

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE O.A.273 OF 89

NAME OF THE PARTIES R.D.S.O. Class III Staff Associate Applicant

Versus

..... Union of India Respondent

Part A.

Sl.No.	Description of documents	Page
1 A	Order sheet	115 8
2 A	Final order 13-11-95	
3 A	Petition Annexure Power	9668
4 A	Application for vacat for I.R. and CA	696104
5 A	R.A -	1056 118
6 A	Seopt. C.A -	119 128
7 A	Sepp. R.A -	129 146
8 A	Power	147
9		
10		
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)

This file is withdrawn

Check No. Dated 23/12/11....

Counter Signed.....

Rajesh
Dealing Assistant

Signature of the
Dealing Assistant

Section Officer/In charge

21/8/95

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

2 notices served on
 28-4-95. No returnable
 Notice have been received
 to office
 11/9/95

or
 Proceedings are
 complete
 11/9/95

The name of applicant's counsel
 is not mentioned. The record
 shows that notice has been
 issued on 28/4/95. However,
 there is no service report
 on the file. The same should
 be furnished by Registry.

Decided on 8/10/95.

J.M.

W.S.
 A.M.

K8XK8X28

9-10-95

Lawyers absent on 13-11-95. None

13-11-95

al
 Bae

13-11-95

Hon'ble Mr. V.K. Seth -A.M.

Hon'ble Mr. R.K. Saxena-J.M.

For applicant- None.

For respondents-Sri Anil Srivastava, learned
 counsel.

Record shows that fresh notices were issued
 to the applicants on 28-4-95 and several months have
 have passed since then. However, nobody has put in
 appearance on their behalf today and there is also
 no application on their behalf for adjournment. we,
 therefore, dismiss this O.A. for default of the
 applicants.

J.M.

W.S.
 A.M.

enclosed copy of order
 K.R. Seth
 28-4-95
 13-11-95
 28-4-95

Plaintiff & Party
 28-4-95
 13-11-95
 K.R. Seth

16/11/93

Hon. Mr. S. N. Prasad, J.M.
Hon. Mr. V. K. Seth, A.M.

List this case on

7/11/93.

W
W.M.

W
J.M.

7.1.94

No hearing on 02-02-94
02/2/94

Pass

OP
CA & RA
filed &
Saf A
W
25/2/94

28/2/94

Hon. Mr. S. N. Prasad, J.M.
Hon. Mr. V. K. Seth, A.M.

None for the applicant.
 Shri Adinathrao Denej holder
 of Shri A.V. Srivastava counsel
 for the respondent is present.
 List this case on 25/4/94 for
 hearing & disposal.

W

J.M.

25/4/94 A.M.

Hon. Mr. S. N. Prasad, J.M.
Hon. Mr. V. K. Seth, A.M.

Shri A.V. Srivastava counsel for the
 respondent is present. ~~also~~ A. Verma
 H.H. Tilak was ~~also~~ previously Shri
 who later ~~was~~ advocate in this case
 Allahabad H.H. Court & as such
 fresh notice be issued to applicant
 to engage another counsel. List
 this case on 28/7/94 for hearing &
 disposal.

A.M.

J.M.

24/2/85

For: Mr. V.K. Seth A.M.
For: Mr. D.C. Verma, T.O.M.

Sh. D. S. Ranikar, Counsel for
the respondent has sought
adjournment of the hearing
out of State in. None for
the applicant. Despite issue
of notice to the applicant
on 25/2/84

for hearing on
18/3/85.

J.M.

18/3/85

For: Mr. V.K. Seth
For: Mr. D.C. Verma

See

noted. Compliance
dated: 10th March
arbitrator 19.4.85

25/3/85

Proceedings are
complete
S/for
10/3/85

OR
notices issued
28.4.85

None of the Parties
person of the party
the case shows on
24/1/85. Registry was directed
to issue notice to the applicant
to engage another Col. 92
in however, seen that the
has not been issued.
Dy. Registrar will give
Explanation of the case
official to submit
same along with
separately. Notice
to the applicant
A.D. Post immediately
list on 11/7/85

J.M.

11.3.85

Case not reached office
21.3.85

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

OA 273
REGISTRATION No. of 1989.

1

APPELLANT
APPLICANT

R.D.S.O. Class III Staff Asstn.

