

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

C.A. NO. 129/88

CAUSE TITLE OF

NAME OF THE PARTIES Suresh Chandra and others, Applicant

Versus

Union of India and others, Respondent

Part A.

S.I.No.	Description of documents	Page
1	Check List	A1 to A2
2.	Index sheet	A3 to A8
3	Judgment order dt. 14-12-92	A9 to A12
4	Writ Petition / Annexure	A13 to A79
5	Power	A80
6	Causes affidavit	A81 to A107
7	Rejoinder affidavit	A108 to A120
8	Supplementary affidavit	A121 to A130
9	Affidavit	A131 to A135
10	Second application	A136 to A145
11		
12		
13		
14		
15		
16		
17		
18		

CERTIFICATE

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

checked by Dated .../.../...

Counter Signed.....

Rajendra Singh

Section Officer/In charge

M.
Signature of the
Dealing Assistant

Filed today
Jan 3
21/18

CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit ADDITIONAL BENCH,

23-A, Thornhill Road, Allahabad-211001
Gandhi Bhawan, U.P.

Registration No. 129 of 1988 (C)

APPLICANT (s) ... Swash Chandra & another

RESPONDENT(s) ... D.O.T & others

Particulars to be examined	Endorsement as to result of Examination
1. Is the appeal competent ?	Yes
2. (a) Is the application in the prescribed form ?	Yes
(b) Is the application in paper book form ?	Yes
(c) Have six complete sets of the application been filed ?	No (2 sets)
3. (a) Is the appeal in time ?	① Also It is beyond time Applicant No 1
(b) If not, by how many days it is beyond time ?	② In time applicant No 56 days against applican
(c) Has sufficient cause for not making the application in time, been filed ?	No
4. Has the document of authorisation/Vakalat-nama been filed ?	Yes
5. Is the application accompanied by B.D./Postal-Order for Rs. 50/-	Yes (I.P.O. No DP 065102) Rs 50/- 5 dt 12-9-1988
6. Has the certified copy/copies of the order (s) against which the application is made been filed ?	No
7. (a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?	Yes
(b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?	Yes

X
1/3

CENTRAL ADMINISTRATIVE TRIBUNAL: ALLAHABAD BENCH
AT LUCKNOW.

REGISTRATION (OA) 129/1988(L)

Suresh Chandra & Anr. .. Applicants

-vs.-

Union of India & Ors. .. Respondents.

Present

HON'BLE MR. JUSTICE PUTTASWAMY .. VICE CHAIRMAN

HON'BLE MR. AJAY JOHRI .. MEMBER(A)

Application coming on for hearing to-day,

Hon'ble Vice Chairman made the following:

ORDER

As there are two applicants, who have separate and distinct interests, they are bound to pay two sets of fee. On this view, Shri Qamrul Hasan, learned Counsel for the applicants, has rightly deposited another set of fee. We direct the office to give one more number.

2. We have heard the learned Counsel on the admission or otherwise of these cases. We are satisfied that the questions raised call for further examination. We, therefore admit these applications.

3. Whether the applicants are entitled to be promoted on the dates of their supersession or not has necessarily to be examined and decided at the final hearing of the cases. But before that, we find no justification to grant any interim order

in

Order Sheet

OA 129/08

5.10.08.

Put up tomorrow for admission. 6.10.08

Adm.
5/10

Boz.

6.10.08

Hon. K. S. Puttagowamy, V.C
Hon. A. John, A.oa

Admit

Issue notices. One month for C.A
10 days thereafter for R.A. Fixing 22.11.08
for hearing.

The prayer for interim relief is
rejected.

Sd/-
A.M.

Sd/-
V.C.

Boz.

12.10.08

OR

Notices issued to respondent
1 to 5 through Regd. Post.
22.11.08 for hearing.

22.11.08

D.R.

Sri P.N. Mathur, files his Vaklatnama
on behalf of respondents Nos 3 & 4. No
Reply filed. Reply may be filed by
21.12.08.

29/11

DR

2/12

No sitting adjourned to:

23.1.09

D.R.

Reply filed today. R.A. can be
filed by 21/12/08.

DR

8
ix

in favour of the applicants. We, therefore, reject the interim prayers made by the applicants.

4. Issue notices to the respondents to file their reply within a month after service of notices. Rejoinder if any, within ten days thereafter.

5. Call this case for final hearing on 22nd November, 1988.


(AJAY JOHRI)
MEMBER (A)


(K.S. PUTTASWAMY)
VICE CHAIRMAN

Dated: October 6, 1988.

129/80(c)

D.R

No sitting. Adjourned to 9-3-89

Par

21/2

9-3-89 D.R

counsel for the applicant ^{sri} M.P. Srivastava
is present and R.A. filed today
The case is put up for
Hearing on 23/3/89.

Par

D.R

23/3/89

Hon. Justice K. Nath, V.C

Hon. Mr. A. Zohri, A.M

On the request of the learned
counsel for the applicant the case is
adjourned to 7-4-89 for trial hearing.

✓

A.M

Par
V.C

7-4-89

Hon. Justice K. Nath -- V.C

Hon. D.S. Misa -- A.M

Learned counsel for res.
no. 4 says that certain serious for
allegations have been made against
no. 4, which although are not so
desire to meet them by filing
affidavit. Respondent no. 4 may
affidavit within two weeks to
affidavit may be filed by
within one week thereafter
list this case

25-5-89.

✓

A.M.

by

615

X/10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

REGISTRATION NO. 129 of 1988(C)

Suresh Chandra

APPELLANT
APPLICANT

VERSUS

O.O<

DEFENDANT
RESPONDENT

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
25/5	1/10. Sitting Adjourned to 19/7/89 for Hearing	OR Rejoinder affidavit filed on behalf of O.P. No. 4 Case adjourned to final hearing for submitted for hearing
19.7.	No sitting Adj. to O.O. of	OR Case adjourned for hearing submitted
2/8/89	Adj. Mr. D.K. Bhagat, S.O.	
	Since no Division Bench is available,	
	list this case on 24/10/89 for hearing.	
24.8.89	No sitting of D.B. Adj. to 11-12-89. Counsel for applicant is present.	11-12-89
11/12/89	No S. Hrg. Adj. to 25-1-90 B.O.C.	11-12-89
	No S. Hrg. Adj. to 22-2-90 Both the Counsel are present	11-12-89

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD/C.B. LUCKNOW

129

No.

00(6)

OF 19

8/X

Suresh Chakr

vs. 129

Sl. No.	Date	Office Report	Orders
		<p><u>OR</u> HC for the applicant has filed M.P. NO 739/90 for amendment. S. F.O.</p>	<p>2/12/90</p>
7-1-91	7-1-91	<p><u>OR</u> HC for the applicant has filed M.P. NO 739/90 for Stay & M.P. 739/90 for amendment is also pending. Date is already fixed on 26.3.91 S. F.O.</p>	<p>On the request of the parties Counsel Case is adjourned to 26.3.91 AM J.M</p>
		<p>7/2/91</p>	<p>8/2/91 Now Mr. Justice K. Maiti, C.J. for Mr. K. Obayya, Am.</p>
16/3/91	16/3/91	<p>10.4.91</p>	<p>On the request of the Learned Counsel for the applicant list for orders on 16/3/91 AM</p>
16/3/91	16/3/91	<p>10.4.91</p>	<p>NO SITTING Adj. to 10.4.91 NO SITTING Adj. to 22.4.91</p>

129-0101C

24-10-91

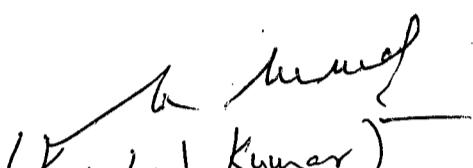
M.P. No. 30/91(L) in
O.A.-No. 129/88(L)

None for the applicant.

Mr. J. N. Nathan - Procy counsel for Mr.
P. N. Nathan, counsel for
the respondents.

On the prayer of the learned
proxy counsel, may be listed for hearing
on 10/12/91,


(S.N. Prasad)
Member (Judl.)


(Kanchal Kumar)
Vice Chairman

10-12-91

Hon. Mr. Justice V. C. Srivastava,
Hon. Mr. A. B. Gorai A.M.

Learned counsel for the
respondents prays for further
time of 4 weeks to file
replies. No further time shall
not be granted.

Set this case for hearing
on 20-1-92.


(A.M.)


V.C.

20.1.92

No Siting of D.B. colf.
24.3.92

24.3.92 No Siting of D.B. colf
to 14.4.92

A/C

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

O.A. No. 129/88

Suresh Chandra and another

Applicants

versus

Union of India and others

Respondents.

Shri Q. Hasan Counsel for applicants.

Shri P. N. Mathur Counsel for Respondents.

Coram:

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

Hon. Mr. K. Obayya, Adm. Member.

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

The applicants, two in number have approached the Tribunal praying that the respondents be directed to give promotions on the next higher post on assessment basis which became due to them with arrears of salary and benefits ~~and~~ to that post of applicants alongwith consequential benefits and the respondents may be further directed to dispose of the representations of the applicants and to quash the O.M. dated 29.8.88 contained in Annexure 17, passed by the Director, C. .RI and to quash G.O. dated 16.7.82 and the recommendations of Valluri Committee be declared as ultravires. Subsequently, the applicants amended the application and prayed relief that it may be declared that Rule 7.8 of Merit and Normal assessment Scheme 'Manas' is unconstitutional and the same will not be applied in the instant case. The grounds for challenging the same were that existing office memorandum and circulars

W/

have been disregarded in the matter of promotion and provisions of S.C./S.T. and the provisions of Rule 7.8 are arbitrary, discriminatory and unconstitutional and takes away the promotional rights of the applicants.

2. It will not be necessary to refer to the various pleas and pleadings of the parties in view of the fact that the applicants have been subsequently promoted with effect from 1.2.89. ~~and the applicant with effect from 2.11.88~~

3. Applicants' case is that they were entitled for promotion in the year 1986 while the assessment was made in October, 1984. Nothing has been said regarding applicant No. 2. The applicant No. 1 has pleaded and contended that his case was not considered.

4. The respondents, in the reply have stated that the applicant No. 1 was promoted after assessment of his case on the post of Senior Technical with effect from 1.2.81 and he was due for next promotion. He left the C.D.R.I. on his own volition to join the Bank as a Manager; and he did not pay leave salary and hence could not be assessed. In September, 1986 he regularised his absence from C.D.R.I. for the period 9.8.84 to 14.8.86 by paying leave salary and pension contributions for this period and he was then considered for assessment for the financial year 1986-87 for the first time. The assessment committee did not find him fit and he was given second chance in the year 1988 but the promotion was given to applicant No. 1 and he was not found meritorious. Regarding applicant No. 1 it has been

W

stated that he was given chance but he could not qualify himself and therefore he was also waiting for consideration of assessment whenever he qualifies for the same. The applicant has refuted the same. It is not necessary to go into the pleadings of the parties. It has not been proved that no member of S.C. community was there in the committee and it is no longer open to challenge it. The applicant No. 1 has stated that he was only on deputation in Bank and his lien was in C.D.R.I and he could have been called for interview but even then he was not called. One Dr. R.N. Tandon, ~~now~~ his ~~whose name was given to~~ ~~foreign~~, there was break in/service and he took advantage and the said Doctor was granted pension contribution and despite this fact he was given promotion on assessment basis.

5. As the applicant has now been promoted the only grievance which remains is that as to whether they should have been considered when interview took place in 1984 and the applicant has come back and deposited the entire amount and his case should have been considered. His case is at par with the case of Dr. Zafar and in case his case was considered after depositing the amount, there appears to be no reason why the applicants' case be not considered. The respondents are directed that in case the case of Dr. Zafar was considered, though he deposited the amount, later on like the applicants, the applicants' case may also be considered within 3 months from the date of receipt of a copy of this judgment, as they were meritorious enough to be promoted in the year 1986. The applicants

obviously will face supplementary review assessment committee which will be convened forthem, although they were not found fit, if they are found fit they may be given notional promotion. But for the above observations the application is otherwise dismissed. No order as to costs.


A.M.


V.C.

Shakeel/-

Lucknow: Dated 14.12.92.

IN the Central Administrative Tribunal, Addl. Bench, Allahabad,
Circuit Bench, Lucknow.

Application No. 129 of 1988. (U)

Suresh Chandra and another

... petitioners/
Applicants

Versus

Union of India and others

... Respondents

I N D E X

Sl. No.	Designation of documents	Page No.
1.	Petition	1 - 22
2.	Annexure-1 (O.M. Dt. 11.7.68 issued by Ministry of Home Affairs.)	23 - 31
3.	Annexure-2 (Letter dt. 15.2.82 issued by Selection Officer.)	32
4.	Annexure-3 Extract photostat copy of provisional Seniority List	33 - 35
5.	Annexure-4 No objection Certificate	36
6.	Annexure-5 O.M. No. 8.8.86 issued by Section Officer	37
7.	Annexure-6 O.M. No. dt. 8.10.1986 Certifying deposite lien	38
8.	Annexure-6-A Representation of petitioner No. 1	39 - 40
9.	Annexure-7 Representation dt. 7.4.88	41
10.	Annexure-8 Representation dt. 30.10.87	42 - 43
11.	Annexure-8-A (O.M. No. 16.10.87)	44 - 45
12.	Annexure-9 letter No. 21.7.87	46 - 48
13.	Annexure-10 to letter dt. 10.2.88	49 - 50
14.	Annexure-11 Appointment letter 7.3.77	51 - 52
15.	Annexure-12 Approval for promotion of petitioner No. 2.	53
16.	Annexure-13 promotion of petitioner No. 2 as Sr. Laboratory Asstt. Group III(I) vide letter dt. 2.2.82	54
17.	Annexure-14 O.M. dt. 12.8.86 issued by Govt. of India.	55

2.

18.	Annexure-15	O.M.dt.24.6.85 issued by Department of personnel Training.	56-57
19.	Annexure-16	G.O.dt.16.7.82 by relaxed standard was intro- duced.	58-59
20.	Annexure-17	O.M.No.29.8.1988 by which superseded by Juniors.	60-62
21.	Annexure-18	Representation dt.3.6.1988	63
22.	Annexure-19	Reminder dt.30.8.88 of petitioner No.2.	64
23.	Annexure-20	Representation dt.1.9.88 of petitioner no.1.	65
24.	Annexure-21	O.M. do .2.9.170 requiring one member of Schedule Caste in Selection Committee.	66-67
25	Annexure-22	O.M.dt.28.1.82 by which right of Scheduled Castes is safeguarded .	68-69
26.		Vakalatnama	
27.		Postal Order Rs.50/-	

Sept. 21, 1988.

Qamru Hasn
Counsel for the Applicants/
petitioners.

X/5

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH
ALLAHABAD, CIRCUIT BENCH AT LUCKNOW.

BETWEEN

Application No. 129 of 1988 (L)

1. Suresh Chandra, aged about 33 years,
S/o Sri Ram Samujh, R/o A-923/3 Indira Nagar,
Lucknow. *10-10-80
16-10-80
16-10-80
16-10-80*

2. Sri S.L.Verma, aged about 37 years,
S/o Late Sri Dinna R/o Near (Opposite)
Awadh Montessori, Kailashpuri, Post Office
Alambagh, District Lucknow. *... petitioners*

Versus

1. Union of India through Ministry of
Science and Technology, New Delhi.

2. The Chief Administrative, Council
of Scientific and Industrial Research,
Rafi Marg, New Delhi.

3. The Director of Central Drug Research
Institute, Lucknow.

4. Professor R.C.Mahajan, Head of Deptt.
of Parasitology, Post Graduate Institute,
Chandigarh.

5. Administrative Officer (S.G.) Central
Drug Research Institute, Lucknow.

... Respondents

YB/mtm
Details of Application:

I. Particulars of the Applicant No. I

I) Name of the applicant) - Suresh Chandra

II) Name of Father) - Sri Ram Samujh

2.

iii) Age - 33 years

iv) Designation and Particulars

of Office: Senior Technician Grade-III(i)

vi) Office: Process Development Division
Central Drug Research Institute,
Lucknow.

v) Address of Service

of Notices: Sri Q.Hassan, Advocate, 349,
Dr.Motilal Bose Road, Macchlimohal,
Lucknow.

2. Particulars of Applicant No.2

i) Name - Sri S.L.Verma

ii) Name of father- Sri Late Sri Dinna

iii) Age - 37 years

iv) Designation and
Particulars of
Office: Sr.Laboratory Assistant

Group-III (i)
Division of Biochemistry,
Central Drug Research
Institute, Lucknow.

v) Office Address: As above

vi) Address for service:

of notice: Sri Qamrul Hasan,
Advocate
349, Dr.Moti Lal Bose Road,
Macchli Mohal, Lucknow.

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

The application is against the
impugned order No.5(I8I)/8I-E.I.Gr.
III dated 16.Io.1987 passed by
respondent No.3 and issued by the
Administrative Officer, (S.C. Central
Drug Research Institute, Lucknow.

SL Verma

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3.

2. Against order No. 56317/81-8-I

(Group-III) dt. 29.8.88.

3. GSO No. 6(38)/81-Vig. dt. 16.7.82.

Nature:

A) For quashing impugned order dated 16.10.1987, order dt. 29.8.88, and 16.7.82 contained in Annexures 8-A, 17 and 16 respectively.

B) For the issue of mandamus to respondents.

4. Jurisdiction of the Tribunal:

The applicants declare that the subject matter of the order against which they want redressal is within the jurisdiction of the Additional Bench, Allahabad, Circuit Bench Lucknow, 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:

6-I That the applicant No. I applied for the post of Technician in the Central Drug Research Tribunal Lucknow and was selected by the Selection Committee. He was issued appointment letter and in pursuance to the appointment letter, the applicant no. I joined on 29.4.77 as Technician in the Scale of Rs. 260-430. The appointing authority of the applicant was Director Central Drug Research Institute Lucknow. The applicant's posting was made in the Division of Pharmacology, C.D.R.I. Lucknow. That the Director on the recommendation of Selection Committee dated 15.2.77 accorded approval to the appointment of applicant No. I. The applicant No. I after some time was transferred to P.D. Division at Lucknow.

Subarna

4.

6-2 That the relevant procedure for promotion of Senior Technician Group-III, grade-II is provided U/s o.2 of the Valluri Committee. It is provided in the said section that successful Research & Development calls management for very careful manpower planning , recruitment of talented individuals and properly nurturing them so as to bring out the best in them. The technical staff becomes eligible for promotion in the next higher grade only after five years assessment on the post.

6-3 That Ministry of Home Affairs by O.M.C.No.2 I/I2/67-Estt.(C) dt.IIth July 1968 issued to all Ministries for reservation for Scheduled Caste and Scheduled Tribes in posts filled by promotion. In it it is mentioned that the Selection Committee draws up a select list placing all employees in the 'Outstanding' category at the top, followed by those categorised as 'Very Good' and then by those categorised as 'Good', inter-se-seniority within each category being maintained. That in the said office memorandum, it is also provided that the remaining Scheduled Castes and Scheduled Tribes employees will be given by the departmental promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service i.e., if any Scheduled Caste and Scheduled Tribes employees has been categorised by the Committee on the basis of his his record of service as 'Good', he should be recategorised by the Committee as 'Very Good', A true photostat copy of O.M. dt.II.7.68 is filed as Annexure-I.

6-4 That on recommendations of Departmental Promotion Committee promotion of applicant No.I on the post of Senior Technician in the Scale of

Govt.

5.

Rs.380-640 was made and on this post the applicant No.I joined on 21.I.81. Subsequently, Selection Officer vide letter No.8/38/77-Estt dt.15.2.82 declared applicant's probationary period as satisfactory. True photostat copy of the said letter is being annexed herewith as Annexure-2.

6-5 That thereafter another promotion of the applicant No.I was made w.e.f.1.2.81 on a post of Senior Technician Grade-III(i) in the Scale of Rs.425-700.

6-6 That probationary period on the above post of the petitioner No.I was declared as satisfactory by the Competent Authority.

6-7 That it may be stated here that a provisional seniority list was circulated on 26.3.84 by Administrative Officer (S.G.) in which the name of petitioner No.I finds place at serial No.53. The objections vide letter No.5(I76)/83-Estt-I dt.26.3.84 were also invited on the said provisional Seniority list. Extract copy of provisional list alongwith letter dt.26.3.84 is filed as Annexure-3.

6-8 That it is significant to mention at this stage that petitioner No.I sought "No Objection" certificate on 25.6.84 for foreign service in the Barabanki Gramin Bank, Barabanki for the post of Staff Officer. The "No Objection Certificate" was issued by Mahesh Prakash Section Officer, a true copy of which is being annexed herewith as Annexure-4.

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6-9 That on 7.8.84 petitioner No.I moved an application to Director C.S.D.R.I. to relieve him and ,therefore, on the same date the applicant was relieved in the afternoon.

6-10. That on 11.8.84 petitioner No.I joined Barabanki Gramin Bank as Staff Officer but due to unavoidable circumstances petitioner No.I sought his resignation from the post of Branch Manager, Saidpur Branch Barabanki Gramin Bank in the first week of August, 1986 where he was relieved in August 1986.

6-II That by office memorandum dt.8.8.1986 an order was issued by Section Officer for extension of lien. The petitioner No.I deposited lien charges amount Rs.5350 as leave salary and pension contribution. True photostat copy of O.M. dt.8.8.86 is filed as Annexure-5. A photostat copy of O.M.dt. 8.Io.86 certifying deposite of lien charges is filed as Annexure-6.

6-I2 That it is pertinent to mention at this stage that on 30th October 1986 interview was held for the next higher grade but for reasons best known to the authorities concerned the petitioner No.I was not called for interview by the Director, Central Drug, C.D.R.I., Lucknow for the said interview.

6-I3 That there is a general principle that a person who goes on Foreign Service has got his lien in the seniority list of the parent department as he continued on the role of the department; thus the applicant continued to be on the role of C.D.R.I. and therefore, it was a legal duty of the department

Govt

to safeguard the interest of petitioner No.I for the next higher grade. In the circumstances, the case of petitioner No.I, for promotion alongwith similarly situated candidate was due and even at the time of interview i.e. on 30th October, 1986 the applicant had already retained lien and joined the services in the parent department i.e. C.D.R.I., Lucknow.

