed from earlier date whereas his seniors are still unconfirmed. A true copy of letter dated 28-1-1988 is enclosed as Annexure-7 to this application.

-: 6 :-

(8) The applicant submitted representation on 18-2-1988 and requested that his seniority may be determined according to the date of his initial appointment. A true copy of representation dated 22-2-1988 is enclosed as Annexure-8 to this application.

(9) The applicant was informed by the General Manager (Telephone) U.P. Circle vide his No. Staff/M-10/9/87/2 dated 29-4-1988 that his seniority in the cadre was wrongly fixed on account of erroneous notional seniority given and as such his representation was not found acceptable and his confirmation has now been proposed from new date i.e. 1-1-1988. A true copy of this letter is enclosed as Annexure-9 to this application. Accordingly, the seniority of the applicant was further lowered down and he was placed at Sl.No.135 in the seniority list issued vide No. Staff/M-10/9/87/2 dated 29-4-1988 for which no reason was assigned. A true copy of letter dated 29-4-1988 alongwith extract of seniority list is enclosed as Annexure-10 to this application.



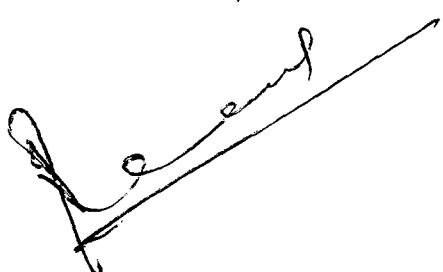
(10) The applicant has been ordered to be reverted from the post of Senior Supervisor (Telephones) to his substantive post of S.G.T.O (Supervisor) by respondent No.4 vide his No. ST-71/4/Ch1/217 dated 29-4-1988, at true copy of which is enclosed as Annexure-11 to this application. The applicant is presently on medical leave with effect from 2-5-1988.

7. Reliefs sought:

In view of the facts mentioned in para 6 above, the applicant prays that the following reliefs:

(1) His seniority may be directed to be fixed at proper place according to his length of service reckoned from the date of his initial appointment i.e. 14-4-1950 and according to date of notional promotion i.e. 1-6-1974 and the opposite parties may be directed to revise his position in the seniority list dated 29-4-1988 accordingly.

(2) to quash the order dated 29-4-1988 reverting the applicant from the post of Senior Supervisor (Telephones) and consequently to allow him to continue on the said post un-interrupted.



(3) to direct the opposite parties not to make any revision in the date of his confirmation on the post of S.G.T.O. and his notional promotion already given with effect from 1-6-1974 as S.G.T.O. may be directed to be maintained.

8. Interim order, prayer.

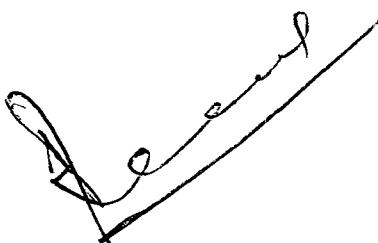
The applicant seeks issue of interim relief to the effect that the operation and implementation of reversion order dated 29-4-1988 may be stayed and the applicant who is on leave, may be allowed to continue on the post of Senior Supervisor (Telephones) during pendency of this application.

9. Details of the remedy exhausted.

The applicant declares that he has availed of all the remedies available. No appeal or representation lies against the order dated 29-4-1988, under the service rules. The representation earlier made on 22-2-1988 was rejected by the communicated dated 29-4-1988.

10. Matter not pending with any other Courts etc.

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any



other authority or has been rejected by any court of law or any other Bench of the Tribunal.

11. Particulars of Bank Draft/Postal Order in respect of the Application fee:-

(i) No. of Indian Postal Order. (1) K/53-867174)
(2) K/53-867175)
(3) K/53-867176)
(4) K/53-867177)
Rs. 5/- each.

(5) K/53-867178)
(6) K/53-867179)
(7) K/53-867180)
(8) K/53-867181)
(9) K/53-867182)
(10) K/53-867183)

(ii) Name of issuing post office. Aminabad, Lucknow.

(iii) Date of issue of postal order. 4-6-1988.

(v) Post Office at which payable. G.P.O., Lucknow.

12. Details of index.

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

13. List of Enclosures:

- (1) Communication dated 30-4-1959.
- (2) Extract of gradation list.
- (3) Communication dated 12-4-1978.
- (4) Communcation dated 26-4-1980.
- (5) Notional promotion order dated 21-2-1985.
- (6) Order dated 14-9-1987 prjotion as Senior Supervisor.
- (7) Letter dated 28-1-1988 to show cuase.

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-: 10 :-

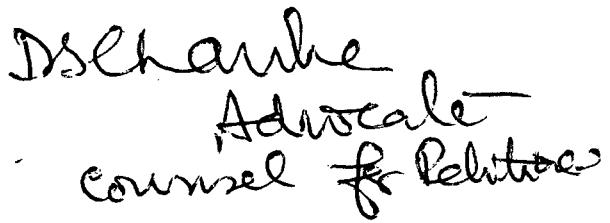
- (8) Representation dated 22-2-1988.
- (9) Letter dated 29-4-1988 regarding rejection of representation.
- (10) Letter dated 29-4-1988 regarding final seniority.
- (11) Reversion order dated 29-4-1988.