DEFENDANT
RESPONDENT

VERSUS

U.P. & Others.

Serial
No. of order
and date

Brief Order, Mentioning Reference
if necessary

How complied
with and date
of compliance

10/10/89
Hon. Justice K. Nath, re.

The crux of the question is whether the examination proposed to be held with effect from 30-9-89 is rated at a grade higher than that approved by the competent superior authority of the Railway Department. According to the applicants the prescribed standard is

misconception but their apprehension is that the question papers which are going to be set may be of higher standard.

The true state of affairs can be ascertained only after the opposite parties have made appearance. In the circumstances, notices be issued to opposite parties to show cause why the application may not be admitted and list for admission/ orders on 23-10-89. In the meantime, the opposite parties may hold the proposed examination with liberty to the applicants and persons concerned to appear at the examination, but the results thereof will not be announced till further orders of this Tribunal. A copy of this order may be given to the learned Counsel for the applicants and also to the

Copy of notices
have been received
by Section Officer,
R.D.S.O. & collected

Copy of order & also
Petition by receiving
Section Officer, R.D.S.O.
on 3-10-89

No reply filed
submitted to the
Administration

20/10/89

VC

12

:: 2 ::

2

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
(5)	<p>Hon' Mr. D.K. Agrawal, J.M. <u>Hon' Mr. K. Obayya, A.M.</u></p> <p>Shri H.N. Telhari counsel for the applicant and Mr. D.S. Randhawa counsel for the respondents are present and heard. We have perused the order dated 29.9.89 whereby it was ordered that the Opposite Party may hold examination with liberty to the applicants and the persons concerned to appear for the examination. However, the applicant No.2 did not appear in the examination. Now the question is as to whether the result of the examination be declared or not? We are of the opinion that the result of the examination be declared which will remain subject to the final decision of the Tribunal. Pleadings are complete. List this case on <u>6-12-89</u> for hearing.</p> <p style="text-align: right;">A.M.</p> <p style="text-align: right;">(sns)</p>	
(6)	<p>6-12-89</p> <p>Hon. Dinesh K. Naik, V.C <u>Hon' Mr. K. J. Ramu, A.M.</u></p> <p>Put up tomorrow.</p> <p style="text-align: center;">L.O.C. N P.P. A.M.</p>	

Dinesh

(9)

(3)

21.2.90

Hon. Mr. K. Obayya A.M

Hon. Mr. J. P. Sharma J.M.

On the request of both the parties
case is adjourned to 24.4.90

J.P.

J.M.

P.

A.M.

10

26.4.90

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

Hon. Mr. K. Obayya A.M.

OR
No Supplementary
RA filed
S. F H

L 2074

Shri B. D. Chakraborty, advocate,

governor of Sh. D.S. Randhawa appears and
make a request on behalf of Shri
D.S. Randhawa that the case ~~be~~ be
taken after lunch. Put up after lunch.

P.

A.M.

J.P.

J.M.

24/4/90

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

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

The Supplementary rejoinder with
supplementary affidavit is filed by
some person of the applicant.
Keep it on record. No counsel
appeared. Reserved for Judgement.

A.M.

J.P.

Sd.

S.S. 190

④

Hon. Mr. B.C. Mathur, V.C.,
 Hon. Mr. D.K. Agarwal, J.M.,

On the request of, Shri D.S. Randhawa
 learned counsel for the respondents, the case is
 adjourned to 25/9/90.

10
A.M.

Banerjee
V.C.

⑬ 2

25/9/90 No sitting Adj. to 13.12.90

10

13.1.90

case not reached. Adj. to
7.2.91 for hearing.

10
B.C.

12.2.91

Hon. Mr. Justice K. Nath V.C.
 Hon. Mr. K. Rayya A.M.

On the request of counsel
 for applicat case is adjourned
 to 15.3.91 for hearing.

10
A.M.

13.3.91

No sitting Adj. to 20.5.91

10

Hon. Mr. Justice V.C. Srinivaswamy V.C.
 Hon. Mr. M.B. Gorthy A.M.

None present for the hearing of
 the partly case is adj. to
 5.9.91 for hearing

10

10
V.C.

22-6-92

⑤

Hon. Mr. Justice V.C. Srivastava, V.C.
 Hon. Mr. K. Obayya, A.M.