6-I4 That the petitioner aggrieved by the high handedness and arbitrary action of the Selection Committee made representation on 27.1.1987. In the representation petitioner No.I as stated that he had been discriminated and there is violation F.R.B.O.30. True copy of the representation dt.27.1.1987 is filed as Annexure 6-A.

6-I5 That the persons similarly situated got promotion w.e.f. 1.2.86 in the Scale of Rs. 550-900 (Revise Rs. 1640-2900) ~~marked~~. The petitioner No.I was not called for interview on 30th October, 1986 and as a result he has been suffering monthly financial loss of Rs.200/ approximately.

6-I6 That the respondent No.4 was annoyed with the petitioner No.I on the ground that he had made his one representation to S.C/S.T. Association Unit, C.D.R.I., Lucknow which was handed over by president to Sri Kamal Khatri M..P.Faizabad and started having personal grudge. True copy of representation dt.7.4.88 is filed as Annexure-7.

6-I7 That on 30.10.87 No.I made a representation to the Director C.D.R.I., Lucknow mentioning therein that he was on lien from 9.8.84-14.8.84 but the respondent No.3 did not call him for interview

for work

A/2

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as a result of which he lost one chance. Copy of the representation dated 30.10.87 is being annexed herewith as Annexure-8.

6-18 That the respondent No.3 vide O.M. No.5 (I31)/8I-E-I.(Gr.III) dt.16.10.87 promoted 6 candidates of Group III (I), over looking the legal claim of the applicants and the same was issued by respondent No.5. True photostat copy dt.16.10.87 is filed as Annexure 8-A.

6-19 That it is worth while to mention that in letter No.5(II3)/8I-Estt. (Vol.II)dt.21.7.87 it has been mentioned that the petitioner No.1 was given two chances i.e. one chance on 3.1.86 and the second chance 1.2.87 on which is materially incorrect. The two chances as shown by the Officer concerned at serial No.40 is not based on material evidence on record. As a matter of fact, the first chance of petitioner No.1 as per records on 8.10.87. The same becomes clear from letter No. 5(II3)/8I-Estt.I(Vol.II) dt.10.2.88. True photostat copies of the same are being annexed herewith as Annexures-9 and 10 respectively.

6-20 That on 10.2.88 eligible list(Annexure-10) Assessment promotion issued in which petitioner No.1" name is at serial No.3 and there is also mentioned that first chance to him was given on 1.2.87 and second chance 1.2.88. Whereas the name of applicant No.2 is at serial No.4.

PARTICULARS OF APPLICANT NO.2:

6-21 That the applicant No.2 applied for post of Junior Technician when he was studying

Swami

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9.

in B.Sc. Classes. The initial appointment letter was issued to petitioner No.2 on 7.3.77 for the post of Junior Technician in the Scale of Rs.260-350. The appointing Authority was Director Research Institute, Lucknow Respondent No.3. True photostat copy is filed as Annexure-II.

6-22 That the petitioner No.2 joined the aforesaid post on 10.3.1977 in Bio-Chemistry Division.

6-23. That respondent No.3 is the Director C.D.R.I. vide his letter No.8(23)-77-Estt dt.II.5.77 accorded approval to the appointment of applicant No.2 on recommendation given by the Selection Committee on 15.2.77.

6-24 That the Director C.D.R.I., respondent No.3 vide letter No.8(2377 Estt. dt.I.7.78 declared probationary of period of petitioner No.2 satisfactory.

6-25 That on the basis of the assessment the Departmental Promotion Committee recommended the name of petitioner No.2 vide letter No.5 (8)74-Estt.) dt.7.8.1978 and approved promotion on the post Technician in the Scale of Rs.260-430. True photostat copy of letter dt.7.8.78 is filed as Annexure-I2.

6-26 That the subsequently respondent No.5 i.e. Administrative Officer C.D.R.I. on 24.10.78 approved fixation of pay of petitioner No.2 at Rs.340, on 6.8.79; the petitioner No.2 also completed his probationary period.

6-27 That another promotion of petitioner No.2 was made on 11.9.81 for the post of Senior

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Laboratory Assistant on the basis of recommendation of the Departmental Promotion Committee dated 5.9.81. On that post pay was fixed at Rs.392/-.

6-28 That on 19.1.82 the Assessment Committee considered the cases of eligible Staff of C.D.R.I. in Group-II and therefore, the petitioner No.2 was promoted vide letter 5131/81-Estt.-I (Grade-II) dt. 2.2.82 the respondent No.3 also accorded approval to applicant No.2 for the post of Senior Laboratory Asstt. Group-III(I) in the Scale of Rs.425-700 w.e.f. 2.II.81. True photostat copy of letter dt.2.2.82 is filed as Annexure-I3.

6-29 That the respondent No.4 was legally bound to follow O.M.No.42014/7/86-Estt.(SCT) issued by Government of India, Ministry of personnel, Public grievances and pension (Department/ Personnel and Training) New Delhi, on 12th August, 1986, a photostat copy of the same is being annexed herewith as Annexure-I4 to the petition.

That the perusal of aforementioned O.M. dt.12th August, 1986 will clearly indicate that the Government of India Policy is that Scheduled Castes and Scheduled Tribes should not be subjected to any harrassment or discrimination.

That it is pertinent to mention that there is another Office Memorandum No.36026/3/85-Estt (SCT) O.M. dt.24.6.85 issued by department of personnel that Training in which there are instructions to the effect/ the Senior Officers including Liaison Officers of the Ministry/ Department should keep a close watch to ensure that Scheduled Castes and Scheduled Tribes employees in the Central Government Services, may not be subjected to harrassment and discrimination on grounds of their Social Origin. A true photostat copy of the O.M.dt.24.6.85 is being annexed herewith.

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as Annexure No.15 to the petition.

6-29(a) That for the sake of Clarification the the applicant No.2 states that Director(respondent No.3) vide letter No.8/II/66 Estt. dt.27.3.1984 accorded him probationary period as satisfactory.

6-30 That immediately thereafter the Administrative Officer(S.G.) circulated a provisional Seniority List of Junior Technical Assistants vide letter No. 5(I76)/83-Estt dt.26.3.84 in which name of petitioner No.2 is at serial No.55.

6-31 That kind attention of this Hon(ble) Tribunal is drawn to the important fact that on 8.10.87 Interview for promotion in higher grade on Assessment basis was held on which date only 10 candidates appeared. The Selection Committee promoted only 60% candidates while under Section 321 Valluri Committee issued vide G.O.No.17(65)81-E2 dt.2.II.81 promotion on higher grade should average 75% of eligible candidates. By not following the rule, as well as procedure relating to Scheuled Castes/ and Scheduled Tribes candidates 2 posts reserved for them, were left out . That the Assessment promotion as recommended by the Valluri Committee has been accepted by the C.D.R.I. vide G.O. No.5(13)81 dt.13.II.81
~~extra~~

6-32 That on 8.8.1988, again Interview was held under the Chairmanship of respondent No.4, Professor R.C.Mahajan. On this occasion, only 12 candidates faced the Interview, including petitioner No.1 and No.2 but they met with same fate of discrimination and prejudices of respondent No.4, who was displeased with petitioner No.1/applicant No.1 for sending his representation to Ministry through C.D.R.I.

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(S.C./S.T.) Association.

6-32 That due to Caste feelings which the applicant No.1 and 2 found with the respondent No.4, Professor R.C.Mahajan on the occasion when they met in the Office of the respondent No.4 after holding Interview on 8.8.88 and they were told by respondent No.4 "it is better to leave this Department otherwise being Scheduled Castes candidates promotion will be difficult on higher post in future".

6-34 That the said Officer took the law in his own hand otherwise there is case law that the process of de-reservation is resorted to only when it is reasonably in possible within contemplation of law to fill reserved vacancies. The process of de-reservation would otherwise be antagonistic to the principle embodied in Article 46 of the Constitution of India.

6-35 That as has been stated above that Interview was held on 8.8.1988 for promotional posts of Senior Technician Group III(Grade II)and Senior Laboratory Assessment Group III(Grade II)by the Selection Committee. On the basis of Interview the Committee of which Opposite Party No.4 was chairman selected 7 candidates out of 9 seats but due to malafide and prejudicial attitude of respondent No.4 applicants posts were left vacant. The applicants were not given their right to get promotion in higher grade on Assessment basis. The reason is this that Professor R.C.Mahajan who was the Chairman of Selection Committee on 8.10.87 and also on 8.8.88 was highly prejudiced against Scheduled Caste/ Scheduled Tribe Candidates including petitioner.

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6-36 That the applicants have learnt that

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their right for Assessment promotion has not been fairly considered as per directions contained in G.O.No.6(38) 8I-VIG dt.16.7.82 issued by respondent No.2. In the aforesaid G.O., it has been noted that decision on the basis of roster System providing reservation for Scheduled Castes and Scheduled Tribes is not possible but relaxation of standard for Scheduled Castes and Scheduled Tribes candidates for promotion will be maintained. Thus from the G.O., it is obvious that Assessment promotion of Scheduled Castes and Scheduled Tribes Candidates will be examined at relaxed standard. But it is pertinent to mention that there is no mention as to what will be the relaxed standard and in the case of the applicants No.1 and 2 what relaxed standard has been adopted for promotion on Assessment basis. A true photostat copy dt.16.7.82 is being annexed herewith as Annexure No.16 to this petition.

6-37 That the petitioner No.1 and 2 have got unblemished record of service as is evident from the Character roll entries.

(i) That during the year 1984-85, 1985-86 the petitioner No.2 was awarded good entries in his Character Roll by Dr. S.N. Ghatak Head of the Department Bio-Chemistry and during the year 1986-87 Dr. K.C. Saxena awarded very good entry. That Dr. K.C. Saxena this year has also awarded very good entry.

6-38 That the respondent No.3 under Signatures of Controller of Administration, Central Drug Research Institute, Lucknow has issued O.M. No.5(134)/8I-E.I. (Grade-III) on 29.8.88 a true

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photo stat copy of the same is annexed herewith as
Annexure No.17 to this petition.

6-39 That by this Office Memorandum it has been said that on recommendation of the Expert Committee met on 8.8.88, the Director C.D.R.I. has accorded approval to the persons mentioned therein under New Recruitment and Assessment Scheme . This Assessment promotion from grade I400-2300 has been made to higher grade Rs.I640-2900.

6-40 That the persons promoted vide afore-mentioned O.M. dt.29.8.88 are Juniors to the applicant No.1 and 2 except Sri M.U.Khan. It has been done without following the principle of natural justice and the Office Memorandums issued by Government of India regarding promotion of Scheduled Castes and Scheduled Tribes Candidates in the Central Government Services.

6-41 That the petitioner No.1 made representation on 30.10.87 to the Director respondent No.3) saying that after completion of 6 years period he was assessed on 8.10.87 to next higher grade but the Assessment Committee has not recommended his name to promotion in the higher grade(Annexure-8). It was requested that benefits of promotion may kindly be provided from due to date.

6-42 That the applicant No.2 had made representations on 3.6.88 to the respondent No.3 claiming promotion to higher grade Group III(II). A true copy of the same is filed as Annexure No.18 to this petition. A reminder was sent on 30.8.88 and by this reminder attention was also drawn to

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the fact that word "relaxed standard" have raised ambiguity, as it is not clear as to what is qualified 'relaxed standard'. True photostat copy of reminder is filed as Annexure-19.

6-43 That the applicant No.1 aggrieved by Office Memorandum dt. 29.8.88 made his representation to respondent No.3 on that he has been superseded by his Juniors. True copy is enclosed as Annexure-20.

6-44 That the G.O.6-38/I-VIG dt. 16.7.82 issued by respondent No.2 is ultravires, as the Valluri Committee has completely ignored the claim of Scheduled Castes and Scheduled Tribes for promotion and the Committee has not taken into consideration the Directive Principles laid down in Article 46 of the Constitution of India under which safeguard to Weaker Section of the people have been provided. The applicants are advised to State that the recommendation of the Valluri Committee is not based on policy decision of the Government of India and the discretion of exercise into the matter is not based on relevant consideration.

6-45 That the promotion of the applicant No.1 and 2 should not have been examined on relaxed standard as the same is un-Constitutional and against the reservation policy of promotion for the Scheduled Castes and Scheduled Tribes Candidates.

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6-46 That the Valluri Committee instead of improving career opportunity of the applicants No.1 and 2, being employees of Scientific and Technical Staff has failed to safeguard the interest of the Weaker Section and the legal claims of the applicants No.1 and 2.

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6-47 That the Parliamentary Committee on the welfare of Scheduled Castes and Scheduled Tribes has its fourth report made a recommendation No.14 according to which all Selection Boards or Recruitment Authorites should include among them at least one Scheduled Caste/ Tribe Member and in this connection Department of Personnel issued Office Memo No.27/4(M)/70-Estt.(SCT) on 2nd September, 1970 to all Ministries. (True copy of which is filed as Annexure No.21.)

The above recommendation has ~~✓~~ never been followed in matter of Constitution of Selection Committee in the Central Drug Research Institute , Lucknow. Had this aspect of the matter taken by respondent No.2 and 3, Professor M R.C.Mahajan would not have prevailed in the Selection Committee and applicants No.1 and 2 have not been superseded. The reserved quota seats should not have been filled arbitrarily and maliciously.

6-48 That by Office Memo No.360/3/6/82-5(SCT) dt.28.1.82 issued by Department of Personnel and AR, the interest and right of S.C. & S.T. candidates in the matter of promotion has been safeguarded against their supersession. True copy of O.M. dt.28.1.82 is filed as Annexure No-22.

6-49 That reservation of posts by applying the roster can be made only where ~~xxx~~ there are ^{more} ~~none~~ than one post. Thus reservation in the cases of applicants No.1 and 2 on Assessment basis is quite just, fair, reasonable, and legitimate, but the same thing has not been done and different criteria was adopted at the time of Interview by Selection Committee.

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6-50 That there is clear conflict between rule, and recommendation of the Valluri Committee and in such circumstances the former will override the letter.

6-51 That the relaxed or lower qualifying standard cannot be fixed for all time or for a number of years.

6-52 That it is well settled that reservation in favour of backward classes of citizen including the member of Scheduled Castes as contemplated by Article 16(4) can be made not merely in respect of initial recruitment but also in respect of posts to which promotion are to be made.

6-53 That the Selection Committee ought to have followed the law laid down in favour of SC/ST candidates by the Hon'ble Supreme Court. The Hon'ble Supreme Court has held that the reservation in favour of Scheduled Castes and Scheduled Tribes must continue as at present, there is, for a further period not exceeding 15 years.

As per orders
of the Hon'ble Tribunal
on 22.4.1991, following
paras are substituted
on left side of page 7.
Chosen

Details of Remedies:-

The applicants declare that they have availed of the remedy available to them.

ii) That the petitioner No.1 made three representations on 27.1.87, 30.10.87 and against made representation on ~~29.8.1988~~ ^{29.8.1988} respondent no.3 while applicant No.2 made representation on 3.6.1988, 30.8.88 contained in Annexure No.6-4, Q.20, 18 and 19. That the said representations are pending decision.

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8. Matter not previously filed or pending other Courts:-

The petitioner further declare that they have not previously filed any application, writ petition or suit regarding the matter in respect of which this present application has been made before the any court of law or any other authority or any other Bench of the Tribunal and nor any such applications, writ or suit is pending before any of them.

9. Relief Sought :

That the applicants in view of the above prayed for the following reliefs:-

i) Necessary orders be issued forthwith Commanding to respondents No.1 to 3 to give promotion on the next higher post on the Assessment basis which became due to them with arrears of difference of salary and benefits & to that post of applicant No.1 and 2 alongwith consequential benefits.

ii) The Respondent No.3 may be directed to dispose of the representations of the applicants No.1 and 2 by giving promotions to them on the next higher grade for which they are legally entitle .

iii) To quash impugned O.M.No.5(134)/81-Estt. (L.W. 11) dt.29.8.1988 contained Annexure 17 passed by the Director, C.D.R.I. (respondent No.3) under the Signatures of the Controller of Administration C.D.R.I., Lucknow, quash G.O. No.6(38)/81-Vig dt.16.7.82 as contained in Annexure 16-A and Annexure 8-A respectively.

iv) To declare recommendations as regards "relaxed Standard" of the Valluri Committee as the ultravirgines. v. To declare Rule 7 & 8 of the Merit & Merit Assessment as. v. To declare an unconstitutional and the same Rule

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*As per order
of the Hon'ble
tribunal*

G R O U N D S

A) Because the orders of promotion issued on 29.8.88 ignored the bonafide, legal, and legitimate claims of the applicants no.1 and 2, being Scheduled Castes Candidates, is invalid and in contravention of rules and the law.

B) Because the competent Authorities were required to exercise their duty in keeping with Directive principles laid down in Art.46 to promote with special care the educational and economic interest of the Weaker Sections of the people and in particular of Scheduled Castes & Scheduled Tribes.

C) Because the Selection Committee constituted in respect of Assessment promotion has wrongly exercised the ~~exemption~~ discretion conferred upon them by the rules.

D) Because the G.O.No.6(38)/81-Vig dt.16.7.82 issued by council of Scientific Industrial Research, laying down policy that on assessment promotion the SC/ST candidates should be examined by relaxed standard, is liable to be quashed on the ground that ^{is} relaxed or lower qualifying standard cannot be fixed for all time ~~xxx~~ or number of years.

E) Because in the cases of applicants No.1 and 2 the relaxed or lower qualify standard has not been fixed at the time of Interview by Selection Committee.

F) Because on the basis of Valluri Committee recommendation the Selection Committee which ~~set~~ two times on 30.10.86 and 8.11.87 decided to judge Scheduled Castes candidates by relaxed standard but the applicant no.1 and 2 were not informed about the formula as opted of relaxed standard.

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G) Because the applicants No.1 & 2 has been the victims of Professor R.C.Mahajan who on two occasions remained Chairman of Selection Committee, though had caste feelings against the Scheduled Castes candidates. In the circumstances, no fair Interview was held in respect of Assessment promotion and the said proceedings are vitiated.

H) Because the action of respondents is arbitrary unreasonable, illegal, discriminatory and is violative Articles 16(4), 46, 37 and 335 of the Constitution.

I) Because the entire proceedings conducted by Assessment Committee are void and unconstitutional.

J) Because applicants are entitled to be protected under Constitutional safeguards.

K) Because the process of de-reservation adopted in the case of the applicants can be said to be antagonistic to the principle embodied in Art.16(4) and 46 of the Constitution.

L) Because there is clear conflict between the rules and recommendations of the Valluri Committee, hence former will override the latter.

M) Because reservation in favour of backward classes of Citizens including the member of Scheduled Castes as contemplated by Art.16(4) can be made not merely in respect of initial recruitment but also in respect of posts to which promotions are to be made.

N) Because provisions of Section 3.2.1 (as provided in Valluri Committee Recommendations have been violated as claim for two posts of SC/ST candidates. Only 6 persons were promoted on higher grade.

As per orders
of the Hon'ble Trble
Ground O/P and B.H.

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10. Interim order, if any prayed for.

Pending final decision of this application the applicants may be issued interim orders.

That respondents may kindly be given orders not to give effect to the impugned order dt. 29.8.88 contained in Annexure-17 and, if so, the status quo may be ordered to be maintained so that their legitimate claim of promotion may not be ignored.

11. Not Applicable.

12. Particulars of Indian Postal orders in respect of application fee

i) Indian Postal order No. DD. 065102 Rs 5/- dt. 12.9.1988

ii) Issued by *High Court Bench Lucknow* post office

13. List of Enclosures

Annexure-1

Annexure-2

Annexure-3

Annexure-4

Annexure-5

Annexure-6

Annexure-6-A

Annexure-7

Annexure-8

Annexure-8-A

Annexure-9

Annexure-10

Annexure-11

Annexure-12

22.

Annexure -13

Annexure-14

Annexure-15

Annexure-16

Annexure-17 (Impugned)

Annexure-18

Annexure-19

Annexure -20

Annexure-21

Verification

We, Suresh Chandra (Applicant No.1) and S.L. Verma (Applicant No.2), abovenamed working in the office of Director, Central Drug Research Institute, Lucknow, r/o A-923/3- Indira Nagar, Lucknow, and r/o Near Awadh Montessori & Kailashpuri, Post Office Alambagh, District Lucknow, ^{para 163} respectively do hereby verify that the contents of para 6-1 to 6-28, 6-29(a) to 6-33, 6-35 to 6-39, 6-41 to 6-44, paras 10, 12, and 13, paras are true to my personal knowledge and those of paras 45, 6-29, 6-36, 6-40, 6-45 to 6-52

.....

..... are believed to be true on legal advice and that we have not suppressed any material fact.

S. Chandra

Signature of Applicant No.1

21.9.1988

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Signature of Applicant No.2

To.

The Registrar,
Central Administrative Tribunal
Additional Bench, Allahabad.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLAHABAD

CIRCUIT BENCH AT LUCKNOW

Suresh Chandra and an other.....Applicant

Vs.

Union of India and others.....Respondant

ANNEXURE /

Ministry of Home Affairs O.M.O. No. 1/12/67-Estt.(C).

dated 11th July, 1968 to all Ministries etc.

Subject :- Reservation for Scheduled Castes and

Scheduled Tribes in posts filled by
promotion.

In this Ministry's Office Memorandum No.
1/10/61-Estt.(D) dated 8th November, 1963, reservations at

12½% and 5% of the vacancies were provided for

Scheduled Castes and Scheduled Tribes in Class III

and IV Posts filled by promotion based on (i) selection
or (ii) the results of competitive examinations limited

to departmental candidates, in grades or services to

which there was no direct recruitment whatsoever. The

aforesaid Office Memorandum of 8-11-1963 also provided

that there would be no reservations for Scheduled

Castes and Scheduled Tribes in appointments made by

promotion to a Class II or a higher service or post,

whether on the basis of seniority-cum-fitness, selection

or competitive examinations limited to departmental candidates.