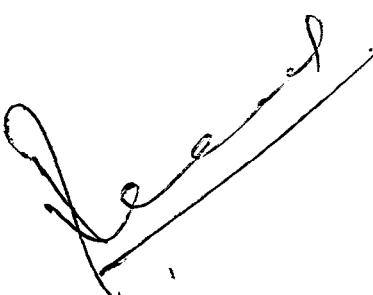
VERIFICATION

I, P.N. Kaul, aged about 57 years, Son of Late Shri B.N. Kaul, Senior Supervisor (Telephones), resident of 5, Gwynne Tank, Aminabad, Lucknow do hereby verify that the contents from 1- to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Dated: Lucknow:
June 6, 1988.


Signature of the applicant.


D.S. Sharmin
Advocate
Counsel for Petitioner


Reena

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A 24

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Application Registration No. of 1986

P.N. Kaul

Applicant

Versus

Union of India & others

Respondents.

Annexure No.1

The D.G. P&T, New Delhi Communication No.45-17/
57-SPB Dated 30.4.59 to all Heads of
Circle etc-etc-)

SUBJECT: Preparation of Circle gradation lists of Clerical
and allied cadres-Principles to be adopted.

I am directed to say that the question of preparation
of Circle Gradation List on an equitable basis has been
under consideration for some time.

Recruitment to the clerical and allied cadre except
Telegraphists is made on divisional basis. The divisional
gradation list is prepared in the following manner:

All official holding a substantive post with effect
from a date earlier than 1.1.44 are en-bloc senior to all
officials who were confirmed from 1.1.44 or from a later date
The inter-se seniority of the former is determined according
to their substantive entry into the grade. The seniority of the
officials who were not holding a substantive post in the grade
on 1.1.44 but were recruited prior to the holding of the

A 25 12

competitive examination in accordance with this office letter No. SPB-20-14/49 dated 1.5.50 is determined according to the length of service in the grade or in equivalent grade in accordance with the Director General's, General Circular No.23 dated 5.12.49. All those officials are en-bloc senior to those recruited earlier by competitive examination or on the basis of marks. Such of these officials who fail to pass confirmation examination within the normal chances however lose their seniority and their seniority is fixed according to their date of confirmation along with the officials who have been recruited through competitive examinations etc. The seniority of officials recruited in accordance with this office letter No. SPB-20-14/49 dated 1.5.50 and thereafter is fixed as follows:-

The departmental candidates are on en-bloc senior to outsiders. Among the departmental candidates those who come through competitive examination are senior to those who come through incentive orders. The seniority inter se of the departmental candidates who come through competitive examination is fixed according to merit in the examination and those who come through incentive orders on the basis of their seniority in the lower cadre. The inter se seniority of outsiders is fixed on the basis of merit in the selection. The candidates approved for appointment in one year are en bloc senior to those approved for appointment in a subsequent year. Confirmations are also made in the same order of seniority(except those who fail to qualify in the confirmation examination in four chances

-3-

and are relegated to the bottom) This in effect means that the seniority of selected candidates in Divl.Cadre is fixed on the above basis for confirmation and once they are confirmed the date of confirmation determines their seniority. When the dates are the same, their position in the seniority list for confirmation determines their relative position. The scheduleed casts/Tribes candidates who are appointed against reserved points in the roster and are being confirmed on the same basis get their seniority fixed according to the date of confirmation.

All promotions to lower Selection Grade are made on a Circle basis and it is necessary to have a Circle seniority which should as far as possible, reflect the seniority of the official in the Division.

The Circle Gradition list used to be compiled on the basis of the date of substantive entry into the grade. With the suspension of the normal recruitment and absorption of a large number of temporary and displaced Govt.servants from Pakistan It was decided that the seniority in the clerical and allied cadres as in all other orders generally, should be fixed on the basis of length of service in the grade of equivalent grad exception being made in case of officials confirmed from a date prior to 1.1.44. Although the principle was fair in the special circumstances mentioned above could not be continued indefinitely specially when normal recruitment was restored.

As indicated in para 2, seniority in the grade after the competitive examinations have been revived is dateremined on

-4-

the basis of date of confirmation. As the Divisional seniority should be reflected in the Circle gradation list as far as possible, it has been decided that the Circle gradation should be prepared in the following basis.

- (1) The seniority of the clerks holding substantive appointments in the cadre from a date earlier than 1.1.44 should be shown according to the dates of their substantive entry in the grade.
- (2) the seniority of the officials who did not hold a substantive post in the cadre from a date earlier than 1.1.44 but who were recruited before the competitive examination introduced vide this office letter No. SPB/20-14/49 dated the 1.5.50 should be determined on the basis of their length of service in the grade or equivalent grade in accordance with D.G's, General Circular No.23 dated the 5,12,49.
- (3) the seniority of officials recruited through competitive examinations in accordance with this office letter no. SIB/20-14/49 dated the 1.5.50 and subsequently should be arranged according to the date of confirmation. When the date of confirmation of two or more officials is the same, the seniority should be determined according to the length of service in the grade. If the length of service of those officials is also the same, the same should be the criterian.