Sri A.V. Srivastava, has but his appearance on behalf of the Respondents. A notice may be sent by the office to the applicant informing him that his Counsel has become the Judge of the Allahabad High Court. Therefore, he should arrange another Counsel for contesting his Case otherwise, his case may be heard and disposed of in his absence. List this Case on 7.8.92 for hearing.

A.M.

W
V.C.

OR
 Notice issued
 on 24.6.92

① ②
O.R. 7.8.92 Case not reached adj'dn
 constn. 28.8.92
 already been
 exchanged. 28.8.92

In the compliance
 of Hon. court's order
 dt. 22.6.92, Notice

issued to applicant
 on 24.6.92 but no
 reply received back
 to office till today.

Case not reached.
 Adjourned to 19.10.92

Ch. not noted

S. f. o.

6/8/92

28/9/89

9

In the Central Administrative Tribunal

Allehabad Bench at Lucknow.

Case No. 273 of 1989 (L)

(District Lucknow)

R.D.S.O. Class III Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

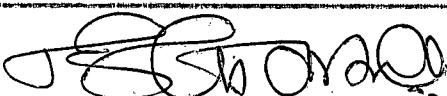
Union of India and others.

.....Respondents.

Please put up
tomorrow i.e 29.9.89
as directed by the
Hon'ble Court
in my request
ffr. Tilkeri
28/9/89

Index.

S.No.	Description of documents relied upon	Page No.
1.	Application	1 to 13.
2.	Annexure-I- Order dt. 5.9.89	14 to 15
3.	Annexure-II-Order dt- 8.9.89	16 to 31
4.	Annexure-III-Order dt. 19.9.89	32 to -
5.	Annexure-IV-Recognition Letter issued by Railway Board.	33
6.	Annexure-V-Paras 212 and 213 of Text Book of Indian by Railway Board Administrators and Finance	34
7.	Annexure-VI-Letter dt. 7.12.79.	35 to 44
8.	Annexure-VII-Letter dt.11.1.1988.	45 to 47
10.	Annexure-Viii-Representation of G.P.m.3 and 4 dt. 14/18/4/1989.	48 to 50


Signature of Applicant.

Hanuman Tilkeri
Advocate

Date of Filing

or

Date of receipt by post

Registration No.

Signature
for Registrar.

10

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. 273 of 1989. (L)

1. R.D.S.O. Class III Staff Association Manak Nagar, R.D.S.O.

Lucknow Through its General Secretary N.K.Srivastava son
of Sri P.N.Srivastava resident of Bhadeva, Lucknow.

2. N.K.Srivastava son of Sri P.N.Srivastava resident of Bhadeva
Lucknow at present employed as Chief Design Assistant
Carriage Directorate R.D.S.O., Lucknow.

.....Applicants.

Versus.

1. Union of India through Secretary of Ministry of Railways
Government of India Rail Bhawan, New Delhi.

2. Railway Board at Rail Bhawan, New Delhi through its
Chairman.

3. Research Designs and Standard Organisation (Ministry of
Railways Manak Nagar, Lucknow) through its Director
General.

4. Director General of Research Designs and Standard Organisation (Ministry of Railways) Mahak Nagar, Lucknow.

..... Respondents.

1. Particulars of Order against which application is made:

1. That the present application under section 19 of The Administrative Tribunals Act, 1985 is being made against the notice fixing the date for Limited Departmental Competitive examination in connection with the formation of a panel to fill the vacancies in the cadre of Class II (TECH) in the Mechanical Engineering Department R.D.S.O. against 25% quota ^{Endorsement} to be held on 30.9.1989 vide notice of the examination no. ~~51~~ /SLN/0/CLII/Tech/Mech/LDCE dated 5.9.1989.....r/w Staff Notice dated 16.5.88 ^{02.89} prescribing the syllabus for the same which syllabus is also subject matter ^{Endorsement} of challenge by this petition and the petitioner claims the relief by this petition to the effect that this Hon'ble Tribunal may be pleased to declare and hold the syllabus prescribed by the opposite party to be illegal and to cancel the same and to direct the opposite parties by suitable orders to hold the aforesaid examination keeping in view and in accordance with the Railway Boards letter number

E(GP) 79/2/30 of 7.12.79 and the syllabus Appendix 1
to letter dated 17.12.79 on some suitable date.