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The Government of India have reviewed their policy in regard to reservations and other concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of the orders in the aforesaid Office Memorandum dated 8.11.63 decided as follows :-

A. Promotions through limited departmental competitive examinations :

There will be reservations at $12\frac{1}{2}\%$ and 5% of Vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examination limited to departmental candidates, $\frac{1}{2}$ within or to Class II, III and IV Posts in grades or services in which the element of direct recruitment, if any, does not exceed 50%

B. Promotion by selection method :

(a) Class I and II appointments:

In promotion by selection from Class III to Class II and within Class II and from Class II to the lowest rung or category in Class I, the following procedure will be adopted :-

In promotions made by selection, employees in the zone of consideration numbering 5 or 6 times the estimated number of vacancies are normally considered for inclusion in the select list, vide Ministry of Home Affairs' Office Memorandum No. F, 1/5/55-RPS, dated 16.5.1957. After rejecting those who are unfit for promotion, the Departmental Promotion Committee, proceeds to categorise the remaining eligible employees into three categories namely, 'Outstanding', 'Very Good' and 'Good'. Thereafter, the Committee draws up a Select LIST placing all employees in the 'Outstanding'

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category at the top, followed by those categorised as 'Very Good' and then by those categorised as 'Good', the inter se seniority within each category being maintained. As a measure of improving representation of Scheduled Castes/Scheduled Tribes, in services it has now been further decided that :-

(i) If within the zone of consideration, there are any Scheduled Castes and Scheduled Tribes employees, those amongst them who are considered unfit for promotion by the Departmental Promotion Committee will be excluded from consideration. Thereafter, the remaining Scheduled Castes and Scheduled Tribes employees will be given by the Departmental Promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service i.e., if any Scheduled Caste or Scheduled Tribe employee has been categorised by the Committee on the basis of his record of service as 'Good', he should be recategorised by the Committee as 'Very Good'. Likewise, if any Scheduled Caste or Scheduled Tribe employee is graded as 'Very Good' on the basis of his record of service, he will be recategorised by the Committee as 'Outstanding'. Of course, if any Scheduled Caste or Scheduled Tribe employees has already been categorised by the Committee on the basis of his record of services as 'Outstanding', no recategorisation will be needed in his case.

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The above concession would be confined to only 25% of the total vacancies in a particular grade or post filled in a year from the Select list. While making promotions from the Select List the appointing authority should, therefore, check up that the Scheduled Caste/Scheduled Tribes employees promoted in a year on the basis of this concession are limited to 25% of the posts filled in a year from the Select List prepared according to the procedure outlined above; and

(ii) Those Scheduled Castes/Scheduled Tribes employees who are senior enough in the zone of consideration so as to be within the number of vacancies for which the Select List has to be drawn, should be included in the Select List, if they are not considered unfit for promotion and should also be given one grading higher than the grading otherwise assignable to them on the basis of ~~this higher cate~~ their record of service and their place in the Select List determined on the basis of this higher categorisation. This would imply that even where, in some cases, the Select List were to consist of, say only 'Outstanding non-Scheduled Caste/Scheduled Tribe candidates, adequate number of them being available from the zone of consideration, those Scheduled Caste/Scheduled Tribe candidates who are high up in the zone of consideration and are within the number of estimated vacancies for which the Select List is being prepared will, even

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if they are only 'Good' and after higher categorisation by one degree are categorised as 'Very Good' have to be included in the Select List but they will be placed below the 'Outstanding' candidates in the Select List.

(b) Class-III and IV appointments:

There will be reservation at $12\frac{1}{2}\%$ and 5% of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by the selection in or to Class III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50%.

Select List of Scheduled castes/Scheduled Tribes officers should be drawn up separately to fill the reserved vacancies as at present; officers belonging to these classes will be adjudged separately and, not along with other officers; and if they are fit for promotion, they should be included in the list irrespective of their merit as compared to other officers. Promotions against reserved vacancies will continue to be subject to the ~~minimum~~ candidates satisfying the prescribed minimum standards.

C. PROMOTIONS ON THE BASIS OF SENIORITY SUBJECT TO FITNESS:

There will no reservation for Scheduled castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments will, as at present, be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes officers in Class III and IV appointments will, as at present, be

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reported within a month to the Minister or Deputy Minister concerned for information.

3. The following instructions will apply to the filling of vacancies reserved for Scheduled Castes and Scheduled Tribes under the orders contained in this Office Memorandum :-

(1) (a) Scheduled Castes and Scheduled Tribes Officers who are within the normal zone of consideration should be considered for promotion alongwith others and adjudged on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general Select List in addition to their being considered for separate Select Lists for Scheduled Castes Scheduled Tribes respectively.

(b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their positions in the aforesaid general Select List, less vacancies than are reserved for them, the difference should be made up by selected candidates ~~for~~ of these communities who are in the separate Select Lists for Scheduled Castes and Scheduled Tribes respectively.

(2) In the separate Select Lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, officers belonging to Scheduled Castes or Scheduled Tribes as the case may, will be adjudged separately amongst themselves and not along with others officers, and, if selected, they should be included in the concerned separate, Select List, irrespective of their

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merit as compared to other officers. It is needless to mention that officers not belonging to Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate Select Lists for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate Select List the zone of consideration for the Scheduled Castes and Scheduled Tribes, as the case may be, would be of the same size as that for the general Select List the zone of consideration is 5 times the number of vacancies likely to be filled, the zone of consideration for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them, and likewise for Scheduled Tribes, subject of course to the condition that officers coming within such zone are ~~eligible~~ ^{by} eligible by length of service etc. as prescribed for being considered for ~~promotion~~ ^{for} promotion.

(3) For giving effect to the reservations in promotions prescribed in this Office Memorandum, it has been decided that a separate roster on the lines of the roster prescribed in Annexure I to Office Memorandum No. 1/3/63-CT(I) dated the 21st December, 1963 (in which points 1, 9, 17, 25, and 33 are reserved for Scheduled Castes and point 4 and 21 for Scheduled Tribes) should be followed. If, owing to nonavailability of suitable candidates

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belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for deservation should be made to this Ministry indicating whether claims of Scheduled Castes/Scheduled Tribes candidates ~~eligible~~ eligible for promotion in reserved vacancies have been considered in the manner indicated in (1) and (2) above. When dereservation are agreed to by this Ministry, the reserved vacancies can be filled by other candidates subject to the reservations being carried forward to two recruitment years in accordance with Ministry's Office Memorandum No. 1/4/64-SCT(I) dated the 2nd September, 1964.

(4) Where promotions in the above manner are first made on a long-term officiating basis, confirmations should be made according to the general rule viz., that an officers/ who has secured earlier officiating promotion on the basis of his place in the Select List should also be confirmed earlier and thus enabled to retain the advantage gained by him provided that he maintains an appropriate standard vide para 1(iii) of this Ministry's Office Memorandum No. F. 1/1/55/RPS dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

4. The above instructions take effect from the date of issue of these orders except where selections by the Departmental Promotion Committee under the old orders have already been made, or rules for a competitive

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examination have already been published.

5. Ministry of Finance etc, are requested to bring the above decisions to the notice of all concerned.
6. In so far as officers working in offices under the C & A.G. are concerned separate orders will issue in due course.

Truly Yours
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Annexure - 2

CENTRAL DRUG RESEARCH INSTITUTE

Chattar Manzil Palace,
Lucknow.

No. 8/38/77-Estt

Date: 15 FEB 82

OFFICE MEMORANDUM

Subject: Satisfactory completion of Probationary period by Sri Suresh Chandra, Sr. Tech.

The Director, Central Drug Research Institute has been pleased to approve that :

- 1 Sri Suresh Chandra as Sr. Tech. has satisfactorily completed his/her probationary period of service on 20.1.82 (A/N) and that;
- 2 He/she should now be continued in his/her present appointment as Sr. Tech. on the existing terms and conditions of his/her service.

Mojsan
SECTION OFFICER

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Copy to:

- 1 Sri Suresh Chandra,
Sr. Tech. (P.D. Div.)
- 2 Accounts Section
- 3 Bill Section
- 4 Sc. I/c. P.D. Div.

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In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ... Applicants
versus
Union of India and others ... Respondents

Annexure 3

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific & Industrial Research)

Chattar Manzil Palace.
Lucknow-226001.

No. 5 (176) / 83-Estt. I

Dated 26/3/84

M E M O R A N D U M

A provisional seniority list in respect of
J.T.A in the scale of
Rs. 425 has been prepared and is appended
hereto.

The concerned Scientists are requested kindly to
note their position in the seniority list and forward
their objection if any in this connection to this
office within ~~seven~~ ^{thirty} days of the date of issue of this
Memo. If no objection are received within the specified
period it will be presumed that seniority lists are in
order and the same will be treated as final.

Bl/Am
(P.L.Chhabra)
ADMINISTRATIVE OFFICER (S.G)

Copy to:-

- (1) To all concerned scientists. Sh. Suresh Chandra,
- (2) The Heads of Division / Section. P. D. Div
- (3) Notice Boards.

S.K/-

True copy
[Signature]

1.	2.	3.	4.	5.	6.	7.	8.
41. Sh. A.P. Singh	F.Sc.	02.07.49	S.L.A	01.02.81	Microbiology		
			Gr. III(i)				
42. Sh. R.P. Sharma	B.Sc.	08.07.40	Sr.Tech.	01.02.81	Information		
			Gr. III(i)				
43. Smt. Rukmani	B.Sc.	12.01.48	S.L.A	01.02.81	Endocrinology		
			Gr. III(i)				
44. Sh. A.K. Saxena	M.Sc.	02.06.45	-do-	01.02.81	Parasitology		
45. Sh. M.N. Khan	M.Sc., Pt. I	29.8.48	Sr.Tech.	01.02.81	Biochemistry		
			Gr. III(i)				
46. Sh. G.P. Singh	M.Sc.	05.07.50	S.L.T.	01.02.81	Pharmacology		
			Gr. III(i)				
47. Sh. R.N. Sharma	B.Sc.	10.12.46	-do-	01.02.81	Tox. & Exp. Med.		
48. Sh. S. N. Rathur	B.Sc.	27.07.47	-do-	01.02.81	-do-		
49. Sh. S.N. Kaul	B.Sc.	10.12.46	Sr.Tech.	01.02.81	Biochemistry		
			Gr. III(i)				
50. Km. Sumita Gupta	M.Sc.	02.05.53	S.L.A	01.02.81	Parasitology		
			Gr. III(i)				
51. Sh. K.N. Banerjee	B.Sc.	10.04.51	Sr.Tech.	01.02.81	Pharmacology		
			Gr. III(i)				
52. Smt. S. Jawaad	B.Sc.	19.10.52	-do-	01.02.81	-do-		
53. Sh. Surash Chandra	B.Sc.	08.08.55	-do-	01.02.81	F.D. Div.		
54. Sh. R.B. Ansari	B.Sc.	09.09.48	-do-	2.11.81	Pharmacology		



In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ... Applicants
versus
Union of India and others ... Respondents

Annexure 4

Telex : 0635-286
Telegram : CENDRUG
Phone : 32411-18 PABX

केन्द्रीय औषधि अनुसंधान संस्थान
छत्तर मंजिल, पोस्ट बाक्स नं० 173
लखनऊ 226001 (भारत)

CENTRAL DRUG RESEARCH INSTITUTE
Chattur Manzil, Post Box No. 173
LUCKNOW—226001 (INDIA)

No. 8/38/77-Estt.

Date 25.6.1984.

' NO OBJECTION CERTIFICATE '

The Administrative Officer, Central Drug Research Institute, has no objection for attending interview to post of Officer in Barabanki, Gramin Bank by Shri Suresh Chandra, Senior Tech. Gr.III(1) of this Institute.

Maresh
(MAHESH PRAKASH)
Section Officer

✓ Shri Suresh Chandra,
Senior Tech. Gr.III(1),
P.D. Division.

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ... Applicants
versus
Union of India and others ... Respondents

Annexure-5

Telex : 9535-286
Telegram : CENDRUG
Phone : 32411-18 PABX



केन्द्रीय औषधि अनुसंधान संस्थान

चत्तर मंजिल, पोस्ट बाक्स नं. 173

लखनऊ 226 001 (भारत)

CENTRAL DRUG RESEARCH INSTITUTE

Chattar Manzil, Post Box No. 173

LUCKNOW-226001 (INDIA)

No. 8/38/77-Estt.

Date 8.8.86.

Sh. Suresh Chandra,
Sr. Tech. Gr. III (i) (on lien) &
Branch Manager
Saidpur Branch
Barabanki Gramin Bank
Barabanki, U.P.

Sub : Extension of lien

Dear Sir,

With reference to your application dt. 7.8.86, on the above subject, I am directed to inform you that the Director, CDRI, has been pleased to accord approval to the extension of your lien for a further period of 10 days beyond 8.8.86 on the post of Sr. Tech. Gr. III (i), subject to payment of Pension Contribution and Leave Salary as a very special case. It is further clarified that there will be no extension of lien in any case.

Yours faithfully,

Malay
(P.M. RAM) 8/8/86
SECTION OFFICER

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In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

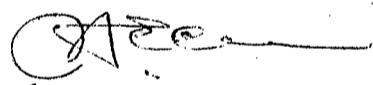
Application no. of 1988
Suresh Chandra and another ...Applicants
versus
Union of India and others ...Respondents

Annexure-6

CENTRAL DRUG RESEARCH INSTITUTE
Chattar Manzil Palace
No. 8/38/77-Estt. Lucknow
Dated: 8.10.1986

OFFICE MEMORANDUM

In continuation of this office Memorandum of even
number dated 8.8.84 & 8.8.86, Shri Suresh Chandra, Sr.Tech.
Gr.III(i) has reported for duty w.e.f. 14.8.86 (f/n). He
has deposited the lien charges for the entire period (i.e.
from 9.8.84 to 18.8.86 as per rules) and a certificate
to this effect has been recorded in the Service Book.


(H.C. CHHABRA)
ADMINISTRATIVE OFFICER Gr.I

Shri Suresh Chandra,
Sr.Tech.Gr.III(i)
Process Dev. Division

Copy to:-

1. Accounts Section
2. Bill Section
3. Recruitment Cell
4. S.O. (G.)
5. Sc.I/C. Information
6. Sc.I/C. P.D.Div.

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A/S

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH, ALLD.
CIRCUIT BENCH AT LUCKNOW.

Application No. of 1988

Suresh Chandra and another

...Applicants.

Vs.

Union of India & Others.

...Opp. Parties.

Annexure No. 6A

To,

The Director,
Central Drug Research Institute,
Lucknow.

Subject:- Assessment/Promotion to the next higher
grade of J.T.A.

Sir,

Respectfully I beg to state that I have been working in the pay scale of 425-700 on the post of Sr. Technician Gr. III(i) (J.T.A) w.e.f. Feb., 1981. I applied to the Barabanki Gramin Bank, Barabanki through proper channel and I joined that Bank on 9.8.1984 on Foreign Service terms with due permission of Director, O.D.R.I. Lucknow. For this purpose I have already paid the lien charges i.e. Leave Salary and Pension contribution amounting to Rs. 5,350.00 on my reversion from the Bank on 14.8.1986.

True copy
[Signature]

2.

Now I have come to know that Assessment/Promotion of the persons working in my grade i.e. Rs.425-700 has been done for promotion to the next higher grade Rs. 550-900. But to my surprise I have not been informed about my fate regarding my promotion to the next higher grade Rs. 550-900 as I fulfill all the conditions stipulated for such promotions.

In case I am not given the chance, and anomalous situation will arise and the persons junior in service to me will start drawing more pay than myself which is definitely contrary to the rule FR 30 i.e. Next Below Rule.

Through this application I appeal your honour kindly to consider my case sympathetically and restore the justice to me. I shall be highly obliged for this act of kindness on your part.

Thanking you,

Yours faithfully,

(Suresh Chandra)

Sr. Technician Gr. III(i),

Process Development Division ,

C.D.R.I. , Lucknow.

Dt. 27.1.1987.

True Copy

*True Copy
Suresh Chandra*

इन दि सैन्ट्रल ईंडमिनिस्ट्रीटिव ट्रिव्यूनल एडीएनल बैच, छत्ताहाबाद,
स किंट बैच, ईंट लखनऊ ।

सुरेश चन्द्र ईंण्ड ईंन अदार ----- अप्लीकेन्ट

बनाम

यूनियन आफ्ना इण्डिया ईंण्ड अक्सर ----- अपौजिंट पाटीज़ि

एनैक्यूर नम्बर ()

सैवा मैं

अध्यक्षा, एस० सी० एस० टी० एसौसिएशन
यूनिट सी० डी० आर० आई०, लखनऊ ।

महोदय,

मैं, सुरेश चन्द्र पुत्र श्री राम समुक्त सी० डी० आर० आई०
लखनऊ मैं सीनियर टैक्नीशियन ग्रुप थ्री (१) के पद पर फॉर्मरी
१९८१ से कार्यरत हूँ ।

कलूरी कम्पनी की रिपोर्ट के अनुसार एसटीए० पद पर
प्रीपून्नति फॉर्मरी १९८६ से हीना थी किन्तु मुक्ते समझात्कार
के लिए बुलाया ही नहीं गया । अक्टूबर १९८७ मैं उक्त पद के लिए
मेरा सामान्यत्कार लिया गया किन्तु प्रौन्नति नहीं दी गई ।
१९८७ मैं लिए गए सामान्यत्कार मैं किसी अनु० ज्ञाति के व्यक्ति
को उक्त पद पर प्रौन्नति दी ही नहीं गई । जब कि सामान्य
श्रेणी के तौरों की पदान्नतियाँ कर दी गईं । सी० डी० आर०
आई० के अनु० ज्ञाति एवं जन ज्ञाति के कम्बारियों मैं यहाँ की
नियुक्ति एवं प्रौन्नति मैं धाँक्ली से बड़ी निराशा व्याप्त है ।
कृया नियमानुसार एस० सी० एस० टी० कम्बारियों की प्रौन्नति
का अक्सर उपलब्ध कराने की कष्ट करें ।

मवदीय,

सुरेश चन्द्र

सीनियर टैक्नीशियन ग्रुप -३(१)

पी० डी० डिवीजून सीडीआरआई०

दिनांक ७-४-८८

लखनऊ ।

सत्य प्रतिलिपि

True copy
Signature

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH, ALLAHABAD
CIRCUIT BENCH AT LUCKNOW.

Application No. of 1988.

Suresh Chandra and another ... Applicants

Versus

Union of India & Others. ... Opp. Parties.

Annexure No. 0

To,

The Director,
C.D.R.I.,
Lucknow.

Subject: Assessment under new Recruit and Assessment Scheme.

Respected Sir,

I was directed to appear before Assessment Committee on 9.10.1987 at 9.30 A.M. vide your D.M.No.5(131)/81-E. I dated 4.9.1987. In the said Memo. it was mentioned that this was the 1st and 2nd chance.

In this regard I beg to mention that I was on lien w.e.f.9.8.1984 to 14.8.1986 working in the Barabanki Gramin, Bank, Barabanki. The lien charges and pension contribution etc., were paid by me but I could not be asked for attending

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the Assessment Committee as such I have lost one chance. In fact I availed first chance for attending the Assessment Committee only on 8.10.1987.

Therefore, I hereby request your honour to treat it on 8.10.1987 as first chance. I was never informed for attending Assessment Committee while as foreign service in the bank.

Thanking you,

Yours faithfully,

(Suresh Chandra)
Sr.Tech.Gr. III (i)
Process Development Division,
C.D.R.I

30.10.1987

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In the Central Administrative Tribunal Addl. Bench Allahabad
 Circuit Bench at Lucknow.

44

Application no. of 1988
 Suresh Chandra and another ... Applicants
 Versus
 Union of India and Other Respondents
Annexure - 8A

Central Drug Research Institute
 (Council of Scientific & Industrial Research)

No.5(131)/81-E.I(Gr.III)

Chattar Manzil
 Palace, Lucknow

Dated : 16.10.1987

OFFICE MEMORANDUM

Subject :- Assessment promotion under New Recruitment and
 Assessment Scheme.

.....

On the recommendation of the Expert Committee, which
 met on 8th and 9th October, 1987, the Director, Central Drug
 Research Institute, has been pleased to accord approval to the
 assessment promotion in respect of the following technical staff
 under New Recruitment and Assessment Scheme as detailed below:-

S.No.	Name	Present Designation	Post to which promoted with scale of pay	Effective date of promotion	Remarks
1	2	3	4	5	6

Assessment promotion from Grade of
 Rs.1400-2300 to Rs. 1640-2900 under
 Faster Track of NR & AS.

1. Dr. M.N. Joshi JTA STA 01.02.87
 (Rs.1640-60-2600-
 EB-75-2900)

Assessment promotion from Grade of
 Rs. 1400-2300 to Rs.1640-2900 under
 normal rules of NR & AS.

1.	Sh. P.S. Gupta	SI(A) Gr. III(1)	STA (Rs.1640-60-2600- EB-75-2900)	01.02.87	
2.	Sh.A.K. Srivastava	-do-	-do-	01.02.87	one advance increment over and above the normal fixation
3.	Sh. A.K. Nigam	-do-	-do-	01.02.87	---do---
4.	Sh. S.K. Mathur	-do-	-do-	01.02.87	---do---
5.	Sh. D.N. Bhalla	-do-	-do-	01.02.87	---do---
6.	Sh. M.S. Ansari	Sr.Tech. Gr.III(1)	-do-	02.11.86	-

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In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ...Applicants
versus
Union of India and others ...Respondents

Annexure 9

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific & Industrial Research)

Chattar Manzil Palace
Lucknow- 226 001.

No: 5(113)/81-Estt.I. (Vol.II)

Dated: 21.07.1987

OFFICE MEMORANDUM

The following persons under various group in the New and old Assessment Schemes have become eligible for assessment promotion to the next higher grades w.e.f. the dates shown against them, which is subject to variation :-

Sl. No.	Name	Dt. of apptt.	Dt. of eligibility	Division	Assess- ment chance	Remarks
1	2	3	4	5	6	7

UNDER NEW RECRUITMENT AND ASSESSMENT SCHEME :

BIOMEDICAL GROUP : SCIENTIST 'E,I':

1.	Dr.S.R.Das	01.02.81	01.02.87	Micro- biology	2nd	-
2.	Dr.P.R.Dua	-do-	-do-	Pharma- cology	-do-	-
3.	Dr.J.N.S.Yadav	-do-	-do-	Micro- biology	-do-	-
4.	Dr.Harish Chandra	-do-	-do-	Endocri- nology	-do-	-
5.	Dr.O.N.Tripathi	-do-	-do-	Pharma- cology	-do-	-
6.	Dr.B.S.Srivastava,	28.05.81	28.05.86	Micro- biology	Ist	-
7.	Dr.M.B.Gupta	11.03.82	11.03.87	Neuro- Pharmacology Unit KGMC, Lko.	Ist	-
8.						