The officials mentioned at (1) above will ~~xxx~~

-5-

en-bloc be senior to those mentioned at (ii) and (iii), and those mentioned (ii) above will en bloc be senior to those mentioned at (iii) above. The officials who fall in the category mentioned at (ii) above who did not pass the confirmation examination within the allowed chances and thereby lost their seniority will however take the places with other officials mentioned at (iii) above according to the date of confirmation.

The seniority of officials who are transferred from Circle to another under rule 38 of P&T. Vol. IV and thereby their seniority should be shown according to the provisions of this rule.

No. Staff.A/46 Ch.II/5 dated at Lucknow the 22.5.1959.

Copy forwarded to:

(i) All S.S.P.Os/s.P./SRMs/PMs Grade 'A'/E.Dst./ D.E.Lucknow
 All Officer I/C, DTOs & CTOs./DEY Coaxial I & II Agra Divn
 and Manager TIO. for information

This should be acknowledged citing this office No.
 Staff A/46 Ack/5.

sd/- for Postmaster General
 U.P.

True copy

D.S. Chauhan
 Advocate
 6/6/59

Received

A29
16

In the Hon'ble ~~Administrative~~ Administration Tribunal, Allbd.

Lucknow Bench Lucknow.

Appln. Registration No.

of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents.

Annexure No.2

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
GRADATION LIST OF THE STAFF
OF TELEGRAPH ENGINEERING
(NON GAZETTED) IN
THE UTTAR PRADESH TELECOM CIRCLE
PART I TO VIII
CORRECTED UPTO JAN. 1977

Volume-II

GRADATION LIST OF TELEPHONE OPERATORS

Name	S/C or ST	Date of Birth	Date of entry in the Deptt.	Date of entry in the deptt.	Designation	Pay Scale	Date of drawal	Remarks
XXXXXX			XXXXXX		XXXXXX	XXXX		
88. Ram Bahore - Tewari		1.8.20	21.6.44	11.4.50	25.6.52 Banda			Offg 20% SG TO
89. R.P. Verma -		29.6.28	12.4.50	12.4.50	1.3.52 LWD			--do--
90. R.P. Shukla -		2.6.30	14.4.50	14.4.50	1.3.52 LWD			--do--
91. P.N. Kaul -		23.6.31	14.4.50	14.4.50	1.3.52 LWD			--do--
92. T.C. Chaudhury	29.6.39	27.4.45	15.4.50	1.6.54	NT			--do--
93. S.P. Seth	1.7-30	16.4-50	16.4-50	1.6.54	LWD			--do--
94. R.C. Vidyarthi	28.3.31	17.4-50	17.4.50	14.4.55	NT			--do--
95. C.L. Mehrotra	30.5.28	18.4.50	18.4.50	1.7.54	BR 530	1.6.78		
96. Yograj Grover	17.11.29	19.4.50	19.4.50	1.3.52	LWD			--do--

True copy
DeShanhe
Adv
6/6/88

(A30)

17

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents.

Annexure No.3

Copy of D.G. P&T New Delhi communication No. 45/1/74/
SPB-II dated ~~24~~ 12th April 1970 addressed to all Heads
of Telecom circles and others

Subject:- Preparation of circle/gradation lists of officilas
belonging to the cadres of clerks, sortors, telephons
operators etc. in the operative offices appointed
during the period from 22.6.1949 to 21.12.1959.

I am directed to invite a reference to this office
letter No. 45/17/57-SPB-II dated the 30th April 1959 containing
principles to be adopted for preparation of circle gradation
list of clerical and allied cadres, this office letter no.45/2/
72-SPB dated 7.10.1972 forwarding a copy of Cabinet secretariat
Department of personnal and Administrative Reforms office
Memorandum no. 9/3/72-Ests(D) dated 22.7.1972 along with its
annexure regarding general principles to be followed for
determining the seniority of various categories of persons
employed in Central Services consequent on the judgement of the
Supreme Court dated 4.1.1972 on Civil Appeals Nos.1945 of 1968

(A 31)

14

-2-

1846 and 50 of 1969, and this office letter no. 45/2/72/SPB-II dated 28.2.1973 containing certain clarifications in respect of the instructions contained in Department of Personnel and Administrative Reforms office Memorandum no. 9/3/72-Ests(I) dated 22.7.72. The matter has been further examined in detail in consultation with Department of Personnel and Administrative Reforms and Ministry of Law, Justice and Company Affairs consequent on the judgement of Orissa High Court dated 18.4.74 in Writ Petition No. 65 of 1972 and the judgement of Madras High Court dated 2.1.1974 in Writ Appeal no. 240 of 1970 in writ petition no. 2402 of 1966 and Writ Petition no. 844 of 1972 and the following decisions have been taken to revise the seniority of clerks, sorters, Telephone Operators etc. appointed in the operative offices of the Department between the period from 22.6.1949 to 21.12.1959.

2. The seniority of all persons appointed to the cadres, referred to above, during the period from 22.6.1949 to 21.12.1959 may be revised except in the cases of the categories mentioned below on the basis of length of continuous service in the grade as well service in an equivalent grade in accordance with the instructions issued in Ministry of Home Affairs Office Memorandum Number .30/44/48-Appts dated 22.6.1949 (Reproduced in Director General's General Circular no. 23 dated 5.12.1949)

(a) The persons who were initially appointed as clerks, sorters, telephone Operators on an ad-hoc basis as unapproved candidates and were subsequently exempted

-3-

from passing the recruitment examination by virtue of their having put in a particular service limit on a particular date.