2. Jurisdiction:

That the applicant declares that the subject matter
against which the redress is sought by the applicants
is within the jurisdiction of the Tribunal.

3. Limitations:

That the applicant further declares that the
present claim is being made within the period of
limitation prescribed by section 21 of the Act from
the date of the order impugned and rejection of the
representation by the opposite party namely- dated
8.2.89 and the date of rejection of representation
i.e. 19.9.1989.

The orders dated 5.9.89, 8.2.89 and 19.9.89
are being inclosed herewith as Annexure No. I, II and
III to this petition.

4. Facts of the Case:-

(A) That applicant number 1 is the Recognised Association
of the Class III Staff of R.D.S.O. with the
strength of about 1,900 members. The photostate
copy of recognition letter issued by the Railway

-4-

Board vide letter no. B.R.B I/69/RB 3/28 dated 29.12.73 under J.C.M. Scheme in favour of the applicant is Annexure No.4.

(B) That applicant no.1 is a representative body and its object is to as well as has been to promote the best interest and to secure the due and proper conditions of service and work for the welfare of the employees as well as to work to improve the efficiency and standard of work as well as to secure greatest interest of the employees and to see that co-operation between Govt and the employees may be maintained as well as to save the employees from exploitation from any corner.

(C) That applicant no.2 is the General Secretary of Applicant no.1.

(a) That the applicant no.2 is also a candidate to appear in the said examination being one fulfilling the conditions of eligibility as prescribed and the applicant/ finds place in the list of eligible candidates.

Shri Ram

(E) That applicant no.2 is at present Chief Design Assistant in the Grade of 2000 to 3200 and has got to his credit more than 5 years non fortutious service

(F) That R.D.S.O. is an associate Office of the Railway Board and is subject to and governed by the Rules framed by the Ministry of Railways and the Railway Board.

(F-1). That paras 212 and 213 of the Text issued by the opposite parties 1 and 2 by the name Indian Railways Administration and Finance issued under the signature of the Secretary Railway Board declares the R.D.S.O. to be the attached office of Railway Board and the said paras i.e. 212 and 213 reads as per Annexure No.5.

(G) That the para 123 and 124 of the Indian Railway Establishment code are relevant and reads as under:

"123- The Railway Board have full powers to make rules of general application to Group C and Group D Railway Servants under their Control.

"124- The General Manager of Indian Railways have full powers to make rules with regard to Railway servants in Group C & D under their control provided they are not in-consistent with any made by the Pre-

Shanoo

-6-

sident or the Ministry of Railways."

(H) That para 211 of the Indian Railway Establishment Code further provides as under:

"PROMOTION BY LIMITED DEPARTMENTAL COMPETITIVE EXAMINATION:- 25% of the vacancies for which panel is required to be framed at any one time for Group B posts in (a) Civil Engineering Department (b) Mechanical Engineering Department (c) Electrical Engineering Department (d) Signal and Telecommunication Department (e) Transportation (Traffic) and Commercial Department (f) Stores Department (h) Accounts Department are reserved for being filled through Competitive Examination limited to departmental candidates.

Note.- The details of the scheme and other instructions covering the various aspects are contained in the letters issued by the Railway Ministry on the matter from time to time.

(I) That the procedure for holding limited Competitive Examination (L.D.C.E) to fill 25% vacancies in class II alongwith the Scheme of the examination as per Railways Board's letter no. E(P)79/2/30 dated 7.12.79 and the syllabus of professional subject

papers II A and II B is attached herewith as Annexure No.VI particularly and so far as it relates to Mechanical Engineering Department as the post involved are of Mechanical discipline.

(J). That in view of paras 123, 124 and 211 of the Railway Establishment Code and the Scheme of the examination referred to above and the syllabus and other relating instructions thereto are to be governed and framed by the Railway Board and the Ministry of Railway (Railway Board and none else and as such the R.D.S.O. which is an associate office of Railway Board had no jurisdiction or authority to prescribe any condition or syllabus contrary to the one prescribed by and contained in the letter dated 7.12.79 of Railway Ministry (Railway Board) Annexure no.6 to this petition.