SCIENTIST 'C'

(Rs.1100-1600) (Pre-revised)
(Rs.3000-4500) (revised)

8-	Dr.A.R.Chaudhury	03.09.79	03.09.86	Endocri- nology	2nd-	-
9.	Dr.B.L.Choudhury	04.12.79	04.12.86	Micro- biology	2nd	-
10.	Dr.B.N.K.Pda.	01.02.81	01.02.87	-do-	Ist	-

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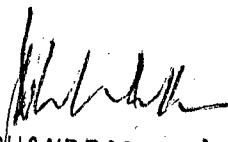
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It is requested that the information required in respect of them in the proforma (enclosed may kindly be furnished latest by 20.08.87. 30 copies each of self assessment report/publications/patents etc. may please be enclosed with the form.

Errors and omissions, if any, may please be brought to the notice of the undersigned for consideration and rectification.


(G.S.CHANDRABHAN)
SECTION OFFICER

Copy to:-

Individual concerned with the request that the information required may please be sent through respective Divisional Head.

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In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ... Applicants
versus
Union of India and others ... Respondents

Annexure-10

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific and Industrial Research)

Chatter Mahzil Palace,
Lucknow-226 001.

No. : 5(110)/81-Estt.I.(Vol.II)

Dated : 10.02.1988

OFFICE MEMORANDUM

The following Technical staff under Group III in the New Assessment Scheme have become eligible for assessment promotion to the next higher grades w.e.f. the dates shown against them, which is subject to variation :-

Sl. No.	Name	Dt. of apptt.	Dt. of eligibility	Division	Assess- ment chance	Remarks
1	2	3	4	5	6	7
1.	Sh.M.U.Khan	01.02.81	01.02.88	Micro.	3rd	-
2.	Smt.S.Jawaid	01.02.81	01.02.88	Pharma- cology	3rd	-
3.	Sh.Suresh Chand	01.02.81	01.02.88	P.D.Div.	2nd *	SC
4.	Sh.S.I.Verma	02.11.81	02.11.87	Biochem	2nd	-
5.	Sh.S.C.Nigam	01.02.82	01.02.88	Endo.	2nd	SC
6.	Dr.(Miss) Reeta Srivastava	01.02.83	01.02.88	Micro.	1st	Faster track
7.	Smt.M.Chowdhury	01.02.83	01.02.88	Pharma- ceutics	1st	-do-
8.	Sh.A.K.Khanna	01.02.83	01.02.88	Biochem.	1st	-
9.	Smt.Kanta Bhutani	01.02.83	01.02.88	Pharma- cology	1st	Faster track
10.	Sh.S.Mehrotra	25.10.82	25.10.87	F.T.	1st	-
11.	Dr.Ajai Kumar Srivastava	25.10.82	25.10.87	A/H	1st	-
12.	Sh.Chowdhury Ram	08.11.82	08.11.87	Inf.	1st	-
13.	Sh.S.C.Tripathi	10.12.82	10.12.87	F.T.	1st	-
14.	Sh.Bikram Banerjee	16.12.82	16.12.87	F.T.	1st	-
15.	Sh.Mukesh Srivastava	24.12.82	24.12.87	Biometry & Statistics	1st	-
16.	Km.Zarrin Farzana	31.01.83	31.01.88	RSIC	1st	-

Under NICDAP Scheme:-

1. Sh.V.K.Verma
Proof Reader 10.02.83 10.02.88 Library 1st

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By

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

57

Application no. of 1988

Suresh Chandra and another

...Applicants

Versus

Union of India and Other

....Respondents

Annexure-II

REGISTERED A.D.

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific & Industrial Research)

Chattar Manzil Palace,
Lucknow - 226001

No. 5(31)/76-Estt.

Dated : 7.3.1977

MEMORANDUM

Subject : Appointment in the C.D.R.I., Lucknow.

On the recommendation of the Selection Committee which met on 15.2.1977, the Director, Central Drug Research Institute, has been pleased to approve the appointment of Shri Shiv Lal Verma as Junior Technician in the C.D.R.I., Lucknow on the following terms and conditions of service :-

1. His initial pay will be Rs. 260/- p.m. in the scale of Rs. 260-6-326-EE-350 plus the usual allowances as are admissible to other Council servants of the same pay and status stationed at Lucknow.
2. The appointment is under the Council of Scientific and Industrial Research which is an autonomous body.
3. He will be liable for transfer to any of Laboratories/ Institutes under the control of CSIR anywhere in India.
4. He will be on trial for a period of one year which may be extended or curtailed at the discretion of the competent authority. During the period of probation, his appointment may be terminated at any time without notice and without any reason being assigned.
5. His appointment will be temporary in the first instance on "In-service Training basis", as provided for in Government of India, Cabinet Secretariat, Deptt. of Personnel and Adm. Reforms No. 36022/13/76-Estt. (SCT) dated 14.9.76, to bring him to the minimum standard necessary for the post. His performance shall be watched and reviewed periodically and he shall continue in service only if he shows improvement. The services of a temporary employee may be terminated by a month's notice on either side, viz., the appointee or the appointing authority, without assigning any reasons. The appointing authority also reserves the right of terminating the services of the appointee forthwith or before the expiry of the stipulated period of notice by making payment to him of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.
6. The service is pensionable. He will be required to contribute compulsorily to the G.P. Funds at such minimum rate as may be prescribed by the CSIR from time to time.
7. He will have to produce two character certificates from two gazetted officers of the Central or Provincial Government or stipendiary Magistrates in prescribed form, enclosed.
8. No travelling allowance will be paid for reporting for duty.

b/1

8. His appointment will be subject to the production of the following documents at his own expense as indicated below in each cases,

- a) Medical Certificate of fitness for service from Chief Medical Officer in the prescribed form enclosed (to be produced within a week)
- b) Documentary proof in respect of his date of birth educational qualifications in original (to be produced at the time of reporting for duty.)
- c) Certificate of Scheduled Caste/tribe in the enclosed prescribed form duly signed/countersigned as required therein.

10. He will have to take an Oath of allegiance to the Constitution of India.

11. If married, he is required to sign a declaration (form enclosed) that he has not more than one living wife and if first wife is alive save with the permission of the competent authority.

12. He will not be allowed to carry forward his leave earned by him in his previous post, if any.

13. As required under F.R. 43-A of the compilation of the Fundamental and Supplementary Rules, he will not apply for or obtain or cause or permit any other persons to apply for or obtain a patent for an invention based on research work save with the permission of the Director, C.D.R.I., and the Director, General Scientific & Industrial Research.

14. The provisions of the Central Civil Services (Classification Central and Appeal) rules, Central Civil Services (Conduct) Rules and such other rules or executive orders as may, from time to time, be applicable to the servants of the Council shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Council as to their applicability shall be final.

15. In case, he had migrated to India from Pakistan after 18.7.1948, his appointment will be subject to production of Indian citizenship issued in his favour under the provisions of Sec. 5(i) (a) of the Citizenship Act 1955, at the time of reporting for duty.

16. If any information or declaration given by him proves to be false or if he is found to have wilfully suppressed any material information, he will be liable to removal from service and such other action as may be deemed necessary.

If he is willing to accept the offer of appointment on the aforesaid terms and conditions, he should report himself for duty to the undersigned immediately together with the aforesaid documents duly completed in all respects.

J.P. Singh
(J.P. SINGH)
ADMINISTRATIVE OFFICER

To

✓ Shri Shiv Lal Verma,
Vill. Hunse Pur, P.O. Sandi,
Distt. Hardoi (U.P.)

Copy to :-

Dealing Asstt. (Personal file alongwith application)

True copy
Qay

Nair/-

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

53

Application no. of 1988
Suresh Chandra and another ... Applicants
Versus
Union of India and Other Respondents
Annexure - 12

X
63

CENTRAL DRUG RESEARCH INSTITUTE

Chattar Manzil Palace,
Lucknow - 226001

No. 5(8)/74-Estt.I.

Dated : 7.8.1978

OFFICE MEMORANDUM

Subject : Appointment on promotion in the
C.D.R.I. through D.P.C.

On the recommendation of the Departmental Promotion Committee, which met on 14.7.1978, the Director, C.D.R.I., has been pleased to approve of the appointment on promotion of Shri S.L. Verma, Jr. Tech. as Technician in the scale of Rs. 260-8-300-EB-8-340-10-380-EB-10-430 on an initial salary to be fixed according to rules plus usual allowances as admissible under the rules with effect from the date of his/her taking over charge of the post.

He/She will be on probation for a period of one/two year(s) with effect from the date of his/her taking over charge of the post which may be extended or curtailed at the discretion of the competent authority. On satisfactory completion of the period of probation he/she will be eligible for continued employment in the grade.

Jyender Pal Singh

ADMINISTRATIVE OFFICER.

Seal

To

✓ Shri S.L. Verma,
Jr. Technician
Biochemistry Division

Copy to :-

1. Accounts Section
2. Bill Section
3. Dealing Asstt. (P/F)

*True copy
Chowdhury*

Application no. of 1988
Suresh Chandra and another ... Applicants
Versus
Union of India and Other Respondents
Annexure 12

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific and Industrial Research)

Chatter Manzil Palace
Lucknow - 226001

No. 5(131)/81-Estt.I. (Gr.II.)

Dated : 2.2.1982

OFFICE MEMORANDUM

Subject : Assessment of eligible staff in Group II for promotion to the next grade in the Group under New Recruitment and Assessment Scheme.

On the recommendations of the Assessment Committee which met on 19.1.1982, to consider the cases of eligible staff of C.D.R.I. in Group II for promotion to the next higher grades as per New Recruitment and Assessment Scheme circulated by CSIR vide letter No.17/65/81-E.II dated 2.11.1981, the Director, C.D.R.I. has been pleased to accord approval to the appointment of Shri S.L.Verma, S.L.A. as S.L.A. Gr.III(1) in the scale of Rs. 425-15-500-EB-15-560-20-700 w.e.f. 1.2.1981 2.11.1981

The pay of Shri Verma will be fixed under normal rules i.e. under FR-23 (C). Pending fixation of his pay, he will draw his existing pay.

Shri Verma will be on probation for a period of one year/two years from the date of issue of these orders which can be extended or curtailed at the discretion of the competent authority. On satisfactory completion of his period of probation, he will be eligible for continued employment in the grade.

It would be obligatory on the part of the promotee to continue to perform the same duties as he was performing in the lower grade and to perform such other and higher duties as may be assigned to him in future.

Shri Verma will carry the post alongwith him in the higher grade. On his vacating the position, the post will revert to entry level position i.e. 260-350.

The expenditure involved will be met from the Budget Head P(2) & P(3).

Jogendra Pal Singh
(JOGENDRA PAL SINGH)
ADMINISTRATIVE OFFICER

Shri S.L.Verma

S.L.A.

Biochemistry

Copy to :-

1. Accounts Section
2. Bill Section
3. S.O. (E.II)
4. Scientist I/C., Information
5. Scientist I/C., Library
6. Scientist I/C., Biochemistry

True Copy
By

Application no. of 1988

Suresh Chandra and another ... Applicants

Versus

Union of India and Other ... Respondents

Annexure 4

No. 42014/7/86-Estt (SCT)

Government of India/Bharat Sarkar
Ministry of Personnel, Public Grievances
and Pensions
(Department of Personnel and Training)

New Delhi, the 12 August, 1986

OFFICE MEMORANDUM

Subject:- Harassment of and discrimination against Scheduled Castes and Scheduled Tribes employees in Central Govt. Services/Posts.

The undersigned is directed to say that in the Department of Personnel and Training's O.M. No. 36025/3/85-Estt (SCT) dated the 24th June, 1985, it is emphasised that Government servants should desist from any act of discrimination against members of Scheduled Castes/Scheduled Tribes Communities on grounds of their social origin. (copy enclosed).

2. It has come to notice that the contents of the O.M. referred to above dated 24th June, 1985, has not received wide publicity. It is once again emphasised that in order to achieve the objective of the Government to uplift officials belonging to the SC/ST socially and to merge them in the mainstream of the national life, it is absolutely necessary that the officials belonging to SC/ST are not subjected to any harassment or discrimination.

3. Ministry of Finance are requested once again to bring the contents of O.M. dated 24th June, 1985 referred to above to the notice of concerned and action taken against officials who violate the instructions.

Sd/-

(BATA K. DEY)
DIRECTOR

True copy
[Signature]

SLA

8. Notice Board.
9. Guard File.

(BHUPENDER NANGIA)
SECTION // OFFICER
14/7/86

56
X6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLAHABAD
CIRCUIT BENCH AT LUCKNOW

Suresh Chandra and an other.....Applicant

Vs.

Union of India and others.....Respondant.

ANNEXURE - 15

Department of Personnel and Training O.M.
36026/3/85-Estt.(SCT), dated 24th June, 1985

Subject : Harassment of and discrimination
against Scheduled Castes and Scheduled
Tribes employees in Central Government
Services/posts.

Ministries/Departments are aware that the Government
as a part of the programme for the general welfare
of the persons belonging to the SC/STs, have
provided reservation in Central Government
Services accompanied by various other benefits,
concessions and relaxations. The main objective
for providing reservation for Scheduled Castes
and Scheduled Tribes in appointment to civil
posts and services of the Government is not just
to give jobs to some persons belonging to these
communities and thereby, increase their representation
in services but to uplift these people socially
and merge them in the mainstream of the nation.

2. It has, however, been pointed out to this
Department that the Scheduled Castes and Scheduled
Tribes officers, after appointment, are subjected
to harassment and discrimination on grounds of
their social origin. It has been pointed out that
SC/ST officers are sometimes transferred to far-off
places and also placed at insignificant positions.

True copy
Ch.

contd... 2/4

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X6
-:: 2 ::-

It has also been stated that these officers are not accepted at their places of postings by the concerned superior officers in some cases.

3. In this connection, it is emphasised that Government servants should desist from any act of discrimination against members of SC/ST communities on grounds of their social origin. It is also requested that senior officers, including the Liasion Officers of the Ministry/Department, should keep a close watch to ensure that such incidents do not occur at all. However, if any such incident comes to the notice of the authorities, action should be taken against the erring officials promptly.

4. Ministry of Finance etc. are accordingly requested to bring the contents of this office Memorandum to the notice of all concerned.

True copy
[Signature]

58
~~TS~~

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLD.
CIRCUIT BENCH AT LUCKNOW.

Application No. of 1988.

Sure sh Chandra and another ...Applicant.

Versus

Union of India & Others. ...Opp. Parties.

Annexure No. 16

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

Rafi Marg,
New Delhi

Dated: 16.7.1982.

No. 6(38)/81-Vig.

From :

Chief (Admn.)

Council of Scientific & Industrial Research,

To ,

The Director/Head of

All the Laboratories /Institutes under CSIR.

Sir,

I am directed to state that the question of
reservation of SC/ST candidates in the internal
assessment promotion under the new Valluri Committee
recommendations was under consideration of this Office

*Final copy
Ch*

4/69

2.

in consultation with the Ministry of Home Affairs, Deptt. of Personnel and A.R. after taking into consideration the new assessment scheme as laid down in the Brochure circulated by the CSIR to all the labs./Instts. have come to the following decision.

"The matter has been examined and it has been found that promotions in the new policy are not vacancy based and as such it would not be possible to maintain the roaster providing reservations for SC./St. Thus in these kinds of promotions it will be difficult to provide for actual reservation, but this department feels that justice would be done to SC./St candidates if they are judged by relaxed standard at the time of promotion".

For the above it would be clear that the reservation would be applicable to entry level posts in each group while on assessment promotion the SC./ST candidate should be examined by relaxed standard. These instructions may kindly be noted for necessary compliance and brought to the notice of all concerned.

Yours faithfully,
Sd/- S.P. Kaushika
Deputy Secy. (Vig.).

NBB-11788

True Copy*True copy*

6c

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988

Suresh Chandra and another ... Applicants
Versus
Union of India and Other Respondents

Annexure-17

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific and Industrial Research)

Chattar Manzil Palace,
Lucknow.

No.5(131)/81-E.I.(Gr.III)

Dated 29.08.88

Dated: 29.08.88

OFFICE MEMORANDUM

Subject:- Assessment promotion under New Recruitment and
Assessment Scheme.(Group III)

On the recommendation of the Expert Committee, which
met on 08.08.1988, the Director, Central Drug Research Institute,
has been pleased to accord approval to the assessment promotion
in respect of the following technical staff under New Recruitment
and Assessment Scheme as detailed below:-

(R.D.R.I.)

S.No.	Name	Present Post to which Designation	Post to which promotion	Effective Date of promotion	Division	Remarks
-------	------	--------------------------------------	----------------------------	--------------------------------	----------	---------

1	2	3	4	5	6	7
---	---	---	---	---	---	---

Assessment promotion from Grade of
Rs.1400-2300 to Rs.1640-2900 under
Faster Track of NR & AS.

1. Sh.S.C.Nigam JTA(Gr.III(1)) STA Gr.III(2) 01.02.88 Endo - -
(Rs.1640-60-
2600-EB-75-
2900)

2. Dr.(Km.) Reeta Srivastava -do- -do- 01.02.88 Micro. -

3. Smt.M.Chowdhary -do- -do- 01.02.88 Pharma- -
ceutics

4. Smt.Kanta Bhutani -do- -do- 01.02.88 Pharma- -
cology

Assessment promotion from Grade of
Rs.1400-2300 to Rs.1640-2900 under
Normal Rules of NR & AS.

1. Sh.M.U.Khan JTA Gr.III(1) STA Gr.III(2) 01.02.88 Micro- -
(Rs.1640-60-
2600-EB-75-
2900) *Micro*
Genetics

2. Sh.Chowdhary J.T.A. -do- 08.11.87 MMLCell -
Ram

-3-

They will continue to be governed by other terms and conditions of their appointment in CDRI.

(V.P. BAKSHI)
CONTROLLER OF ADMINISTRATION

Copy to:-

1. Individual concerned *
2. Accounts Section (3 copies)
3. Bill Section (3 copies)
4. E.II.Section (11 copies)
5. Concerned Scientist-in-charge
6. Scientist-in-charge (Information)
7. Scientist-in-charge (Library)
8. Scientist-in-charge (Record)
9. P.S. to Director
10. Office copy.

* They may please communicate their acceptance of the promotion to E.II.Section within one month from the date of issue of the order.

True copy
Bar

TSC/Paribesh

63

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988

Suresh Chandra and another ...Applicants

Versus

Union of India and OtherRespondents

Annexure-18

To,

The Director,
C.D.R.I.
Lucknow, 226001

Subject: Promotion of Scheduled Caste Candidates in
the Group III(II)

Sir,

I have been working at the post of S.L.A. Group IIIrd (i) with absolute devotion and honesty under your kind control and direction since 2.11.1981.

After the completion of five years period I was assessed on 8.10.87 for promotion to next higher grade.

Unfortunately the assessment committee did not recommended my name for promotion.

According to C.S.I.R. letter No.6(38)/81-Vig.) dated 15.7.82 the SC/ST candidates should be judged by relaxed standard at the time of ~~assessments~~ promotion.

This was felt necessary for providing justice to ~~new~~ such candidates (Copy of the letter enclosed).

It is therefore requested humbly that my case may be reconsidered in the light of above recommendation and to provide me the benefit of the promotion from the due date.

I shall be highly obliged.

Yours faithfully

True copy
Copy

S. L. Verra
(S. L. Verra)

S.L.A. Group III(1)
Division of Bio-Chemist

Dated: 3.6.1988

64

In the Central Administrative Tribunal Addl. Bench Allahabad
Circuit Bench at Lucknow.

Application no. of 1988
Suresh Chandra and another ... Applicants
Versus
Union of India and Other Respondents
Annexure 14

To

The Director,
Central Drug Research Institute,
Lucknow.

Subject: Promotion of Scheduled Caste
Candidates in the Group III(II)

Sir,

Kindly refer to my representation dated 3.6.88
on the subject cited above.

1. That in this connection I have to say that no
reply whatsoever has been given to me in accordance
with the decisions contained in CSIR letter No.6(38)/81-
Vig. dated 16.7.82. (Copy enclosed)

2. That this year also I am surprised to know that
my case on assessment promotion has not been considered
by the Assessment Committee, the meeting of which was
held on 8.8.88.

3. That at the time of assessment claim of the applicant/
scheduled caste candidates as contemplated in Article
32, 46, & 137 of the constitution have not been considered
by Assessment Committee, as a result in my case the G.Os
regarding right of S.C./S.T. for promotion have not
been followed which is unconstitutional. The words "Relaxed
standard" have raised ambiguity, as it is not clear as to
what is lower qualifying standard.

4. That in view of the above, I again send this
reminder to kindly expedite my representation sympathetically.

Thanking you,

Dated: 30.8.1988.

Yours faithfully,

S. L. Verma
(S. L. VERMA)
S. L. A. (Gr. III)(Gr. I)
Division of Biochemistry

Copy to:

1. Commissioner for S.C./S.T.
R.K.Puram, New Delhi for
information and favourable action
in the matter of promotion for which
I have bonafide claim after 5 years
service on the post S. L. A. Group III
Gr. -1).

True copy
Shri

(S. L. Verma)

65

A/24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLAHABAD
CIRCUIT BENCH AT LUCKNOW

Suresh Chandra and an other.....Applicant

Vs

Union of India and others.....Respondant

ANNEXURE 20

To

The Director
Central Drug Research Institute,
Lucknow.

Subject Assessment/Promotion to the next higher Grade
of Senior Technician Grade III(i) for Scheduled
Caste & Scheduled Tribes candidate-

Respected Sir,

Kindly refer to my representation dated 27/1/87
and 30/10/87 on the subject noted above.

(i) In this connection I have to say that in 1986,
I was not called for interview while I was in India.

(ii) I was called for interview on 1987 first time
but my case was not considered by the assessment committee
for promotion.

(iii) This year 1988 also I am surprised to know that
my case for Assessment/promotion has not been considered
by the Assessment Committee which was held on 8.8.88.

I am Scheduled Caste candidate, the person junior
in service to me will start drawing more pay than myself.