- (b) Persons who failed to pass the confirmation examination within the period and chances prescribed in the rules.
- (c) Persons transferred from one circle to another from one arm of service to another etc., under Rule 38 of P&T Manual Vol IV after having given a declaration prescribed in the rule ibid.

The seniority of the categories of persons mentioned above as an exception to the general principle may continue to be fixed in the following manner:-

- (1) The seniority of the exempted category of persons may be fixed by counting their length of service in the grade from the date from which they were exempted from appearing in the recruitment examination.
- (2) The persons who failed to pass the confirmation examination within the prescribed period and prescribed number of chances may be fixed from the dates of their passing the confirmation examination in the special chance or from the date of their being exempted from passing the confirmation examination as per the note (2) below Rule 254 of P&T Manual Vol. IV.
- (3) The seniority of transferees under Rule 38 of P&T Man. Volume IV is to be fixed according to the provisions of the Rule ibid as amended from time to

(A73)

70

-4-

time and as it existed at the time of transfer of a particular employee.

3. The promotions and confirmation made in the LSG prior to 4.1.1972 will not be effected consequent on revision of seniority in the manners mentioned above. In other words the time scale clerks, sorters, telephone operators etc. promoted to LSG before 4.1.1972 and not confirmed in that grade on the basis of old seniority will not be reverted from LSG even if they become too junior in the time scale cadre on the basis of revised seniority to be retained in the higher grade.

Such of these officials as have been confirmed in LSG after 3.1.1972 on the basis of old seniority will not be reverted from that grade but their seniority in LSG will have to be revised on the basis of their revised seniority in the time scale cadre. For this purpose, it may be necessary in some cases to create permanent supernumerary posts in LSG Cadre to accommodate the lines of the persons who will become senior on the basis of the revised seniority. The full details of such cases may be intimated to this office for further necessary action.

4. Expenditious and time bound action may be taken to revise the seniority/gradation lists, if necessary, by creating special cells in the Circle Offices for the purpose. It is requested that the review of seniority in the light of the decisions being communicated in this letter should be completed with in a period of two months from the date of this issue letter and compliance reported to this office

Time Lekha *Asstt. Director General (SPN)*
D.S.L. Chander *SD/-J.W. Ranjwani*
16/11/16

A23 21

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents.

Annexure No.4

INDIAN POSTS & TELEGRAPHS DEPARTMENT
OFFICE OF THE DIRECTOR GENERAL OF POSTS & TELEGRAPHS
NEW DELHI

NO. 45/1/75 SPB II

Dated 26.4.1980.

To,

All Heads of Postal Circles.

All Heads of Telecom Circles.

All Heads of Telephone Distts.

All Heads of other Administrative Offices.

Subject: Preparation of Circle gradation lists of officials belonging to the cadre of clerks, Sorters, telephone operators etc. in the operative offices appointed during the period from 28.6.1949 to 21.12.1959
Principles to be adopted.

Reference: This office letter No. 45-1/74-SPB II dated 12.4.78 and 17.8.1973.

I am directed to invite a reference to the above cited letter and to say that a number of clarifications have been sought by the circles pointing out certain contradictions

in the instructions contained in the two letters.

2. The following clarifications are issued in order to ensure speedy completion of the preparation of the Circle gradation lists and consequent adjustments in promotions etc.

(i) As per Supreme Court Judgement, the revision of the seniority is required only in the case of persons who were appointed to a grade before 22nd December 1969 and who continued in the same grade on the date of the same grade on the date of the judgement of the Supreme Court. In other orders the officials who were promoted to the IASG prior to 4.1.1972 (whether confirmed or not) will retain their seniority in the ESSG cadre, notwithstanding any revision of their seniority in the clerical cadre. It would mean, those officials will rank senior to those who are promoted on the basis of the revised seniority as per Supreme Court judgement. In view of this, there is no question of sanction of any supernumerary posts as mentioned in para 3 of this office letter 12.4.1978.

(ii) In view of what is stated above, such of those officials who are promoted on the basis of the revised seniority cannot claim any seniority over those officials who were promoted on regular basis prior to 4.1.1973. The instructions contained in para 2 of the letter dated 7.8.78 will, therefore apply

only to those persons who would have been promoted from a date prior to 4.1.1972 on the basis of their revised seniority in the basis time scale cadres. The pay of such persons in LSG will however, be notionally fixed as per instructions contained in para 2 of the letter dated 7.8.1978.

(iii) It is clarified that in respect of the officials who are entitled to promotion from a date later than 4.1.1972 on the basis of their revised seniority in basis time scale cadres their seniority in the LSG will be fixed from the date it is actually due. Their pay will also be fixed notionally from that date but arrears of pay, if any, will be confined only for the period they actually worked in the LSG.

(iv) (a) The officials who were promoted to LSG after 4.1.72 on the basis of old seniority and confirmed in that grade will not be reverted. But their seniority in the LSG will be reviewed, with reference to their position in LSG based on revised seniority in the basis time scale cadre.