In view of the above, I again send this reminder to
very kindly consider my case sympathetically and restore the
justice to me, for which I shall ever remain grateful to your
goodself and oblige.

Thanking you,

Yours faithfully,

Lucknow Dated
1st Sept, 1988.

Sd/-Suresh Chandra
Senior Technician Gr.III(i)
P.D. Division, CDRI, Lucknow

True copy
[Signature]

X/5

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLAHABAD
CIRCUIT BENCH AT LUCKNOW

Suresh Chandra and an other.....Applicant

Vs.

Union of India and others.....Respondant

ANNEXURE - 2/

Department of Personal O.M.27/4(iii)/70-Estt.
(ST), dated 2nd September, 1970 to all Ministries etc.

Subject :- Representation of Scheduled Castes/Tribes
on selection boards and departmental
committees-Recommendation No.14 and 36 of
the Fourth Report of the Committee on
Welfare of Scheduled Castes and Scheduled Tribes.

The undersigned is directed to say that the
Parliamentary Committee on the Welfare of Scheduled
Castes and Scheduled Tribes has in its Fourth Report
made the following recommendations :-

Recommendation No.14

".....All Selection Boards or Recruitment
Authorities should include among them at least
one Scheduled Caste/Tribe member."

Recommendation No.36

".....The Committee feel that with a
view to make these Departmental Committees
(promotion selection etc.) 3 more representatives
a Scheduled Caste/Tribe Officer should also be
included in each of these Committees set up
by various Ministries/Departments/Offices."

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DR

contd... 2/4

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The above recommendations of the Committee have been considered. Departmental Promotion Committees, selection boards or recruiting authorities, are generally constituted with the departmental officers of appropriate status and background, keeping in view of the nature of the postz/posts for which recruitment/promotion is to be made. It may not, therefore, be always possible to include Scheduled Castes/Scheduled Tribes Officers in them. However, the Ministries/Departments are requested to keep the recommendation of the Committee reproduced above in view as far as possible while nominating Officers on the Departmental Promotion Committees, selection boards etc. for recruitment/promotion to post/services under them.



68

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH ALLAHABAD
CIRCUIT BENCH AT ZUCKNOW

Y/S

Suresh Chandra and an other.....Applicant

Vs

Union of India and others.....Respondent

ANNEXURE - 22

DP&AR O.M.NO.36013/6/80-Estt.(SCT) dated 28/1/82

Subject :- Supercession of SC/ST candidates in
promotion/Submission/reporting of
cases to Minister and other authorities.
recommendation of the Commissioner for
SC/ST in the 25th Annual Report for year 1977-78

The undersigned is directed to refer to the above
mentioned subject and to say that the Commissioner for
SC/ST has made the following recommendation in his
25th Annual Report for the year 1977-78 :-

"In promotion on the basis of selection, the
Scheduled Caste/Scheduled Tribe candidates
in some cases against the unreserved vacancies
may not be inclined in the select 1st on the
basis of low categorisation assigned to them
by the DRC. It is strongly felt that in posts
filled by promotion on the basis of selection
even against the unreserved vacancies all
cases of supersession of SC & ST employees
should be submitted to the Minister/Minister
of State/Deputy Minister concerned for their
prior approval."

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2. In this connection, attention is invited to the Department of Personnel and A.R.O.M. No. 36012/3/75-Estt(SCT) dated 6.10.76 (Copy enclosed) in which Ministries and Departments were asked to submit the cases of supersession of SC/ST officers in promotion against reserved vacancies to the Minister/ Minister of State/ Deputy Minister concerned as the case may be. The Govt. have decided to accept the above recommendation of the Commissioner. It has been decided accordingly that in posts filled by promotion, supersession SC/ST candidates even against unreserved vacancies should be reported to the Minister/ Minister of State/ Deputy Minister as the case may be, in accordance with O.M. No. 36012/3/75/Estt(SCT) dated 6.10.76.

Ministry of Finance etc. are requested to bring the contents of this O.M. to the notice of all attached and subordinate offices.

True copy -
[Signature]

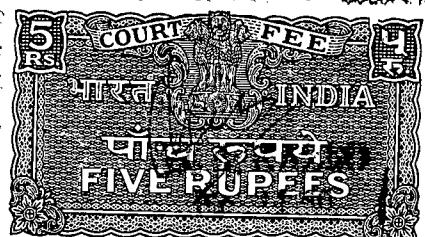
ब्राह्मदालत श्रीमान

महोदय

वादी (मुद्दा)
प्रतिवादी (मुद्दालेह)

का वकालतनामा

Application No. 24/980.



Suresh Chandra and another

वादी (मुद्दा)

नाम

Union of India vs.

प्रतिवादी (मुद्दालेह)

न० मुकद्दमा सन १९ पेशी की ता० १९ ई०

उपर लिखे मुकद्दमा में अपनी ओर से श्री

एडवोकेट

1. QAMRUL HASAN

महोदय

2. N. P. Srivastava

Advocate वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और
लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य
वकील द्वारा जो कुछ पैरवी व जवाबदेही व इनोत्तर करें या अन्य
कोई कागज दाखिल करें या लौटावे या हमारी ओर से डिगरी
जारी करावे और रुपया बसूल करें या सुलहनामा या इकाल
दाबा तथा अपील व निगरानी हमारी ओर से हमारे या अपने
हस्ताक्षर से दाखिल करें और तस्दीक करें या मुकद्दमा उठावें
या कोई रुपया जमा करें या हमारी या विपक्ष (फरीकसानी) का
दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती)
रसीद से लेवे या पंच नियुक्त करें। वकील महोदय द्वारा की
गई वह कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह
भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने
पैरोकार को भैजता रहूगा अगर मुकद्दमा अदम पैरवी में एक
तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी
मेरे वकील पर न होगी। इसलिए यह वकालतनामा लिख
दिया कि प्रमाण रहे और समय पर काम आवे।

अदालत
मुकद्दमा
न० नाम

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

hastakshar (S. C. Suresh Chandra) petition no 1

2. Governa

(S. L. Verma) petition no 2

Accepted
B. Govan
19/9/1980

Accepted
K. Verma
19/9/1980

filed today
in
SL NO 43

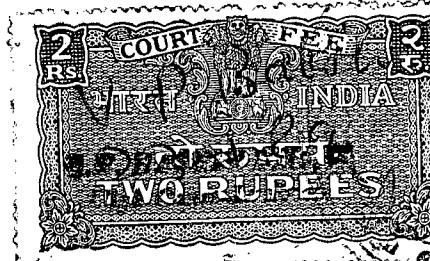
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD,

CIRCUIT BENCH AT LUCKNOW.

R/82
COUNTER AFFIDAVIT ON BEHALF OF
RESPONDENTS NO. 2, 3 and 5.

In re:

REGISTRATION CASE NO. 129 OF 1988(L)



Suresh Chandra and another.

....Petitioners.

Versus

Union of India and others.

....Respondents.

I, V.P. Bakshi, aged about 53 years, Controller of Administration of Central Drug Research Institute, Lucknow solemnly state on oath as under:-

Sonayshi K.P. Bakshi

1. That the deponent is Controller of Administration in the Central Drug Research Institute, Lucknow and is acquainted with the facts of the case. He is authorised to give this counter affidavit on behalf of opposite parties Nos. 2, 3 and 5.

2. That the deponent is advised to state certain material facts before giving parawise reply to the

3. That a joint petition by the two petit
not maintainable as neither there is jural

[Signature]

between the two petitioners nor is there any common question to be decided. Both the petitioners are claiming their own rights on different facts. The common petition has resulted in embarrassment in pleadings. The petition as such is liable to be rejected.

4. That the Council of Scientific and Industrial Research is a Society registered under the Societies Registration Act, 1860 which has scientific research as one of its main objectives. One of the Institute run by the Society is the Central Drug Research Institute at Lucknow. The Council of Scientific and Industrial Research is the employer and its governing body has the power to make its own Bye-laws or Regulations.

5. That under the erstwhile Bye-Law 71 (b) for the purposes of promotion to higher scale, and assessment of work of those who were employed in Scientific and Technical Staff was made every five years. But now the Governing body of the Council of Scientific and Industrial Research has framed a new assessment scheme which came into force from 1.2.1981 (A true copy of the said scheme as contained in the Circular dated 24.11.1982 is annexed as ANNEXURE NO. A-1.

6. That under the aforesaid new assessment scheme evaluation of the work of scientific and technical staff in group-II has inter alia to be made by Core Assessment



Committee on four different occasions when the incumbent concerned has put in 7 years, 8 years, and 9 years of service and after the remaining for one year at the top of the scale, subject to prescribed maximum percentage ceilings i.e. quota depending upon recommendations of the Code Assessment Committee as it is not obligatory to promote the Assessee upto maximum approved percentage.

7. That in order that a person may be eligible for consideration for assessment to a higher grade where relative merit ranking is the criterion vide, instruction contained in ^{CSIR} Circular Letter No. 17 (65)/85-PPS of 11.2.85. vide as ANNEXURE A-2, the merit of the persons vis-a-vis others in the group will be taken into consideration and the more meritorious person alone would be recommended for assessment promotion.

8. That since the assessment promotion in the new policy is not vacancy based and length of service is taken on the basis of anniversary date of appointment in a grade no post can be reserved for Scheduled Castes/ Scheduled Tribes candidates. It is the inter-se-merit amongst the eligible candidates which enables them to a promotion in the higher grade.

9. That the allegations of discrimination or harassment of scheduled Castes and Scheduled Tribes employees,

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is wholly incorrect and unfounded. ✓

10. That the petitioner No. 1 (Suresh Chandra) was promoted after assessment of his work from the post of Senior Technician in the grade of Rs. 380-640 (Pre-revised) / Rs. 1350-2000 (revised) to the grade III (I) of Rs. 425-700 (pre-revised/Rs. 1400-2300 (revised) with effect from 1.2.1981 under faster track of promotion rules. He was due for the next assessment for promotion with effect from 1.2.1986, but as he had left C.D.R.I. on 9.8.1984 on his own volition in his own interest to join the Gramin Bank at Barabanki as Manager/Staff Officer and he did not pay leave salary and pension contribution, he could not be assessed. In September, 1986 he regularised his absence from C.D.R.I. for the period 9.3.84 to 14.8.86 by paying leave salary and pension contributions for this period and he was then considered for assessment for the financial year 1986-87 for the first time. The assessment committee did not find him to be relatively meritorious enough to be recommended for promotion, hence he could not be promoted. Similarly the second chance (1987-88) for assessment promotion was given to the petitioner No. 1 but he was again not found relatively meritorious enough to be promoted under the scheme. He would now be eligible for a third assessment chance when it becomes due according to the scheme.

11. That similarly in the case of petitioner No. 2 he

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was also given chances due to him for assessment but he also could not qualify himself upto the required standard or relative merit ranking and therefore, he is also awaiting consideration for assessment promotion whenever he qualifies for the same.

12. That it is absolutely incorrect to say that the petitioners have not qualified because the Committee had caste feelings. The members of the Committee have evaluated the inter-se-relative-merit ranking of the various candidates on an objective basis. The Committee included experts from outside Universities/Organisations and they had taken only merit of the candidates into consideration and no other extraneous factor influenced their decision because it was not the decision of any individual but of the whole committee.

13. That under the present scheme reservation in favour of Scheduled Castes and Scheduled tribes candidates has been made at the entry level posts and other lateral entry level posts where induction is made through open market. Promotions on assessment are done on the basis of adjudged merit as per the scheme by upgrading the posts personal to them held by individuals in case they are promoted to the higher grade. There is thus no ground to suggest that the harassment was being caused to scheduled tribes employees. It is submitted that the promotions are not vacancy based and therefore, there is no question of maintaining any roster prescribing



reservations, unlike cases where posts are reserved at various points in the roster of the vacancy based promotions. However, the assessment of schedule castes and scheduled tribes candidates is made with some relaxed standard of suitability which the Committee always keeps in view at the time of interview to safeguard their service interests.

14. That the petition is wholly misconceived and is liable to be dismissed with costs.

15. That the deponent is now giving parawise comments to the petition.

16. That paras 1 to 5 of the petition ~~do not~~ require any reply.

17. That para 6.1 is not disputed.

18. That para 6.2 is not admitted as stated. The first seven lines are in the nature of introductory remarks. The last line not admitted as stated. Technical staff of the rank of JTA and above was covered under the erst while scheme under Bye-law 71 (b) and the technical staff of extended category became eligible under the new scheme w.e.f. 1.2.1981 and the case of the plaintiff was taken up as per Annexure A-1 to this counter affidavit.

19. That para 6.3 not admitted as stated. It refers to introduction for selection by D.P.C. in the Central



Government Offices. CSIR has its own instructions on the subject called (NRAS) i.e. New Recruitment and Assessment Scheme for Scientific and Technical Staff.

20. Paras 6.4 to 6.10 do not require any reply as these facts have already been answered earlier.

21. Paras 6.11 to 6.14 are not admitted as stated.

22. Para 6.15 is denied as stated. It is incorrect to say that the selection committee had acted arbitrarily or contrary to the rules.

23. Para 6.16 is incorrect. There is no question of any personal grudge being harboured against the petitioner.

24. Paras 6.17 to 6.20 are not admitted as stated.

25. Paras 6.21 to 6.28 relates to matter of records and do not require any reply.

26. Paras 6.29 to 6.49 are not admitted as stated. Facts relating to these paragraphs have already been stated.

27. Paras 6.50 to 6.52 are not admitted. The recommendations of a Committee cannot override the rules. The committee has not failed to follow any law which was applicable in the circumstances of the case. The petitioners

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have not mentioned what law which the Supreme Court had laid down has not been applied in the present case.

28. Paras 7, 8 and 9 are not admitted and the petitioner is not entitled to the reliefs claimed by him. The grounds mentioned therein are also not tenable in law.

29. That regarding para 10 it is submitted that the petitioners are not entitled to any interim order.

30. Paras 11, 12, and 13 do not require any reply.

31. That the Central Drug Research Institute is an Institute for carrying on research of a very high order and for that reason all scientific and technical personnel have to conform to very high standard of merit and if it is not maintained, then the quality of research will also suffer. Performance, therefore, has to be judged at every level having regards to the special type of work that is done. The Council of Scientific and Industrial Research has now provided promotion on assessment matter which has no relation to any vacancy in the higher grade to be filled up. It is the performance and merit of a person which can earn him a better or a higher scale of pay or grade. Hence there is no question of making any reservation of seats on the basis of caste as claimed by the petitioners. Only at the entry point/lateral entry level grades where induction is



permissible through open market, specific reservation has been made for scheduled castes and scheduled tribes candidates. But once they join the Institute they have to work and prove their worth for assessment promotion in terms of NRAS and come upto a minimum standard of relative merit applicable in each case in order to be given a higher grade. This policy has resulted in maintaining a very high standard of efficiency amongst the scientific and technical workers and that is why the high standard of research is being maintained in the Institute. It is submitted that no exception can be made under this form of promotional policy being maintained. It does not suffer from any legal infirmity and eminently suited for Institute engaged in very high type of technological intellectual, or scientific pursuit.

32. That the petition is wholly misconceived. The petitioners will get the next higher scale whenever they are found to be meritorious enough after an assessment is made by a committee regarding their work.

33. That the deponent is advised to state that the petition is liable to be dismissed with costs.

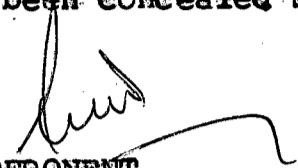
Lucknow, Dated.

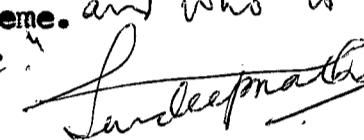
January 23, 1989.


DEPONENT.

I, the deponent above named do hereby verify that the contents of paras 1, 4, 6, 8 & 17 and 19 & 32 of this counter affidavit are true to my own knowledge, contents of paras 5, 7 and 8 are believed by me

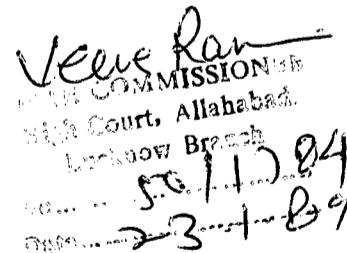
to be true on the basis of records, while the contents of paras 2, 3 and 33 are believed by me to be true on the basis of legal advice. No part of this affidavit is false and nothing material has been concealed. So help me God.


DEPONENT.

I identify the deponent above named who has signed this affidavit before me and who is personally known to me.

Sri Jaideep Nath Advocate.

Solemnly affirmed before me on... 23.1.89
Govt. of India Seal
at..... the deponent who is identified by
Sri Jaideep Nath Advocate, High Court,
Lucknow Bench, Lucknow.

I have satisfied myself by examining
the deponent that he has understood the
contents of paras this affidavit which have
been read over and explained by me.


Veer Ram
COMMISSIONER
High Court, Allahabad,
Lucknow Branch
Date 23.1.89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD,

CIRCUIT BENCH AT LUCKNOW.

COUNTER AFFIDAVIT ON BEHALF OF

RESPONDENTS NO. 2, 3, and 5.

In re:

REGISTRATION CASE NO. 129 OF 1988(L)

Suresh Chandra and another.

....Petitioners.

Versus

Union of India and others.

....Respondents.

ANNEXURE NO.A-1.

(A Photostat copy of the scheme as contained
in the ^{CSIR} circular dated 24.11.1982 is annexed
herewith)



A-1

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

No. 17(65)/82-CTE(PPS)-Vol.II

FROM.

Rafi Marg,
NEW DELHI-110001.
DATED : 24th Nov., 82

TO
JT. SECRETARY (ADMINISTRATION),
COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH.

Subject:- New Recruitment and Assessment Scheme in respect of
Scientific and Technical Staff.

Sir,

I am to invite a reference to this office letter No.17(65)/81-E.II, dated 2/11/1981, forwarding therewith the brochure on the New Recruitment and Assessment Scheme in respect of scientific and technical staff in the CSIR and its National Laboratories/Institutes and to state that on the recommendations of the Directors' Conference held in June, 1982 a Sub-Committee headed by Dr.G.Thyagarajan, Director, RRL, Hyderabad, was constituted by the DG SIR to make an assessment of the procedure for implementation of the Core/Varadarajan/Valluri Committee recommendations as approved by the Governing Body of the CSIR for recruitment and assessment of scientific and technical staff and to suggest concrete steps for further implementation/modifications, if any. The report submitted by the Sub-Committee was placed before the Governing Body of the CSIR at its meeting held on 2/10/1982. Decisions taken by the Governing Body are as under :-

GROUP-I

- i) Inclusion of Rs.380-560 as Grade-I(5) as an additional and final promotional avenue for employees in grade-I(4), the maximum percentage of promotions being limited to 25% of the eligible persons.
- ii) The minimum number of years of service for 1st, 2nd, 3rd and final assessment changed to 7-8-9 and after remaining for one year at the top of the Scale.

Group-I ladder would then have five steps instead of four at present with the percentages rearranged to 75, 50, 33-1/3 and 25.

The revised table (Table-I) incorporating the above changes for this Group is enclosed.

GROUP-II.

- i) Inclusion of Grade of Rs.550-900 as Grade-II(5). Promotion to this grade from grade-II(4) will be limited to 25% of the eligible persons.
- ii) The percentage of promotions from Grade-II(2) to Grade-II(3) revised upwards to 50 from the existing 33-1/3. The revised maximum percentage will thus be 75, 50, 33-1/3 and 25, thus providing 5 steps in Grade-II ladder instead of the present four.
- iii) The assessment throughout this group will be done at the end of the 7-8-9 years and after remaining for one year at the top of the scale.
- iv) Grade-II(2) scale of Rs.330-560 will be replaced the scale of Rs.380-560.

The revised Table (Table-II) incorporating the above changes for this Group is enclosed.

GROUP-III.

- i) Inclusion of additional Grade of Rs.1100-1600 to be called Grade-III(5) for assessment promotion of persons from Grade III(4); the maximum percentage allowed for promotion being limited to 25 of the eligible candidates.
- ii) Lateral entry will also be at Grades-III(2), III(3) and III(4). The minimum qualification requirements for lateral entry to different grades in this Group areas under:-

III(1)	Rs.425-700	B.Sc or Dip, in Engg./Technology if 3 years' duration or equivalent
III(2)	Rs.550-900	B.Sc. or Dip, in Engg/Technology of 3 years' duration or equivalent plus 3-5 years' relevant experience or M.Sc./B.E./B.Tech or equivalent
III(3)	Rs.650-1200	B.Sc. or Dip. in Engg./Technology of 3 years' duration or equivalent plus 5-8 years' relevant experience or M.Sc./B.E./B.Tech.or equivalent with 2-4 years' relevant experience
III(4)	Rs.700-1300	B.Sc. or Dip.in Engg./Technology if 3 years' duration or equivalent plus 8-10 years relevant experience or M.Sc./B.E./B.Tech.or equivalent with 4-6 years relevant experience
iii)	The number of chances for assessment have been raised to four instead of three as at present.	

The first three chances of assessment will be given at the end of 5-6-7 years for promotion from Grade-III(1) to III(2), from Grade III(3) to III(4) as well as from Grade-III(4) to III(5) as now added. In the case of assessment for promotion from Grade-III(2) to III(3), it will be done at the end of 6-7-8 years. The final assessment will be done after a person remains for one year at the top of the scale, as at present.

iv) The persons possessing M.Sc./B.E. or equivalent qualifications, if appointed in this group, will not be eligible for consideration for assessment to posts in group-IV which are meant for scientific staff. However, persons with the above qualifications or equivalent who have remained for one year at the top of the scale of Rs.1100-1600 will be considered for one time assessment promotion ~~XXX~~ to Rs.1500-2000 grade. In the event of such a promotion they will carry their post alongwith them and on their vacating the higher post it will revert to the original grade of Rs.1100-1600 in Group-III.

The revised Table (Table-III) incorporating the above modifications is enclosed.

UP-IV.

i) The assessment of Scientists from Grade-IV(2) to IV(3) will be at the end of 6-7-8 years and or after remaining for one year at the top of the scale, promotions being limited to a maximum of 75% of the eligible candidates in an assessment year. The number of years of service needed for assessment from Grade-IV(1) to IV(2) will be 5-6-7 years and after remaining for one year at the top of the grade, the promotions being allowed upto 100%.

ii) In regard to Grade-IV(3) to IV(4), the maximum percentage allowed for promotion has been raised upto 50 of the eligible persons in each Laboratory/Institute in an assessment year instead of 33-1/3 as at present.

iii) Inclusion of the Scientist-F scale of Rs.2000-2500 also as the fifth grade in Group-IV for promotion through assessment of Scientists in Grade-IV(4) who have put in at least 4 years of service in that grade, the maximum allowable percentage for promotion being 33-1/3 of the eligible E-II candidates in each Laboratory. The appointment orders of persons found fit for promotion to this grade will, however, be issued by CSIR Headquarters, the DGSIR being the appointing authority.

The revised Table (Table-IV) incorporating the modifications approved by the Governing Body is enclosed.

Engineering and Architectural Staff :

ii) Inclusion of an additional Grade of Rs.1100-1600 with designation of Executive Engineer/Executive Architect for assessment promotion of persons from the grade of Asstt. Executive Engineer/Asstt. Executive Architect at the end of 5-6-7 years and after remaining for one year at the top of the grade; the maximum percentage allowed for promotion being limited to 25.

iii) The lateral entry will be in the first four grades. The minimum qualification requirements for lateral entry to these grades are given hereunder :-

Rs.425-700 3 years diploma in Engg./Architecture or equivalent.

Rs.550-900 Diploma or equivalent with 3-5 years relevant experience or B.E./B.Tech.

Rs.650-1200 Diploma or equivalent with 5-8 years relevant experience or B.E./B.Tech. with 2-4 years relevant experience.

Rs.700-1300 Diploma or equivalent with 8-10 years relevant experience or B.E./B.Tech with 4-6 years relevant experience.

iii) Since the group is declared as 'technical' the fast track promotion for persons possessing B.E.,B.E.(Architecture) or equivalent qualifications will be limited to the grade of Rs.1100-1600. Positions in the grade of Rs.1500-2000 and above for this staff are cadre-based and are not intended for assessment promotion. Appointments to these cadre-grades will be made only by direct recruitment on the basis of clear vacancies. Persons possessing B.E./B.E.(Architecture) qualifications in the grade of Rs.1100-1600 will, however, be considered for one time assessment promotion to Rs.1500-2000 grade if they have remained for one year at the top of the grade. In the event of such a promotion they will carry their present post alongwith them and on their vacating the higher post it will revert to their original grade i.e. Rs.1100-1600.

The revised Table (Table-V(A)) incorporating the above modifications is enclosed.

In view of the assessment and promotional opportunities provided for Engineering and Architectural staff as stated above, the grades of Rs.700-1300 and Rs.1100-1600 will be deleted from the cadre posts. The higher cadre posts viz. Rs.1500-2000, Rs.1800-2250 and 2000-2500 will be retained as such without any modifications in the qualifications for these entry level posts.

The revised Table (Table-V(B)) incorporating the above modifications is enclosed.

Special Problems relating to leather goods, footwear, paper
Technology, Glass blowing and Graphic Arts.

Considering that no degree or diploma courses are available in the country in the above areas and that for creative/innovative work in these areas, practical experience and craftsmanship are much more desirable and necessary than mere possession of educational qualifications, it has been decided that exemption for relaxation of qualifications may be obtained from the DGSIR at the time of the advertisement of such posts itself.

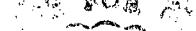
It has also been decided that M.A. degree in Statistics/Mathematics/Computer Sciences should be considered equivalent to M.Sc. degree in Statistics/Mathematics/Computer Sciences respectively. It has also been decided that M.A. Degree in subjects like Economics, Geography may be regarded as equivalent to M.Sc. degree, the main criterion being the relevance of the subject to the areas of work of the CSIR/Laboratory though the subject may not be a Physical/Biological Science in itself.

The Scientific and Technical staff have earlier been allowed to exercise options for the old scheme in toto. Consequently the two schemes will run parallel in the Laboratories/Institutes whereas in the old scheme, supernumerary posts in the higher grade had to be created for promotion of scientific and technical staff from lower grade to the higher grade, in the new scheme the persons so promoted carry their posts alongwith them requiring no creation of supernumerary posts. As this creation of supernumerary posts operating in the old scheme would create difficulties, it has been decided that in the old scheme (also a person) promoted to higher posts will carry his/her post alongwith him/her.

The relevant paras in the brochure as circulated with this office letter No.17(65)/81-E-II dated 2/11/1981 will stand modified to the extent as mentioned above.

The above modifications will come into effect from 1/2/1981.

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As the above decisions will lead to liberalisation of the new scheme, all the existing scientific and technical personnel as on 1/2/1981 who were governed by the assessment promotion scheme under the erstwhile Bye-law-71(b), are allowed to exercise a fresh option either to retain the existing assessment promotion system in toto or to come over to the new Assessment Promotion Scheme from 1/2/1981 or any subsequent date before 1/2/1983, subject to the condition that where one revised his earlier option, he will have to forego the benefit already drawn, if any, as a result of option exercised by him earlier under the provisions of the new Assessment Promotion Scheme. The other conditions on which the option was allowed under the scheme will remain un-altered. Such options may be exercised latest by 31/12/1982 as already notified.

It is requested that the above orders may be given wide circulation and necessary action taken to implement the same.

Yours faithfully,

Sd/-

(K.L.WADHWAN)
J.T. SECRETARY (ADMN.)

Encl:-As above.

Copy to:-

(1) All Officers in CSIR Hqrs.
(2) All Sections/Divisions in CSIR Hqrs.

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific & Industrial Research)

Chattan Manzil Palace,
LUCKNOW.

Dated 2.12.1982

No.5(131)/81-Estt.I

Copy to:-

All Heads of Divisions/Sections in C.D.R.I.

(B.S.SAJWAN)
SECTION OFFICER.

S.K.Y

Chet

23/12/82

NOTE :

- 1) Entry level is at Grade-I(1) only. Appointment to other levels (Grades-I(2) to I(5)) is by promotion through Internal Assessment only.
- 2) Benefit of Assessment system is being extended to this class of staff for the first time.
- 3) The Internal Assessment Promotions are available only for Technical persons in the CSIR. If a non-technical person in the CSIR acquires skill and is found fit through a suitable trade test for entry into this Group, he may be considered for induction at the appropriate level provided the need for such a position is justified and approved by the concerned Executive Committee (Please see para 1.8 of this Section). This underlines the need for in-house training of such persons.
- 4) The designations in col.3 are in accordance with CSIR letter No.17(65)/78-E.II dated 15.6.1979. Specific designations appropriate to a Laboratory/Institute will have to be approved by the concerned Executive Committee.
- 5) All present incumbents who were in service as on 1.2.1981, in one of the above grades excluding the grade of Rs.380-560 and who have put in the requisite number of years of service would be assessed for promotion to the higher grades in the Group till they reach the level of Rs.380-560, on the basis of their professional skill, experience and ability to perform duties at a higher level.
- 6) In application of percentages mentioned in column-6, fractions less than 1.5 should be treated as 1, 1.5 to 2.4 as 2, 2.5 to 3.4 as 3 and so on at all grades/levels.
- 7) To compute the total number of years required in Column-5, the following service will be taken into account :-
 - i) the entire service rendered from the date of appointment to the regular grade in the Group including the number of years of service rendered in a Special Grade post, if any, and including service rendered in sponsored projects/schemes as per guidelines contained in CSIR letter No.16 (150)/68-E.II(Pt.II) dated 13.1.1981 relevant to the grade, provided it is not less than the number of years stipulated in Col.5, &
 - ii) all periods of leave including extra-ordinary leave to the extent it counts for increments and the periods spent on deputation during the currency of the appointment.
- 8) On Assessment Promotion to the next higher grade, the Assessment Committee in exceptionally meritorious cases may recommend grant of advance increments over and above the normal fixation. Sanction of advance increments beyond three will have to be referred to CSIR.

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NOTE :

1) Entry level is at Grade-II(1) only. Appointment to other levels (Grades-II(2) to II(5) is by promotion through Internal Assessment only. 16

2) Benefit of Assessment system is being extended to this class of staff for the first time.

3) The following overlapping grades, namely:-

- Rs. 260-6-290-EB-6-326-0-366-EB-8-390-10-400
- Rs. 260-8-300-EB-8-340-10-380-EB-10-430; and
- Rs. 330-10-380-EB-12-500-EB-15-560,

will not be operative in future. These scales of pay will be treated as personal to the present incumbents. Grades 3(i) and 3(ii) above would be considered alongwith Grade-II(1) for assessment purposes to Grade-II(2). Similarly, Grade 3(iii) above would be considered along with Grade-II(2) for assessment purpose to Grade-II(3).

4) The designations in Col.3 are in accordance with CSIR letter No. 17(65)/78-E.II dated 15/6/1979. Specific designations appropriate to a Laboratory/Institute will have to be approved by the concerned Executive Committee.

5) All present incumbents who were in service on 1.2.1981 could be assessed for promotion to the higher grades in the Group till they reach the level of Rs.550-900 provided they have put in the requisite number of years of service on the basis of their professional skill, experience and ability to perform duties at the higher level.

6) In application of percentages mentioned in Column.6, fractions less than 1.5 should be treated as 1, 1.5 to 2.4 as 2, 2.5 to 3.4 as 3 and so on at all levels/grades.

7) To compute the total number of years mentioned in column.5, the following service will be taken into account :-

- the entire service rendered from the date of appointment to the regular grade in the Group including the number of years of service rendered in a Special Grade post, if any, and including service rendered in sponsored projects/schemes as per guidelines contained in CSIR letter No. 16(150)/68-E.II(Pt.II)dated 13.1.1981 relevant to the grade, provided it is not less than the number of years stipulated in col.5; and
- All periods of leave including Extra-ordinary leave to the extent it counts for increments and the periods spent on deputation during the currency of the appointment.

8) On assessment promotion to the next higher grade, the Assessment Committee in exceptionally meritorious cases may recommend grant of advance increments over and above the normal fixation. Sanction of advance increments beyond three will have to be referred to CSIR.

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1	2	3	4	5	6
III(3)	Rs.650-30- 740-35-810- EB-35-880- 40-1000-EB- 40-1200.	Tech Officer(A)/ Library Officer(A)/ Documentation Officer(A) etc.	B.Sc.(Sc.)/ B.Lib.Sc./ Dip.in Engg./Tech. of 3 years duration or equival- ent plus 5-8 years relevant experience Or M.Sc./ B.E./B.Tech. or equiva- lent with 2-4 years relevant experience.	5,6,7 and after re- maining for one year at the top of the scale.	
III(4)	Rs.700-40- 900-EB-40- 1100-50- 1300.	Technical Officer (B)/ Library Officer (B)/ Documen- tation Officer (B) etc.	B.Sc.(Sc.)/ B.Lib.Sc./ Dip.in Engg./ Tech. of 3 years duration or equi- valent plus 8-10 years relevant experience or M.Sc./ B.E./B.Tech. or equiva- lent with 4-6 years relevant experience.	5,6,7 and after re- maining for one year at the top of the scale.	33-1/3
III(5)	Rs.1100- 50-1600 10 yrs.	Technical Officer (C)/ Library Officer (C)/ Documentation Officer (C) etc.			25

TABLE - IV

GROUP - IV

NEW RECRUITMENT AND ASSESSMENT SCHEME FOR
SCIENTISTS BELONGING TO A GROUP OF GRADES

Total No. of Assessment chances [As indicated in each of the first four Grades] against each grade.

1	2	3	4	5	6
up to Scale of Pay (Rs.)	Designation	Minimum qualifications for direct recruitment	No. of years of service needed for assessment	Maximum % of eligible persons who could be promoted from one grade to the next	
Rs. 700-40- 900-EB-40- 1100-50- 1300.	Scientist 'B'	Ist Class M.Sc./ Ist Class B.E., or M.Tech./ ME/MBBS/ M.V.Sc/ M.Pharm/ Ph.D. (Science)	5,6,7 and after remaining for one year at the top of the scale.		
				No percent- age limit- ation.	
Rs.1100-50- 1600.	Scientist 'C'	Ist Class M.Sc./ Ist Class B.E. with 6 years exper- ience/ME with 4 yrs experience/ Ph.D. (Science) with 2 years experi- ence/Ph.D. (Engg.)- minimum years of experience releasable only in excep- tional cases.	6,7,8 and/or after remaining for one year at the top of the scale.		

1	2	3	4	5
IV(3)	Rs.1500- 60-1800- 100-2000.	Scientist 'E-I'	Ist Class M.Sc/ Ist class B.E. with 12 years experience	5,6 & at the top of the scale.
			OR M.Tech/ME/MS/ M.D./Ph.D. or corresponding degrees in other disci- plines with original work as evidenced by patents or publications, Evidence of leadership with about 10 years of R&D experience.	109
IV(4)	Rs.1800- 100-2000- 125/2- 2250.	Scientist 'E.II'	-do-	4,5 & 6 50% of eligible persons in each Lab./ Instit.in an assess- ment year.
IV(5)	Rs.2000- 125/2- 2500.	Scientist 'F'	-do-	33-1/3 of the eligi- ble Scien- tists E.II in the Lab. in an assessment year.

NOTE :

1. Scientist-A/Scientist-A.1 who are at present in the scale of pay of. Rs.650-30-740-35-810-EB-35-880-40-1000-EB-40-1200, and who have a Master's degree in Science or a Bachelor's degree in Engineering or equivalent would be assessed immediately for promotion to Scientist-B/Grade-IV(1).


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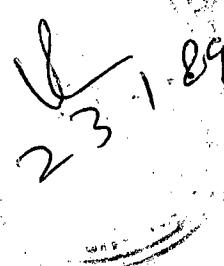

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TABLE-V (A)

NEW RECRUITMENT AND ASSESSMENT SCHEME FOR
ENGINEERING AND ARCHITECTURAL STAFF.

Total No. of assessment chances in 14 (Four)
each of the first 4 Grades.

Designation	Scale of pay (Rs)	Minimum qualifications prescribed for future recruitment to the Group of Grades.	No. of years required for promotion through Assessment.	% of promotion through Internal Assessment as prescribed for Group-III Technical Staff.
2	3	4	5	
Engineer (Gr. I)/ Architect (Gr. I)	Rs. 425-700	3 years Diploma in Engineering/Architecture or equivalent.	5,6,7 and after remaining for one year at the top of the grade.	
Engineer (Gr. II)/ Architect (Gr. II)	Rs. 550-900	3 years Diploma in Engineering/Architecture or equivalent with 3-5 yrs. relevant experience or BE/B.Tech.	6,7,8 and after remaining for one year at the top of the grade.	75
Assistant Engineer/ Assistant Architect	Rs. 650-1200	3 years Diploma in Engineering/Architecture or equivalent with 5-8 yrs. relevant experience or BE/B.Tech. with 2-4 years' relevant experience.	5,6,7 and after remaining for one year at the top of the grade.	50
Executive Engineer/ Executive Architect	Rs. 700-1300	3 years Diploma in Engineering/Architecture or equivalent with 8-10 yrs. relevant experience or B.E./B.Tech with 4-6 years relevant experience.	-do-	33-1/3
Executive Engg./ Executive Arch.	Rs. 1100-1600			25

Contd....,2

16

TABLE -V (B)

Filling up of cadre vacancies for Engineering and Architectural Staff.

Designation	Scale of pay (Rs.)	Minimum qualifications prescribed for future recruitment.	Remarks.
1	2	3	4
Superintending Engineer/Superintending Architect.	Rs.1500-2000	Bachelor's degree in Engineering/Architecture or equivalent	
-do-			
Non-functional selection grade.	Rs.1800-2250		By Direct recruitment.
Chief Engineer/ Chief Architect	Rs.2000-2500.	-do-	

S.K/
3.12.82



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD

CIRCUIT BENCH AT LUCKNOW.

A/160

COUNTER AFFIDAVIT ON BEHALFOF

RESPONDENTS NO 2, 3, and 5.

InreP

REGISTRATION CASE NO. 129 OF 1988 (L)

Suresh Chandra and another.

....Petitioner.

Versus

Union of India and others.

....Respondents.

ANNEXURE NO. A-2.

(Photostat copy of the instructions contained in Circular CS/R

Letter No. 17 (65)/85-PPS of 11.2.85 is annexed

herewith)

A-2
23
X 102

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

RAFI MARG,
No. 17(65)/85-PPS NEW DELHI-110001, the 11th February, 1985

From

The Joint Secretary (Admn.),
Council of Scientific and Industrial Research.

To

The Heads of all National
Laboratories/Institutes.

Sub:- Seniority of Scientists assessed for promotion
under the New Recruitment and Assessment Scheme.

Sir,

I am directed to state that references have been received from some of the Laboratories/Institutes seeking confirmation whether the order of merit/inter-se merit rating, as determined by the Assessment/Core Committee, on assessment promotion of the scientific/technical personnel under the "New Recruitment and Assessment Scheme" will be the order of their merit for placement in the Establishment List for purposes of confirmation etc.

It is clarified that since under the "New Assessment Promotion Scheme", the promotion is based on the inter-se merit rating restricted by percentage limits wherever applicable, the inter-se merit rating, as determined by the Assessment/Core Committee, will form the basis of fixing the seniority of the Scientists concerned for placement in the Establishment List for the respective grade.

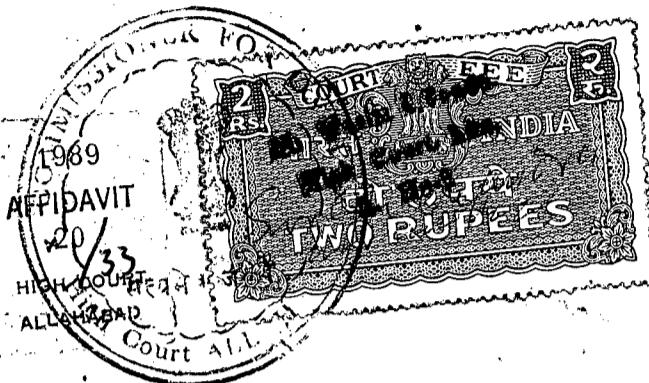
Kindly acknowledge receipt.

Yours faithfully,

(S.K. VERMA)
DEPUTY SECRETARY

Copy to: All Officers/Sections
in the Central Office.

Before the Central Administrative Tribunal at Allahabad,
(Circuit Bench at Lucknow)



Rejoinder Affidavit to the Counter Affidavit

Inre:

Registration Case No. I29 of 1988 (L)

Suresh Chandra and another ...Petitioners

Vs.

Union of India & other ...Opp. Parties

I, Suresh Chandra, aged about 33 years, S/o Sri Ram Samujh, R/o A-923/3 Indira Nagar Lucknow, do hereby solemnly affirm and state as under:-

I- That the deponent is one of the petitioners in the above noted case and is fully acquainted with the facts.

2. That the deponent has gone through the Counter Affidavit filed by Sri V.P. Bakshi. The deponent is replying the allegations made against him as well as on behalf of petitioner no. 2 who has authorised to file rejoinder affidavit.

(Signature)



X/10

3- That as to allegations of para 3 of the counter affidavit, it is incorrect to state that joint petition is not maintainable because of different facts. The true fact is that actually Sri V.P.Bakshi has given false affidavit on the ground that he has denied personal allegations which concern to Prof. R.C. Mahajan, ^{SV} Opp. party no. 4.

^{Arv} That as to allegation of different facts, both the petitioners are scheduled caste candidates, both are claiming post of Sr. Technical Assistants in the Scale of Rs. 1640-2900, interviews were held on same dates, names of petitioner find place in 3rd & 4th Seniority Lists, and both have been similarly discriminated two times by Assessment committee.

4- That in reply to para 4 of the C.A. , it is stated that recommendations made by ^{Arv} Voluntary Committee are against constitutional provision, which has safeguarded the interest of the weaker section i.e. Scheduled Caste and Scheduled Tribes Candidates. The governing body has been vested with power but such discretion has not been conferred which is against economic interest of the weaker section of the people. The Scheduled Castes Candidates have been protected ~~Scheduled~~ from Social injustice and exploitation.

The makers of the Constitution emphasised for the rights of the weaker sections and this ^{Arv} is why U/Art 338 of the Constitution, a Commissioner was appointed

3.

A/10

to investigate all matters relating to the safeguards provided for Scheduled Castes Candidates in the Constitution. The ^{en}~~pref~~^{en} treatment U/Art. 335 is accorded to members of SC/ST persons only.

5. That in reply to para 5 of the Rejoinder Counter Affidavit, it is not disputed that Governing Body of Council of Scientific and Industrial Research has framed new assessment scheme. But this Body took arbitrary action vide Annexure-6 by ~~issue~~^{en} introducing new policy in promotions and ordering that it would not be possible to maintain roaster providing reservations for Scheduled Castes Candidates and on assessment promotion these candidates will be examined by relaxed standard. ~~With~~^{en} out adopting a criteria of relaxed standard, the petitioners have been superseded two times and the junior persons as mentioned in Annexure-17 have been given promotion.

6. That in reply to para 6 of the Counter Affidavit, it is stated that Code Assessment Committee for the years 1986-87 and 1987-88 was not fairly and legally constituted keeping in mind the interest and rights of the Scheduled Castes and Scheduled Tribes Candidates. On every occasions a member of Scheduled Caste was not included in the Assessment Committee and the opp. party no. 4, who possesses caste feelings always participated in Interview as an Expert and as such proceedings are vitiated. There was quota of 75% for assessment promotion. In the last year, interview was held on 8.10.87 in which 10 candidates



faced the interview out of which only ~~7~~ posts were filled, up and 2 posts were left out.

7. That the contents of para 7 of the C.A. are not admitted as stated. It is submitted that in the department of Central Drug and Research Institute, Lucknow less qualified general candidates were considered by Assessment Committee and graduates of Scheduled Castes candidates were declared disqualified, which action of the Code of Assessment Committee is discriminatory and violative to the circular issued by Central govt.

in favour of SC/ST candidates on the basis of roaster system which is prevalent in other departments. The body in question has got responsibility to comply and obey the policy laid down in favour of SC/ST candidates.