(b) If any official who is being given notional promotion now on the basis of the revised seniority becomes senior to LSG officials promoted and confirmed after 4.1.1972 on the basis of the old seniority, to that extent supernumerary posts may have to be created for showing his lien and such cases may be referred to the Directorate.

(A37)

24

-4-

(v) From the foregoing clarifications, it will be apparent that if an official who had been promoted to the LSG after 4.1.1972 on the basis of the old seniority and has not yet been confirmed in that grade, is found to be too junior to retain his position in the LSG grade on the basis of the revised seniority he will be reverted. If reversion of such official is not necessary his seniority is LSG will be revised.

3. The review of all the cases, in the light of the decisions being communicated in this letter, may be completed expeditiously.

sd/- J.N. PAHAWANT
ASSTT. DIRECTOR GENERAL(SPN)

Copy to Deptt. of Personnel and AR with reference to their U.O. No. DP&AR U.O. No. 1150/80-Dstt.(D) dated 19.8.80 for information:-

Copy to all staff Sections

Directorate (with 5 spare copies.) S.N. DOSE
SECTION OFFICER(SPNII)

True copy
Deshanee
Adv
6/6/80

Deputy

A38

In the Hon'ble Central Administrative Tribunal Allahabad
Lucknow Bench Lucknow.

Application Registration No. of 1988.

P.N. Kaul

APPLICANT

Versus

Union of India and others

Respondents.

Annexure No.5

BHARTIYA DAK TAR VIBHAG

OFFICE OF THE ZILA PRABANDHAK TELEPHONES LUCKNOW
No. ST-72/4/ChIII/14 Dated at Lucknow the 21.2.85.

To,

The A.Q.(TA)
Nehru Bhawan,
Lucknow-226001.

Subject: Grant of Notional Promotion.

G.M. Telecommunication U.P. Circle Lucknow has intimated to this office vide Staff/M-9/14/78-79/2/Ch III dated 15.2.85 that the cases of following telephone Supervisors have been considered for grant of notional promotions. Since so many telephone Supervisors are junior to them but have been promoted with effect from 1.6.74 causing anomaly in pay. Therefore following telephone Supervisors are also promoted with effect from 1.6.74 'nationally' but will draw the arrears of pay etc. from the dates they have actually taken charge as such:

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A39

-2-

1.	Smt. S.K. Jaitly	Telephone Supervisor
2.	Shri P.N. Kaul	--do--
3.	Shri B.D. Singh	--do--
4.	Shri Mustaga Husain	--do--

Compliance may be reported to this office so that the same may be conveyed to G.M.T.U.P. Circle Lucknow immediately.

This may please be treated as most urgent.

sd/-for Zila Prabandhak Tele.
Lucknow.

Copy forwarded for information and necessary action to:-

1. The G.M.T. U.P. Circle Lucknow.
2. The A.Q.(Works & Budget) Office of the D.M.T. Nehur Bhawan Lucknow with 4 spare copies for personal files of officials.
3. The A.E. Trunks (Admn)/A.E. ERS Kaiserbagh Exchange Lucknow .
4. Spare copy for file No. Sy.72/7.

Tone chy
Deshanand
Adm
6/6/52

✓ L. S.

(A.W)

27

In the Hon'ble Central Administrative Tribunal , Allahabad
Lucknow Bench Lucknow

Appn. Registration No.

of 1988

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents

Annexure No. 6

DEPARTMENT OF TELECOMMUNICATIONS

OFFICE OF THE TELECOM DISTRICT MANAGER LUCKNOW.

MEMO No. ST-71/4/Ch.I/199 Dated at Lucknow the 14.9.87.

Consequent upon the retirements of Sri H.N. Raizada
Smt .Pretima Gupta & Km. Aroti Sinha offtg. Sri Supr.Telephone
on local basis the following Senior-most telephone Supervisors
are hereby promoted as officiating senior supervisors,telephone
against the vacancies caused due to the above noted retirements.
These arrangements are purely temporary and on adhoc baais and
they are liable to be reveryed at any time without assigning
any reasons .

This will also not confer on them any right for their
permanent absorption as senior supervisor,they are posted under

A.E. Trunks (Admn.) Lucknow.

Date of effect may be intimated to all concerned.

Name of Telephone Supervisors	Present Unit where wor
1. Sri M.B.L. Saxena	A.E.P. Extl South Kaishrbagh Exchange, Lucknow.
2. Sri R.P. Shukla	A.E.Extnl Mahanagar Exh. Lucknow.
3. Sri P.N. Kaul	A.E.P. Extlnl South K-Bagh Exch.Lucknow.

sd/-

For Telecom District Manager
Lucknow.

Copy for information and n/ action t o:-

1. The G.M.T.U.P. Circle, Lucknow.
2. The D.E.P. Mahanagar, Exh./K-Bagh Exch./Trunk & Telex, LK6.
3. The A.W.P. Extlnl South K-Bagh Exh.& A.E. Extlnl MHN Exhc. Lucknow above noted tele. Supr. may be relieved without waiting for substitute.
4. The A.O. (TA)/O/O the TDM Nehur Bhawan Lw. with three copy
5. The A.O. W&V O/O TDM Nehru Bhawan with three copies.
6. Concerned official through unit officer.
7. Spare copy of ST-72/4.

True copy

DeShankar

Adm

6/6/80

P.U.2
879

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents.

Annexure No.7

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CENTRAL MANAGER TELECOM.U.P. CIRCLE
LUCKNOW.

MEMO No. Staff/M-10/9/87/2 Dated at Lucknow 28.1.1988.

Subject: Conformation of S.G.T.Os.

While compiling the Circle Gradation list of SGTOS, it has been observed that a few SGTOS who were either superseded by DPC for promotion of SGTOS or otherwise junior has been confirmed whereas their seniors have not yet been confirmed.

With a view to regularise this anomaly the following SGTOS are hereby informed that the date of their confirmation noted below is proposed to be shifted to a date in consonant with their seniority.

SL.No.	Name of officials	Date from which already confirmed.
1.	Shri R.P. Shukla	1.12.81
2.	Shri P.N. Kaul	1.12.81
3.	Shri S.P. Seth	1.12.82
4.	Shri M.B.L. Saxena	1.3.81

A u 13

20

-2-

5. Shri Akhlaqul Hasan 1.3.83

6. Shri Shrimati Kaushalya Srivastava 1.5.83.

A copy of this Memo may be delivered to the official concerned under receipt and they may be advised to represent if they choose within 13 days from the date of receipt of this Memo. As soon as their representations are received, they may be forwarded to this office for consideration. In case no representation is received within the stipulated time, it will be presumed that there is no representation and the date of confirmation will be revised.

The receipt of this Memo may be acknowledged.

sd/-V.F. Garg,
Dy.General Manager Telecom
U.P. Circle,Lucknow
r G.N.Telemc.U.P. Circle.

Copy To: Telecom District Manager, 163 Shahnajaf Road, Lucknow with six spare copies for delivery to the officials mentioned above.

True copy

me
Deshanle

Ado

6168

P.W.D. B/1

In the Hon'ble Central Administral Tribunal, Allahabad
2
Lucknow Bench Lucknow.

Appln. Registration No.

of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondent

Annexure No.8

To,

The CMT, UP, Circle.
Lucknow.

Ref: Your no. Staff/M-10/9/87/2 dated 29.1.1988.

Sir,

I have respectfully to submit that for want of bio data of each official in your letter above cited the gradation is not correct. The correct principle of gradation should be

First Priority:

Such of the Telephone operators who were in service before 1.5.1950 are entitled to gradation on the basis of date of appointment of each.

Second Priority.

After the first category above will be put the officials who have been appointed on or after 1.5.50. But for purposes of identity it will have to be seen that the official should belong either to:

(i) group of officials recruited in the first competition

Aus

32

-2-

in Aug. 1950 will be en bloc senior to officials in sub para (ii) below.

(ii) The officials appointed between 1.5.50 to 30.9.51 These unapproved officials posted on monthly rate until the officials of (i) above came out from training in 1.10.52, were collectively regularised by DG F&T by telegram which said that unapproved T0s of one year or more of service are being given approval for regular appointment.

The real difficulty in identifying if an official belongs to category (i) or (ii) lies in the fact that the latter have arranged that fact of (ii) above be not brought on their S/B.

However I belong to 1st category. Thus my position on your list between 8 and 9 because all from serial 9 to end are appointed after me and fall in category second, (i) or (ii).

This bio data can be seen from 1977 Gradation List. I therefore request for such chance to be made in your reference cited at top above.

The 1978 D.G. order on Supreme Court judgement claims the same gradation as of T0's seniority quota. LSG's in this the variation due to formation of Law Distt. can only be beneficial for Distt. Officials. I should/can not be deprived of supreme seniority.

Yours faithfully,

Date: 18/22-2-1988.

sd/- P.N. Kaul.

Tone my
Deshanthe
Adv
6/6/88

Aug

33

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant.

Versus

Union of India and others

Respondents.

Annexure No.9

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE G.M. TELECOM, U.P. CIRCLE, LUCKNOW.

To,

Shri P.N. Kaul,
Tele. Supervisor,
under ZDM, Lucknow.

No. Staff/M-10/9/87/2 dated at Lucknow the 29.4.1988.

Sub: Regarding seniority and confirmation in the cadre
of SG TOs.

Ref: Your representation dated 22.2.1988.

Kindly refer to your above cited representation. In
this connection, I am directed to inform you that your
representation is not acceptable. Since your seniority in
cadre of SC TOs was fixed wrongly on the basis of notional
promotions granted to you, as such you have been confirmed from
the earlier dates. Now the orders granting notional promotion
have been found erroneous, your seniority in the cadre of SG TOs
has already been fixed afresh and circulated vide letter no.

34
A 47

-2-

Staff/M-10/9/87/2 dated 29.1.1988 and your confirmation has been promoted from the new dated i.e. 1.1.1988.

A copy of revised seniority list of 20% of SGT0c promotion (against the vacancy of 1974 & 1976) alongwith proposed date of confirmation is enclosed for ready reference.

sd/- S.I.M. Zaidi
Asstt. General Manager (Staff)
For G.M. Telecom, U.P. Circle, Lucknow.