8. That the contents of para 8 of the Counter-Affidavit are denied in view of the assertions made in the proceeding paragraphs. Due to unfettered power of the Assessment Committee, the applicants are being discriminated and exploited after joining C.D.R.I. ~~It was incumbent for the body of C.D.R.I. to make arrangement of training for qualified SC/ST candidates. The classification made and abolition of roaster system is discriminatory and irrational.~~

In the case of SC/ST candidates the question of inter-se-merit does not arise. The general rule is this that on getting scale of Rs. 425-700 the incumbents in C.D.R.I. become entitle for their promotion of 5 year assessment basis.

Sardar



X/12

9. That the contents of para 9 of the counter affidavit are denied. There is clear evidence of discriminatory action of the Assessment committee before which the applicants faced interview two times but their rights of promotion was denied.

10. That the contents of para 10 of the Counter Affidavit are not admitted to be correct.

It has incorrectly been stated by the officer that as the petitioner no. I on his own ~~violation~~ in his own interest joined Gramin Bank and did not pay leave salary and pension ~~contribution~~, he could not be assessed. The real fact is that the petitioner no. I was never informed about former interview held on 30.10.1986. *True photostat copy of the payment receipt dt. 6.8.86 and 22-9-86 is filed as Annexure 23 to this affidavit.*



That the deponent submits that petitioner no. I had gone on deputation on proper permission accorded by the Parent Department and, therefore, he had lien on his post and had legal claim for consideration of his promotion like other candidates. The details about deposite of lien charge are given in para 6-II of the claim petition. He contended on the rule of the Department according to the instructions issued by the CSIR Headquarter on 22/5/87. The Dy. Secretary has clearly held that since he was in India he could have been called for assessment promotion in the year 1985-86 but despite this right of promotion was taken away arbitrarily. True photostat copy of order dt. 22/26-5-87 is filed as Annexure-24 to this affidavit.

(Signature)

That according to allegation of the opp. parties the case of the petitioner no. I was not considerd for promotion on a higher post on 5 years Assessment basis, because he had joined Gramin Bank, which is not correct as alleged. The action of the opp. parties is discriminatory which has caused prejudice to the petitioners.

It may be stated that one Dr. R.N.Tandon Scientist-B (now his name is Dr. Zafar Kamal Khan) had gone foreign abroad and as a result there was break up in Service.

He took advantage being brother in law of Dr. B.N. Dhavan, Director, C.D.R.I. Lucknow. The said doctor was granted ~~two~~ ^{two} year extra ordinary leave; although he did not pay leave salary and pension contribution in due time. Despite these facts on 2.6.1988 he got promotion on assessment basis in Scientist-C.

While the petitioner no. I had joined parent department before Interview held on 30.IO.86 and he was issued certificate lien charge vide Annexure-6.

That the allegation that petitioner no. 2 could not qualify himself the required standard, is denied. The relevant standard has not been prescribed.

His case for promotion on 5 years assessment basis was not considered on account of caste feelings of opp. party no. 4 . It may be stated that petitioner no. 2 is BSc. Physics. Chemistry, on this basis the opp. parties 2 & 5 were ~~and Math~~ bound to post in Chemistry & Instrumentation section. The petitioner

(Signature)
was posted in Bio-Chemistry in order to harm and spoil his service career. Prior to it the Authorites had posted him in ~~Physics~~ Division of Pharmacology.

114

II. That the contents of para I2 of the Counter Affidavit are denied. The Authorities of C.D.R.I., Lucknow acted against of office Memo no. 27/4 (M/70 ESH (SCT) dt. 2nd Septemeber, 1970 whereby all Selection Boards/Recruitment Authorities were directed that they should include among them at least one Scheduled Caste /Scheduled Tribe member as contained in Annexure-2I, Whenever, the Interviews were held in the matter of promotions of the petitioners, the Assessment Committee did not have any Scheduled Caste member, hence the said proceedings were vitiated. There is no satisfactory explanation that why the petitioner no.I was not called for interview on 30.I0.86, being qualified eligible Scheduled Caste Candidates.

Apr 20 1987
High Court of U.P.

I2. That the contents of para I3 of the Counter Affidavit are denied, being wrong and not based on cogent evidence. It is reiterated that recommendations of the ~~Voluntary~~ Committee and the G.O. D^o. I6.7.82 contained in Annexure-I6 by which relaxed Standard was introduced and roaster system abolished, are violative of the provisions of the constitution, the Office Memos issued in respect of safeguarding the interest of Scheduled Caste /Scheduled Tribes Candidates, and principle of natural justice. The petitioners have bonafide case of promotion on reservation abasis and their suitability can not be considered along with general candidates.

(S) *My*

I3. That in reply to para I4 of the Counter Affidavit, the deponent is advised to state that there is a prima facie. case of the petitioners,

8.

as they have been discriminated and superseded by others without any just cause. The opp. parties intention is to crush the voice of Scheduled Caste/Scheduled Tribes candidates in C.D.R.I., over looking constitutional safe guard provided to them so that they might not be able to make genuine demands for promotion.

I4. That paras I5 , I6 & I7 require no comments.

I5. That the contents of para I8 of the Counter Affidavit are denied and in reply there to the contents of para I8 of the writ petition are reiterated to be correct. It is denied that the case of the petitioner no.I was considered for consideration of his promotion to the post of Senior Technical Asstt. According to the circular of the central govt. issued for the welfare of the Scheduled Caste and Scheduled Tribes of the Scheduled Caste and Scheduled candidates, he was eligible to be considered on the date of interview dated 30/I0/86.

I6. That the contents of para I9 relate to the instructions of the C.S.I.R but the recommendation of the ~~Voluntary~~ Committee are not based on the provisions of the constitution and are quite against the interest of the weaker sections.

I7. That para 20 of the Counter Affidavit


need no reply.

I8. That paras 2I and 24 of the Counter

Affidavit are denied and the contents of paras I6,II
to paras 6.20 of the writ petition ~~are~~ ^{are} reiterated as
correct. It may be stated that the opp. parties have
failed to give specified ^{only} reply to paras 6.II and 6.I2
of the writ petition.

I9. That para 25 of the Counter Affidavit
need no reply.

20. That in reply to para 6 of the Counter
Affidavit ~~the~~ ^W deponent wants to draw the kind attention
of the Hon'ble ~~High~~ Court that the assertions made
in paras 6.33, paras 6.34, 6.38, para 6.40 and para
6.47 of the writ petition have not been answered
properly and only this much has been said that facts
relating to these paragraphs have already been
stated.

I1. That the contents of para 27 of the

Counter Affidavit are denied and the contents of paras

6.50 to paras 6.52 are reiterated to be true.

It is incorrect to state that committee has not failed
to follow any law while the petitioners have clearly
asserted in the writ petition that office Memorandum
contained in Annexure-5, 8-A, I4, I5 2I and 22 issued
in favour of Scheduled Castes and Scheduled Tribes

Par candidates for safeguarding. their interest inservice
matters, have not been followed. That it may be stated



10.

that Assessment Committee Constituted in the years 1986-87 and 1987-88 did not have a Scheduled Caste member which was necessary to be included in order to watch the interest of the weaker sections.

Hence the Assessment Committee acted illegally and arbitrarily.

22. That the allegations made in para 28 and 29 are emphatically denied and in reply there to paras 7,8,9 and 10 the writ petition are reiterated to be correct.

23. That para 30 of the Counter Affidavit needs ~~an~~ reply.

24. That the contents of para 31 of the Counter Affidavit are not admitted to be correct. It has wrongly been stated by the answering opp. parties that performance and merit are the criteria for promotion for the Scheduled Tribes and Scheduled Caste candidates. The rights of the petitioners have been denied for promotion on ~~five~~ year assessment basis by abolishing the Roaster System and inducted a new entry point system through open market.

The new policy of the C.S.I.R. in the matters of promotions of the Scheduled Caste candidates is un-constitutional and suffers from legal infirmities.

The deponent submits that high standard of Research is being maintained in the Institute. No where in the Counter Affidavit it has been mentioned that efficiency of the petitioners being scheduled caste candidates has been decreased despite proper training



II.

given to them. The petitioners possessed requisite qualifications and the performance can not be said to be not good.

25. That the contents of para 32 and 33 of the Counter Affidavit are denied. The petitioners have been superseded two times without any reasonable and just cause. The petitioners are liable to be promoted on the next higher grade on the Assessment Basis.

Lucknow: Dated

Feb. 28, 1989


Deponent.



I, the deponent above named do hereby verify that the contents of paras 1, 2, 6, 9, 10 partly, 15, 17 to 20, 22 to 23 of this counter affidavit are true to my own knowledge, to be true on the basis of records, while the contents of paras 3 partly, 4, 5, 7, 8, part of para 10, 11, 12, 13, 14, 16, 21, 24 and 25 are believed by me to be true on the basis of legal advice. No part of this affidavit is false and nothing material has been concealed. So help me God.


Deponent.


(H. K. SINGH)

OATH COMMISSIONER,
High Court Allahabad
Lucknow Bench

No. 20/33
Date 28.2.89

I identify the deponent above named

who has signed before me.


Advocate.

Solemnly affirmed before me on 28.2.89
at 10 AM the deponent who identified by S. Q. Hasan
S. Q. Hasan Advocate, High Court
I have satisfied myself by examining
the deponent that he has understood the
contents of paras this affidavit which have
been read over and explained by me.

Before the Central Administrative Tribunal
FORM 'C' (Para 53) Allahabad (Circuit Bench) ^{NOT TRANSFERABLE} Annexure 23
Central Drug Research Institute, Lucknow

CASH RECEIPT

Book No. 13

Receipt No. 8

8/19

Date 22-9-1986

Received from Sri Dinesh Chandra, Tech.

the sum of Rs. 1128/- (Rupees one thousand and one

hundred thirty eight only)

on account of Pension Contribution for

Leave from 1/1/86 to 10-8-86

in cash/M.O.

Cashier/D. Asstt. 2/19

Khatri
Section Officer
Admin Officer

2/19

FORM 'C' (Para 53)

NOT TRANSFERABLE

Central Drug Research Institute, Lucknow

CASH RECEIPT

Book No. 1

Receipt No. 9/2

Date 6-10-1986

Received from Sri Surendra Chandra, Ex-Sr. Tech.

the sum of Rs. 4222/- (Rupees four thousand two

hundred twenty two only)

on account of leave salary & pension

Contribution for the period of

Leave from 9/8/86 to 31/3/86

in cash/M.O.

Cashier/D. Asstt. 6/0

Khatri
Section Officer
Admin Officer

6/0



Before the Central Administrative
Tribunal Allahabad (Circuit Bench Luck-
now)
वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

अनुसंधान भवन,
Anusandhan Bhawan,

Annexure-24

संख्या
No

रफी मार्ग, नई दिल्ली-110001
Rafi Marg, New Delhi-110001, the 22nd May, 1987.

26th

1/29

प्रेषक
FROM

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)
वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
Council of Scientific and Industrial Research

सेवा में

To,
Director,
Central Drug Research Institute,
Chatter Manzil, Post Box No. 173,
Lucknow 226 001.

Subject: Assessment Promotion in Group III Grades.

Sir,

With reference to your letter No.5(131)/81-Estt.I(Gr.II) dated 4th May, 1987, on the above subject, I am directed to state that having maintained the lien of Shri Suresh Chandra in the Institute he continued to be on the rolls of CDRI.

In this connection your attention is invited to CSIR letter No.9(2)/86-PL dated 29th June, 1986 wherein it was clarified that the interests of persons who have been allowed to retain their lien will have to be safeguarded and the cases will have to be considered for assessment if they fulfill the other conditions. Accordingly, the case of assessment promotion of Shri Suresh Chandra who became due for assessment during the year 1985-86 should have been processed along with others due during the same assessment year. Since he was in India he could have been called for assessment promotion.

In case there was any default on the part of the individual in not paying the pension contributions and leave salary contributions, the appropriate action could have been taken at that time. However, Shri Suresh Chandra continued to be on the rolls of CDRI.

In view of this position it would not be in order to consider him for assessment promotion during 1986-87 on second chance only.

Yours faithfully,

S.K. VERMA
(S.K. VERMA)
DEPUTY SECRETARY.



A/21

Before the Central Administrative Circuit Bench,
Lucknow.

Supplementary Affidavit

Inre:

O.A.No. 129 of 1988

Suresh Chandra and another ...Applicants

Vs.

Union of India & Ors. ...Opp. Parties

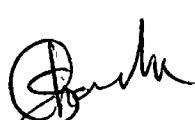
Sl. 23

Filed today

I, Suresh Chandra, aged about 37 years, S/o Sri Ram Samujh, R/o A-923/2 Indira Nagar, Lucknow, the deponent, do hereby solemnly affirm and state on oath as under:-

oath
17/7/92

1- That the deponent is applicant no. 1 and has been authorised by applicant no. 2 to swear affidavit and he is fully conversant with the facts deposed to below.



A/2

2.

2- That on the 2nd Stay application dt. January , 1991 moved by the applicants, the Hon'ble Tribunal after hearing counsel for the parties, passed ~~Interim orders.~~ ^{April 9}

3- That on 22nd February, 1991, the Hon'ble Tribunal was pleased to order that the Tribunal is of the opinion that the promotions due may be made, however, the same shall remain subject to the final decision of the case. The Tribunal also ordered that the supplementary counter affidavit be filed within 6 weeks.

4- That alongwith the supplementary affidavit dt. November, 1990, the applicants annexed a circular dt. 23/12/88 issued by Director General saying that reservation scheme for SC/ST candidates for direct recruitment as well as internal assessment of Scientific and Technical employees and promotions through DPCS are not being properly followed. It is clearly proved from the applicant no. 1 case that he was not called for interview on 30/10/1986 for assessment promotion to the next higher grade, although he had joined the department already and has deposited the lien charges amounting to Rs. 5350/- .

F

X/23

3.

5- That on receipt of the interim order dt. 22/4/91, the application no. 1 & 2 made an application to the Director C.D.R.I., Lucknow requesting for favourable orders on the basis of ~~an~~ aforesaid interim order. True photostat ~~copies~~ [✓] of the stay order is filed as Annexure- No.-1 to this affidavit while true photostat ~~copies~~ [✓] of the applications dt. 23/4/91 ~~are~~ ^{are} filed as Annexure -2 & 3 respectively.

6- That the Section Officer vide office memorandum dt. 2/5/91 informed the applicants to the effect that the Director C.D.R.I., Lucknow has been pleased to accord approval to the assessment promotion from Group-3(1) to Group -3(2) in the scale of Rs. 1640-2900. The names of applicants find place at Serial No. 7 & 8 respectively. A true photostat copy of the OM dt. 2/5/91 is being filed as Annexure-No.-4 to this supplementary affidavit.

That this Hon'ble Tribunal will be surprised that the person who is senior ~~is~~ i.e. the applicant no. 1 has been ordered to be promoted with effect from 1/2/89 whereas the junior i.e. the applicant no. 2 has been given assessment promotion w.e.f. 2/11/88. This action on the fact of it

(Signature)

4.

is quite unfair arbitrary and malafide in the sense that the applicant had made complaint about high handedness to the President SC/ST Association Unit C.D.R.I. Lucknow on 7/4/88 which is Annexure-7 to the main petition.

7- That the main relief claimed for in the petition is to give promotion on the next higher post on the assessment basis w.e.f. 1/2/1986 to applicant no. 1 being first chance and to applicant no. 2 w.e.f. 2/11/1986 being first chance, as they were superseded by the juniors.

8- That the applicants submit with respect that their bonafide claim for the assessment promotion may be given from the back date where promotions had become due.

Lucknow : Dated


Deponent.

5K Aug., 1991

Verification

I the above named deponent do hereby verify that the contents of paras. 1, 4, 5, 6, partly, 7 and 8 are true to my personal knowledge and those of paras. 4, 3, part of para 6,

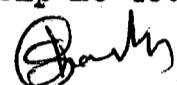
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5.

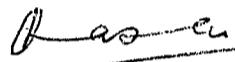
are believed by me to be true on the basis of legal advice. No part of it is false and nothing material has been concealed. So help me God.

Lucknow : Dated


Deponent.

Aug. 5, 1991

I identify the deponent
who has signed before me.


Advocate.

8/126

Before the Central Administrative Tribunal

Circuit Bench Lucknow

O.A.No. 129/88

Suresh Chandra and an other

applicants

VS

Union of India and others

Opp. Parties

Annexure No. 1

**CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW.**

O.A. No. 129 of 88 (U)

<u>22.4.91</u>	<u>Suresh Chandra .</u>	Applicant.
		Versus.	
	<u>Union of India & Others.</u>	Respondents.
	<u>Hon. Mr. D.K. Agrawal, J.M.</u>		
	<u>Hon. Mr. K. Obayya, A.M.</u>		

Sri Q. Hassan for the applicant. Sri P.N. Mathur, for the respondents. M.P. 739 of 1990 taken up. This is an application for amendment of the pleadings. Allowed. Let amendment be incorporated within a week hereof.

M.P. 30 of 1991 taken up. This is an application for the stay of the operation of the report of Mangal Committee. We have heard the learned counsel of the parties at length. We are of the opinion that the promotion due may be made, however, the same shall remain subject to the final decision of this case. Supplementary counter affidavit be filed within 6 weeks hereof. Supplementary affidavit, if any, may be filed within 2 weeks thereafter...List it for hearing on 7.8.1991.

Chcked by
A.M.

sd/

J.M.

sd/

True Copy /s/

Section Officer
Central Administrative Tribunal
Circuit Bench
LUCKNOW

Before the Central Administrative Tribunal

Circuit Bench Lucknow

12/12

O.A.No. 129/88

Suresh Chandra and an other

applicants

VS

Union of India and others

Opp. Parties

Annexure No. 2

To,

The Director,
C.D.R.I, Lucknow.

Sir,

I have the honour to attach herewith a true photostat copy of the interim order dt. 22.4.91 for your kind perusal and favourable orders according to the Honourable Tribunal orders passed in our petition No. 129 of 1988 Suresh Chandra and another Vs. Union of India & others, in which the vires of the merit and normal Assessment Scheme (MANAS) have been challenged and the matter is subjudice.

Thanks.

Lucknow : Dated

23. April, 1991

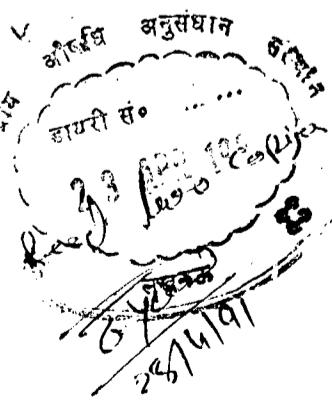
Yours faithfully

Suresh Chandra

(Suresh Chandra)
Senior Technician Group III (I
P.D.Division.

Copy to:

- 1- Union of India through Ministry of Science and Technology, New Delhi.
- 2- Chief Administration, C.S.I.R, New Delhi.
- 3- Senior Controller of Administration, C.D.R.I., Lucknow.
- 4- Professor R.C. Mahajan, Head of the Department of Parasitology, P.G.I. Chandigarh.



Suresh Chandra

Before the Central Administrative Tribunal

Circuit Bench Lucknow

O.A.No. 129/88

Suresh Chandra and an other

applicants

VS

Union of India and others

Opp. Parties

Annexure No. 3

To,

The Director,
C.D.R.I., Lucknow.

Sir,

I have the honour to attach herewith a true photostat copy of the interim order dt. 22.4.91 for your kind perusal and favourable orders according to the Honourable Tribunal orders passed in our petition No. 129 of 1988 Suresh Chandra and another Vs. Union of India & others, in which the vires of the merit and normal Assessment Scheme (MANAS) have been challenged and the matter is subjudice.

Thanks.

Lucknow : Dated

23, April, 1991

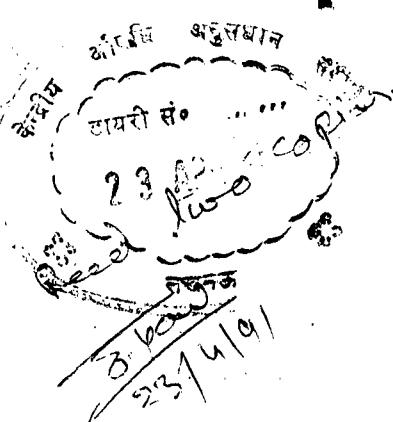
Yours faithfully

S.L.Verma
(S.L.Verma)

S.L.A. Group III (I)
Division of Bio-Chemistry

Copy to:

- 1- Union of India through Ministry of Science and Technology, New Delhi.
- 2- Chief Administration, C.S.I.R., New Delhi.
- 3- Senior Controller of Administration, C.D.R.I., Lucknow.
- 4- Professor R.C. Mahajan, Head of the Department of Parasitology, P.G.I. Chandigarh.



Before the Central Administrative Tribunal

Circuit Bench Lucknow

0.A.No. 129/88

Suresh Chandra and an other

applicants

VS

Union of India and others

Opp. Parties

Annexure No.4

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific & Industrial Research)

Chattar Manzil Palace
Lucknow-226001.

No: 5(131)/81-Estt.I.(Gr.III)

Dated: 02.05.1991

OFFICE MEMORANDUM

Subject: Assessment Promotion under Merit and
Normal Assessment Scheme (MANAS).

• • •

On the recommendations of the Assessment Committee, which met on 23.04.1991, the Director, CDRI, Lucknow, has been pleased to accord approval to assessment promotion in respect of the following Technical staff from Gr.III(1) (Rs.1400-2300) to Gr.III(2) (Rs.1640-2900) w.e.f. the date shown against the names:-

S.No.	Name	Effective dt. of promotion	Remarks
1	2	3	4
1.	Sh.A.L.Vishwakarma (RSIC)	01.02.89	Med.Chemistry
2.	Smt.A.Soni (RSIC)	01.02.89	Med.Chemistry
3.	Sh.Bikram Banerjee	16.12.88	F.T.
4.	Late Sh.Mohd.Saleem(MOH)	01.02.89	Endocrinology
5.	Sh.P.K.Das Gupta (MOH)	01.02.89	Endocrinology
6.	Sh.Rakesh Khanna (RSIC)	01.02.89	Med.Chemistry
7.	Sh.Suresh Chand (SC)	01.02.89	P.D.
8.	Sh.S.L.Verma (SC)	02.11.88	Biochemistry
9.	Sh.Shyamendra Mehrotra	25.10.88	F.T.
10.	Sh.S.N.A. Rizvi	05.07.88	An.House
11.	Sh.S.P.S.Bhandari	01.02.89	Med.Chemistry

The aforesaid names are strictly in alphabetical order, since, in view of para 6.4.10. of the scheme, maintenance of seniority among Scientific & Technical employees under the scheme, is not possible.

Shyamendra Mehrotra

The aforesaid assessment promotion are subject to decision in case O.A. No.129 of 88(L) of CAT, Circuit Bench Lucknow.

The aforesaid assessments are also subject to general instructions in chapter 7 of the scheme, to the extent, they are applicable in relative cases.

They will continue to be governed by other terms and conditions of their appointments, as per CSIR instructions.

The pay of promotees shall be fixed under normal rules.


(P.L.SAH)
SECTION OFFICER

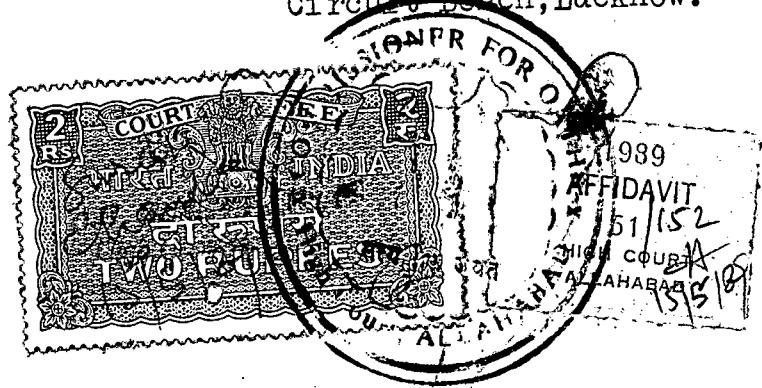
Copy to:-

- (1) Persons concerned (11 copies)
- (2) Accounts Section.
- (3) Bill Section.
- (4) S.O.(E.II) (11 copies)
- (5) Sc.I/o. (Library)
- (6) Sc.I/c. (Information)
- (7) Sc.I/o. (Record).



In the Central Administrative Tribunal, Addl. Bench, Allahabad,

~~Circuit Bench, Lucknow.~~



4/31

Rejoinder Affidavit to the Counter

Affidavit filed by the
opp. party no. 4

In re:

Registration Case no.I29/I988(I)

Suresh Chandra and another ...Petitioners

Versus

Union of India and others Opp. Parties

I, Suresh Chandra, aged about 33 years, son of Sri Ram Samujh, resident of A-23, Indra Nagar, Lucknow, do hereby solemnly affirm and state on oath as under:-

I, That the deponent is petitioner no. I in the above noted case and is fully conversant with the facts deposed to below.

2- That the deponent is filing rejoinder affidavit on behalf of himself and petitioner no.2.

3. That the contents of para I of the counter affidavit do not call for any reply.

4. That para 2 of the counter affidavit needs no reply.

1. In which of the following is the value of $\frac{1}{x^2}$ the greatest?

X-32

5. That as to allegations made in para 3 of the Counter Affidavit, it is stated that it is quite incorrect to say that O.P. no. 4 had no knowledge about the complaint/application dated 7/4/88. The real fact is this that on the date of Interview in respect of which, ~~The~~ Assessment committee was constituted, Sri G.S. Chandrabha, the Section Officer of the Recruitment section was present alongwith the expert ~~etc.~~ i.e. the Opp. Party no. 4 whose duty was to bring notice to the expert regarding all the facts of the employees who were ~~needed~~ for their interview on the date fixed. Hence it can not be admitted at all that the Opp. Party no. 4 was neither annoyed nor biased.

6. That para 4 of the Counter Affidavit needs no reply.

7. That the assertions made in para 5 of the Counter Affidavit ~~are~~ not admitted as stated. It is submitted that perhaps the Opp. Party no. 4 has not gone through the contents of Annexure I4 otherwise, he would not have commented on the office memorandum in which it is clearly mentioned that officials belonging to Scheduled Caste are not subjected to any harrassment or discrimination. It is reiterated that at the time of interview, the petitioners were caused prejudice and the Assessment Committee of which the Opp. Party no. 4 was the chairman was biased and as such the proceedings ~~were~~ vitiated. The proceedings were also vitiated on



(Signature)

account of the fact that in the committee, no scheduled caste member was included and in his absence the experts opinion was prevailed. ~~That the~~

~~Allegations of paras 6, 7 and 8 of the Counter~~

Affidavita re denied and in reply there-to the contents of paras 6-32, 6-33 and 6-35 are reiterated to be correct. It is further stated that the ~~not~~ recommendations of Opp. Party no. 4 were/based on proper appraisal of merit. The petitioners have been discriminated on account of caste feelings of the chairman and that is why the deponent (petitioner no. I) was not called for interview held on 30th October 1986, although the deponent has got legal right for promotions and had a lien ~~in the~~ ~~present~~ ~~present~~ departments. In such circumstances the deponent had to make complaint regarding clear harrassment and victimisation to Sri Nirmal Khatri, M.P. (Congress 'I') through S.C./S.T. Associations C.D.R.I., Lucknow.



That the kind attention of the Hon'ble Tribunal is drawn towards a letter dated 22nd, May 1987 written by the Deputy Secretary of G.S.I.R. Delhi as contained in Annexure-24. In para IIInd of the letter the Deputy Secretary has clearly noted that Sri Suresh chandra who became due for assessment during the year 1985-86 should have been processed alongwith others due during the same assessment year. He has further noted that since ~~he~~ (Suresh Chandra) was in India, he could have been called for assessment.

SP M

9- That para 9 of the Counter Affidavit needs no reply.

10- That in reply to para 10 of the Counter Affidavit the contents of para 3 of the Rejoinder Affidavit are reiterated to be correct. It is submitted that the Opp. Party no. 4 in order to save the skin of Sri V.P. Bakshi, has made a Statement that Sri Bakshi made his own statement after consulting the Opp. Party no. 4. It is a matter of common knowledge that the personal allegations can not be denied by the other persons on the basis of instructions/consultations. The statement becomes falsified on the ground that when the Opp. Party no. 4 was to file his own counter affidavit, then there was no occasion for Sri V.P. Bakshi to give false affidavit.

II- That the contents of para II of the Counter Affidavit are denied in view of the assertions made in foregoing paragraphs.

Lucknow: Dated

May 15, 1989

Sandesh

Deponent.



V_E_R_I_F_I_C_A_T_I_O_N

I, the deponent above named do hereby verify that the contents of paras 1, 2, 5, 10 of this counter affidavit are true to my own knowledge, while the contents of paras 3, 4, 6, 7, 8, 9 and 11 are believed by me to be true on the basis of legal

X/
132

advice. No part of this affidavit is false and nothing material has been concealed. So help me God.

Sandesh
Deponent.

I identify the deponent above named signed before me.

Hasan
Advocate.

Solemnly affirmed before me on 15-5-89
Suresh Chandra
 at 9 AM the deponent, who identified by
 Sri *Qamruddin Hasan* Advocate,
 I have satisfied myself by examining
 the deponent that he has understood the
 contents of paras this affidavit which have
 been read over and explained by me.

A. K. OJHA
 OATH COMMISSIONER
 High Court of Allahabad
 Lucknow Bench

No. 51/152
 Date 15/5/89



In the Hon'ble ~~High~~ Central Administrative
Tribunal, Circuit Bench, Lucknow.

Second Application for Stay

26th March, 1991 for orders
on Amendment Appln.

M. P. No. 30/91(L,

Civil Misc. Appln. no. of 1991

Inre :

O.A. no. 129 of 1988

Suresh Chandra and another

...Applicant

Vs.

Union of India & Others

...Respondents

The applicant above-named respectfully
beg to state as under:-

For the facts and reasons disclosed in the
accompanying affidavit, it is humbly prayed that
this Hon'ble Tribunal may graciously be pleased to
stay operation of the implementation of, ^{Merit} Normal Asse-
ssment Scheme "Manas" during pendency of applicants
petition or pass any other appropriate orders to
respondent in favour of them ~~Applicants~~ in the interest
of justice.

Lucknow : Dated

Jan, 22, 1991

1. Parbat
2. Elverno
Hasan
(Qamrul Hasan)

Advocate

Counsel for the applicants.

filed today
22/1/91

In the Hon'ble Central Administrative Tribunal

Circuit Bench, Lucknow.

157

Affidavit

Civil Misc. Appln. no. of 1991

Suresh Chandra and another ...Applicants
Inre:
O.A. No. 129 of 1988

Suresh Chandra and another ...Applicants/
Petitioners
Vs.

Union of India & others ...Opp. Parties

I, Suresh Chandra, aged 36 years,
S/o Sri Ram Samujh, R/o A-923/3
Indira Nagar, Lucknow do hereby
solemnly affirm and state as under:-

1. That the deponent has been authorised by applicant no. 2 to swear affidavit and he is fully acquainted with the facts deposed to below.
2. That the above petition has been preferred before this Hon'ble Tribunal by applicants claiming their right of promotion on basis of 5 years Assessment and also brought to the notice of the Hon'ble Tribunal that they have been superseded by the juniors, although they are departmental Scheduled Castes Candidates.
3. That applicants petition was admitted in the year 1988 by this Hon'ble Tribunal and the orders were passed for final hearing. The date 25th May 1989

S. Chandra

X/2

was also fixed for final hearing. Since then several dates were fixed but the case was not taken up.

4. That during pendency of the petition, new events have happened in respect of deponent's claim and their services, therefore, they have now filed amendment application under the orders of the Hon'ble Tribunal, which copies have been served on counsel of the respondents on 12/12/1990.

5. That applicants petition was fixed for orders on 7.1.1991 but on that day respondents counsel sent Illness Slip, as a result of which no suitable orders could be passed and no date fixed for hearing.

6. That alongwith Amendment application, the applicants have also filed application for Stay, staying operation of the New Scheme "Manas".

7. That in view of the non-appearance of the respondents counsel applicants have not been able to pray the Hon'ble Tribunal that during pendency of the petition, operation of new Scheme ~~the~~ "Manas" may be stayed.

8. That the applicants submit that the Directorate of C.D.R.I., Lucknow has started assessment promotion proceedings under the newly impugned Scheme "Manas".

9. That for the purposes of assessment promotion *Start* the 1st Step in respect of Group-IV has been taken

3.

and the Section Officer has issued office memorandum dt. 28.12.90 asking them to furnish Work Report latest by 15.1.91 . A true photostat copy of the memo dt. 28.12.90 is annexed as Annexure-1-A to this ~~px~~ affidavit

10. That for the said purpose, one chairman of Central Drug Institute Research Counsel has been nominated and it has also come to deponents knowledge that Respondent no. 4 Dr. R.C. Mahajan is also being called as one of the experts.

11. That in the case of applicants, the Rules of the new Scheme "Merit & Normal Assessment" called as "Manas" going to be enforced in the matter of ~~max~~ Assessment Promotion in respect of which office Memo dt. 8.2.90 has already been issued to the applicants (photostat copy of which is being annexed as Annexure-1-B to this affidavit. ~~In this Annexure-1-B to this affidavit.~~ In this Annexure-1-B the names of applicants find place at Sl. no. 67 and 68 respectively.

12. That in such cir-cumstances, the respondents no. 1 to 5 action is quite discriminatory, arbitrary, malafide, and the dual policy of the Department to change old ~~policy of the Department~~ Volluri Scheme and to enforce 'Manas' Scheme, overlooking the welfare and interest of the waaker section, including Scheduled Caste candidates, is unconstitutional, against principle of natural justice and the office Memorandums issued by the Central Govt. in the favour of the S.C./S.T. candidates .

A
110

4. .

13. That it would be in the interest of justice to direct the respondents not to conduct Assessment promotion on the basis of "Manas" Scheme and operation of the said Scheme is liable to be stayed.

Jan, 22, 1991

Deponent
Deponent.

Verification

I, the above named deponent do hereby verify that the contents of paras 1 to 4 ,8,9 are true to my personal knowledge and those of paras 5,6,7,10,11,12 and 13 are true to my belief and legal advice, and nothing has been suppressed.

Jan.,22, 1991

Deponent
Deponent.

I identify the deponent who has signed before me.

Dasani
Advocate.

Solemnly affirmed before me on

at a.m./p.m. by

the deponent who is identified by

Sri

Advocate, High Court, Lucknow Bench, Lucknow.

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

CENTRAL DRUG RESEARCH INSTITUTE
 (Council of Scientific and Industrial Research)

Chattar Manzil Palace,
 Lucknow-226001.

No. 5(131)/81-Estt.I.

Dated: 28.12.1990

OFFICE MEMORANDUM

The following Scientific Staff under Group IV have become eligible for assessment promotion to the next higher grade under MANAS for the assessment year 1988-89 (from 1.4.88 to 31.3.89):-

Sl. No.	Name	Designation	Date of Apptt.	Due dt. of Change	Division	Remarks	Remarks	
							eligibility	Retd.w.e.f.
1.	Dr. V. Kar	Sc.E.II.	01.02.81	01.02.89	4th(Addl.) Pharmacist	Retd.w.e.f. 31.7.89.		

2.	Dr. K.C. Saxena	-do-	01.12.82	01.12.88	3rd	Bio. Chem. Retd.w.e.f. 31.3.89.		
3.	Dr. J.S. Bisht	-do-	01.12.83	01.12.88	2nd	Inf. Retd.w.e.f. 31.7.90.		
4.	Dr. Prem Sagar	-do-	01.03.84	01.03.89	2nd	Bio. Chem.		
5.	Dr. K.P. Agarwal	Sc.E.I.	01.12.78	01.04.88	4th(Addl.) P.D. Div.	Retd.w.e.f. 30.6.90.		
6.	Dr. C.R. Prasad	-do-	01.12.78	01.04.88	4th(Addl.) Pharma.			
7.	Sh. R.S. L.S.E.	-do-	01.02.79	01.02.87	3rd	Services		
8.	Sh. K.V. Satya	Sc.E.I.	01.02.81	01.02.89	3rd	P.D. Div.		
9.	Dr. J.N.S. Yadav	-do-	01.02.81	01.02.89	3rd	Micro. Retd.w.e.f. 31.7.90.		
10.	Dr. Vinod Behari	-do-	15.10.82	15.10.88	2nd	F.T. Div.		
11.	Dr. Jagdish Misra	-do-	01.01.83	01.01.89	2nd	Library		
12.	Dr. S.A. Imam	-do-	01.01.83	01.01.89	2nd	Micro.		
13.	Dr. D.N. Gupta	-do-	23.05.83	23.05.88	1st	Endc.		
14.	Dr. C.M. Gupta	-do-	17.11.83	17.11.88	1st	Membrane Biology		
15.	Dr. P.K. Grover	-do-	01.02.84	01.02.89	1st	Pharmacokinetics		
16.	Dr. L.M. Singh	Sc.C	01.09.71	01.04.88	4th(Addl.)	Micro.		
17.	Sh. P.N. Khanna	Sc.B.I.	30.05.75	01.04.88	4th(Addl.)	Med. Chem.		
18.	Dr. P.P. Gupta	Sc.C	04.06.81	01.04.88	2nd	Pharma.		
19.	Dr. S.K. Sharma	-do-	30.06.81	01.04.88	2nd	Bio. Chem.		
20.	Dr. K.C. Mukhopadhyay	-do-	15.11.81	01.04.88	2nd	Physiology V. Retd. w.e.f. 1.8.90.		
21.	Dr. Satyavrat	-do-	20.12.81	01.04.88	2nd	NPU, KGMU, Lucknow.		
22.	Sh. P.Y. Guru	-do-	07.04.82	01.04.88	1st	Para.		
23.	Dr. R.C. Gupta	-do-	08.07.82	01.04.88	1st	Pharmacokinetics		
24.	Dr. Chandan Singh	-do-	01.09.82	01.04.88	1st	Med. Chem.		
25.	Dr. A.K. Saxena	-do-	14.09.82	01.04.88	1st	Med. Chem.		
26.	Dr. A.K. Misra	-do-	04.10.82	01.04.88	1st	F.T. Div.		
27.	Dr. D.C. Kaushal	-do-	16.12.82	01.04.88	1st	Micro.		
28.	Dr. (Mrs.) R.K. Seth	-do-	19.12.82	01.04.88	1st	Pharmaceutics		
29.	Sh. Hari Lal	-do-	05.01.83	01.04.88	1st	P.D. Div.		
	Dr. J.P. Sahu	-do-	14.02.83	01.04.88	1st	P.D. Div.		

442

- 3 -

It is requested that the information required in respect of the above officer~~s~~ may kindly be furnished in the enclosed proforma of Work Report-(WR) latest by 15.1.1991.

The above scientist~~s~~ may please give the names of three Referees from the approved list of Panel of Experts.

P.L. Sah
(P.L. SAH)
SECTION OFFICER

Copy to:-

Scientist Concerned.

B.M.

Annexure 1B

CENTRAL DRUG RESEARCH INSTITUTE
(Council of Scientific and Industrial Research)

Chattar Manzil Palace,
Lucknow-226001.

No.5(131)/81-Estt.I.

Dated: 08.02.1990

OFFICE MEMORANDUM

The following Scientific and Technical Staff under Group IV and III have become eligible for assessment promotion to the next higher grade under I.R.A.S. for the assessment year 1988-89 (from 1.4.88 to 31.3.89):-

<u>Sl.No.</u>	<u>Name</u>	<u>Designation</u>	<u>Division</u>	<u>Remarks</u>
Group IV	1. Dr.K.Kar,	Scientist E.II,	Pharmacology	Retired
	2. Dr.K.C.Saxena,	-do-	Biochemistry	-do- **
	3. Dr.B.S.Bhist	-do-	Information	-- **
	4. Dr.Prem Sagar	-do-	Biochemistry	-- **
	5. Dr.K.P.Agarwal	Scientist E.I.	P.D.Div.	--
	6. Dr.E.R.Prasad	-do-	Pharmacology	--
	7. Sh.R.S.L.Srivastava	L.S.E.	Services	--
X 8. Dr.S.S.Iyer	Scientist E.I.	Library		
9. Dr.J.N.S.Yadav	-do-	Microbiology		
10. Sh.K.V.Satyanarayana	-do-	P.D.Div.		
11. Sh.C.M.Singh	-do-	P.D.Div.		
12. Sh.P.K.Saxena	-do-	P.D.Div.		
13. Sh.Vinod Behari	-do-	F.T.Div.		
14. Dr.Jagdish Misra	-do-	Library		
15. Dr.S.A.Imam	-do-	Microbiology		
16. Dr.D.N.Gupta	-do-	Endocrinology		
17. Dr.C.M.Gupta	-do-	Membrane Biology		
18. Dr.P.K.Grover	-do-	Pharmacokinetics		
19. Dr.L.M.Singh	Scientist 'C'	Microbiology		
20. Sh.P.N.Khanna	Scientist 'C-I'	Med. Chem.		
21. Dr.P.P.Gupta	Scientist 'C'	Pharmacology		
22. Dr.S.K.Sharma	-do-	Biochemistry		
23. Dr.K.C.Mukhopadhyay	-do-	Physiology		
24. Dr.Satyavrat	-do-	NPU, KGMC, Lucknow.		
25. Sh.P.Y.Guru	-do-	Parasitology		
26. Dr.R.C.Gupta	-do-	Pharmacokinetics		
27. Dr.Chandan Singh	-do-	Med.Chemistry		
28. Dr.A.K.Saxena	-do-	Med.Chemistry		
29. Dr.A.K.Misra	-do-	F.T.Div.		
30. Dr.D.C.Kaushal	-do-	Microbiology		

<u>Sr. No.</u>	<u>Name</u>	<u>Designation</u>	<u>Division</u>	<u>Remarks</u>
71.	Sh. Rakesh Khanna (RSIC)	JTA(Gr.III(I))	Med.Chemistry	
72.	Sh.A.L.Viswakarma	-do-	RSIC	
73.	Smt.A.Soni	-do-	RSIC	
74.	Sh.S.P.S.Bhanderi	-do-	Med.Chemistry	
75.	Smt.N.A.Rajwade	-do-	CPU,Bombay	
76.	Sh.P.K.Dasgupta(MOH)	-do-	Endocrinology	
77.	Sh.Mohd.Saleem (MOH)	-do-	Biochemistry	Expired on 23.10.09
78.	Sh.S.K.Srivastava	Key-Board Operator (NICDAP)	Library	

It is requested that the information required in respect of the above officers may kindly be furnished in the proforma enclosed latest by 26.02.1989. 30 copies of the Self Assessment report together with Publications/Patents etc. may please be enclose.

Scientists belonging to Group IV grades may please give the names of three "Referees" of their choice for Director's consideration.

** Subject to approval by the CSIR.

TG
(I.N. PANDEY)
SECTION OFFICER

Copy to:-

Individual concerned with the request that the information required may please be sent through respective Divisional Head.

Annexure - B'3

✓W

SELF ASSESSMENT REPORT

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH

Laboratory: Central Drug Research Institute, Lucknow

1. Name: SHIV LAL VERMA
2. Present designation: S.L.A.Gr.111(I)-J.T.A.
3. Scale of pay: Rs.1400-2300/-
4. Present Pay and date from which drawn. Rs.1640/-, Nov, 1989
5. Age: 39 Years.
6. Academic qualifications 1. High School IInd 1968
University Degree & 2. Intermediate IIIrd '71
Diplomas from Matric onwards 3. B.Sc. IInd 1977
alongwith Class and year.
7. Membership of Learned societies. NILL
8. Experience (Research Teaching and factory) Assisting research work in Parasite Biochemistry with special reference to energy metabolism in Helminth parasites and mode of action of anthelmintics.
I. Isolation of parasites from animals
II. Isolation of various tissues from rats.
III. Preparation of samples by homogenisation and centrifugation.
IV. Preparation of buffers and radio-active sample for counting.
V. Estimation of protein and other several tests as directed by our Scientist.
9. List of Publications together with bibliographical details (original research papers and review papers and articles may be shown separately indicating whether written independently or in joint authorship). NILL
10. Patents taken and processes developed with details. NIL
11. Details of special work done by the officer, its Scientific assessment and relating to the advancement of Scientific knowledge and/or Practical Utility of industry etc. NIL

Contd.....2/-

[Signature]