True copy

D.S. Chahal

Ado
6/6/88

20/1/88

Ans 35

In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant

Versus

Union of India and otherw

Respondents.

Annexure No.10.

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE G.M. TELECOM, U.P. CIRCLE LUCKNOW.

To,

1. All Area Directors in U.P. Circle
2. All T.D.Ms.
3. All T.D.Es.

No. Staff/M-10/9/87/2

Dated at Lucknow the 29.4.1988.

Sub:Revised seniority list of SG T0s.

After careful consideration of various representations
the revised seniority list of SG T0s promoted against the
vacancies of 1974 and 1976 is hereby circulated for wide
publicity among the staff. Since this is the final list and
as such all the officiating promotions may be given to the
officials accordingly in future.

sd/-S.I.M. Zaidi
Asstt. General Manager (Staff)
For G.M. Telecom., U.P. Circle, Lucknow

Copy to all incluse of
service unions.

True Copy
P.S. M. Kaul
29/4/88

Ranu

36

Sl. No.	Name	CGL No.	Proposed date of confirma- tion.	Praticulars of Vacancies.
1.	S/Shri B.C. Verman,GzB	42-A	1.3.79	Retirement of S/Shri K.D.Tripa- hi S.P.Jain
2.	J.P. Pathak,Deerut	43-A	1.8.79	
3.	Smt. J.Debnath,NT	44	14.11.79	
4.	Km. Savita Mukherjee.LW-T55		1.4.80.	
5.	R.C. Agarwal,Meerut	76	1.2.80	
6.	Yawar Husain.LW.P	77	1.1.81	
7.	Kaneez A Hasan-LW-D	79	1.2.81	
8.	Rama Ram,GR	85	1.11.81	
9.	R.C. Vidyarthi.MT	94	1.1.82	
10.	A.S.K. Afghani-NT	100	1.2.82	
11.	K.N. Bansal,AG-P	109	1.3.82	
12.	B.S.Bisht.NT	112	1.5.82	
13.	Smt. Bimala Devi,GZB	114	1.7.82	
14.	Km.L.P. Sood,AG-D	115	1.7.82	
15.	Km.P.D. Saxena,MT	116	1.8.82	
16.	Mathura Prasad,GR	117	1.8.82	
17.	M.A.A.Siddiqui,LW-D	119	1.8.82	
18.	Smt. Indra Sharma,AG-D	120	1.9.82	
19.	H.K.Mishra,BR	122	1.12.82	
20.	Uma Bhaduri.VSI	125	1.1.83	
21.	Saheb Husain GR	128.	1.1.83	
22.	R.B.Saxena.BR	135	1.3.83	
23.	R.N.P.Mehrotra.BR	136	1.3.83	
24.	O.P. Saxena BR	139	1.4.83	
25.	T.S. Sharma,KP	140	1.4.83	
	XXXXXX	XXXXXX	XXXXX	
	130.M.P. Singh ,ALG	857	1.12.86	,, Smt.K.P.Banrjee
	131.D.V. Singh SC,MT	877	,,	,, CPD Sharma

132. Attar Singh SC SHN	978	1.12.86	Ret. Smt. S. S. Tripathi
133. R.P. Rawat SC, LW.D.	1185	,,	,, H.N. Saxena
134. S.C. Mishra, STP	1400	1.1.87	,, J.N. Sharma
135. R.P. Shukla, LWD	90	,,	,, Sajid Ali Khan
136. P.N. Kaul, LW.D.	91	,,	,, Waris Ali
138. S.P. Seth, LW.D.	93	2.2.87	,, B.S. Chub.
139. M.B.L. Saxena, LW.D.	80	1.3.87	,, Sr.R.B.Srivastava
140. R.K. Shukla, LW.D.	87	1.3.87	,, R.S. Dohre
141. G.P. Srivastava, LWD.	102.	,,	,, K.A. Siddiqui
142. Smt. Rehana Saeed, LW.D.	108	1.4.87	,, S.C. Misra.
143. Rameshwar Singh, LW.D.	174	,,	,, D.S. Srivastava
144. Mistafa Khussain, LWD	194	,,	,, S.K. Mukerjee
145. Smt. Kaushalya Srivastava, LW.D.	144	,,	,, R.B. Dhanuk

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In the Hon'ble Central Administrative Tribunal, Allahabad
Lucknow Bench Lucknow.

Appln. Registration No. of 1988.

P.N. Kaul

Applicant

Versus

Union of India and others

Respondents.

Annexure No. 11

DEPARTMENT OF TELECOMMUNICATIONS

OFFICE OF THE TELECOM DISTRICT MANAGER-LUCKNOW?

Memo. No. ST:71/4/ChI/217

Dated at Lucknow the 29.4.1988.

The following senior most Telephone Supervisors are hereby promoted as officiating Senior Supervisor Telephones with immediate effect against the vacancies caused due to retirements. These arrangements are purely temporary on adhoc and local basis and they are liable to be reverted at any time without assigning any reason.

This will also not confer any right for their permanent absorption as Senior Supervisor, They are posted under A.E. Phones (Trunks Admn.) Kaiserbagh Exchange, Lucknow.

1. Shri M.A.A. Siddiqui. Telephone Supervisor
Trunks.
2. Shri P.L. Dhusia --- do ---
3. Shri K.C. Sharma --- do ---

Consequently the following Telephone Supervisor

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who are officiating as Senior Supervisor Telephones are hereby reverted to their substantive cadre and posted under

A.E. Trunks (Admn.) Kaiserbagh Exchange, Lucknow.

1. Shri M.B.L. Saxena Telephone Supervisor

2. Shri R.P. Shukla Telephone Supervisor

3. Shri P.N. Kaul Telephone Supervisor.

Effective date may be intimated to all concerned.

sd/- for Telecom District Manager Lucknow.

Copy forwarded for information and necessary action on:-

1. The G.M.T.U.P. Circle Lucknow with ref. to his No. Staff/ H-10/9/87/2 dated 29.4.88.

2. The D.E. Trunks & Telex Lucknow.

3. The A.E. Trunks (Admn) Lucknow.

4. The A.O. TA) Office of the T.D.M. Peekay Bhawan Lucknow.

5. The A.O. (W&B) Office of the T.D.M. Peekay Bhawan Lucknow with 7 spare copies.

6. Concerned Official through Serial No.3

7. Spare copy for ST-72/3 & ST-72/4.

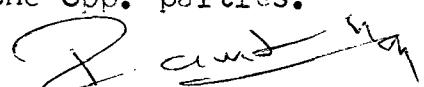
For early
D.S. Bhawne
S. D.
G. B. P. W.

Received

(ASg)

the applicant as discussed in preceding paragraphs and the grounds taken by the applicant are not tenable in the eyes of law. The applicant has not exhausted all the remedies available to him and as such the petition filed is premature and is liable to be dismissed on this ~~Score~~ ~~Score~~ ~~alone~~

15. That in view of the facts and circumstances as discussed above, the application filed by the applicant is liable to be dismissed with costs to the Opp. parties.


Deponent.

Lucknow,

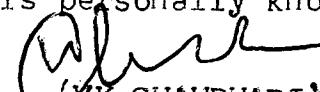
Dated: 27/09 Verification.

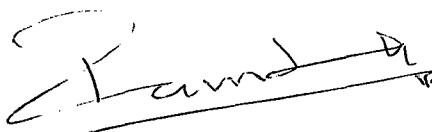
I, the above deponent named do hereby verify that the contents of paragraphs 1 to 2 are true to my personal knowledge, and those of paragraphs 3 to 13 are believed to be true on the basis of perusal of office records as well as information gathered and those of paragraphs 14 to 15 are believed to be true on the basis of legal advice. Nothing material fact has been concealed and no part of it is false.


Deponent.

Lucknow,

Dated: 27/09 I identify the deponent who has signed before me and is personally known to me.


(VK CHAUDHARI)
Counsel for the Opp. Parties.



(10)

(3105)

VAKALATNAMA

In the Hon'ble High Court of Judicature at Allahabad

At C.A.T.

Lucknow Bench

P. N. Karel Plff./Applt./Petitioner/Complainant

Veres

..... Union of India Defent./Respt./Accused

KNOW ALL to whom these presents shall come that I/We..... do hereby appoint
the above-named..... do hereby appoint

Shri V. K. CHAUDHARI, Advocate,
..... High Court, Lucknow Bench

(hereinafter called the advocate/s) to be my/our Advocate in the above-noted case and
authorised him :—

To act, appear and plead in the above-noted case in this Court or in any other Court
in which the same may be tried or heard and also in the appellate Court including High Court
subject to payment of fees separately for each Court by me/us.

To sign, file, verify and present pleadings, appeals, cross-objections or petitions for
executions, review, revision, withdrawal, compromise or other petitions or affidavits or other
documents as may be deemed necessary or proper for the prosecution of the said case in all
its stages.

To file and take back documents, to admit &/or deny the documents of opposite
partys.

To withdraw or compromise the said case or submit to arbitration any differences
or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive moneys, cheques, cash and grant receipts thereof and
to do all other acts and things which may be necessary to be done for the progress and in the
course of the prosecution of the said cause.

To appoint and instruct any other Legal Practitioner authorising him to exercise the
power and authority hereby conferred upon the Advocate whenever he may think fit to do so
& to sign the power of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the
Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all
hearings & will inform the Advocate for appearances when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute
responsible for the result of the said case. The adjournment costs whenever ordered by the
Court shall be of the Advocate which he shall receive and retain for himself.

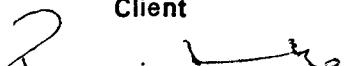
And I/we the undersigned do hereby agree that in the event of the whole or part of
the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to
withdraw from the prosecution of the said case until the same is paid up. The fee settled
is only for the above case and above Court I/we hereby agree that once the fees is paid. I/we
will not be entitled for the refund of the same in any case whatsoever.

IN WITNESS WHEREOF I/we do hereby set my/our hand to these presents the
contents of which have been understood by me/us on this..... day of ... 19

Accepted subject to the terms of fees.

Client

Client



20/2/88

(RAMLAH)

P. O. to G.M.T. U.P Circle

Deekhaud

Advocate