(K) That in view of the above the applicant submit that the syllabus contained in Annexure no.2 with reference to paper no. II-A and II-B runs counter and contrary to the instruction issued by the Railway Board Ministry (Railway Board) as referred to above as Annexure no.6. The syllabus prescribed in Annexure no.2 runs counter to the letter and spirit

OB 1000

of letter dated 7.12.79 referred to above which will appear from the nose itself which says "the standard of question papers should not be rigorous and it should not be more than the standard of matriculation

(I) That the assessment of vacancies for which the competitive examination is to be held is not correct and needs to be reviewed. The total no of vacancies for L.D.C.E should have been 8.

Assessment of Correct number of Vacancies:-

Ref:- Railway Board's letter No.E (P)87/2/72 dt.
11.1.1988.

Assessed vacancies = Actual vacancies + Anticipated vacancies (due to normal wastage in next two years) + 30% of Cadre Strength

In 1986.

Actual vacancies = 2 One due to resignation of Shri S Raja Gopalan, A.D.C./Carr/RDSO
Anticipated = 0 and second due to retirement of
30% Cadre strength = 6 Sri S. Anenitha Krishna, ARE/Mech
Assessed vacancies = $2+0+6 = 8$

In 1988

Actual vacancies = 15 14 posts of Dy. Directors operated in Class II
One post due to resignation of
Sri K.G.P. Rao, ADE/MP

Anticipated = 1 Shri C.B.Sharma D.D.E/Wagon

30% of Cadre = 6 retiring in Nov. 1989.

Assessed vacancies = $15 + 1 + 6 = 22$

Total Assessed vacancies = $8 + 11 = 19$

25% of vacancies for IDGE = $\frac{30}{100} \times 25 = 7.5$

= 8 (say)

5. Grounds for relief with legal provisions:-

(a) That in view of the fact that the syllabus prescribed is of very higher nature and standard than that of matriculation has the effect of depriving a good number of members of staff of Group C of the opportunity of appearing in the test irrespective of their fulfilling the eligibility qualifications issued by the Ministry of Railway vide Annexur VI and the provision of para 123, 124 and 211 of Railway Board are liable to be declared to be illegal and tests likely to be held from 30th September 89 need be stayed and cancelled.

(b) That the additional reason and ground for cancellation of this test or the scheme of the test presented by the R.D.S.O. is that the assessment of number of vacancies in respect of which L.D.C.E test is to be

-10-

held inconsonance with para 211 and the Railway Board's letter E(GP)87/2/72 dated 11.1.1988 Annexure No.VIII/ to this petition.

6. Details of the remedies exhausted:

That the petitioner filed a representation in this regard to opposite parties no. 3 and 4 on 14/18-4-1989 copy enclosed herewith as Annexure No.9 to this petition which has been rejected by the opposite party by communication dated 19.9.89 Annexure no.III

7. Matters not previously filed or pending with any other Court

That the applicants further declare that applicants have not previously filed any application, writ petition or suit in respect of subject matter of this application before any court or authority or any other Bench of the Tribunal nor is any such application, Writ or suit is pending before any of them at the instance of the applicant.

8. Relief Sought:-

In view of the facts and circumstances narrated and

the grounds indicated in paras 4 and 5 of this application the applicant prays that the following reliefs may be granted:-

(a) That the Schedule of LDCE i.e. Limited Departmental Competitive Examination Scheduled to be held w.e.f 30.9.1989 referred to above in pursuance of R.D.S.O's Staff Notice dated 5.9.89 coupled with the R.D.S.O's Scheme and Syllabus dated awarded 20.12.1989 8.2.1989 Annexure 2 to this application be cancelled and be directed not to be held except in accordance with the Scheme and Syllabus prescribed by Ministry of Railway (Railway Board) dated 7.12.79 Annexure No.6, After the correct assessment of vacancies in the light of Board's letter dated 11.1.88 Annexure no.8 to this petition, as the present scheme of Examination and Syllabus runs counter to paras 123, 124 and 211 of the Indian Railways Establishment Code Vol I and Railway Minstry's letter dated 7.12.1979 prescribing the procedure for LDCE (Limited Departmental Competitive Examination) and the Syllabus therefor.

9. Interim order payed for:-

That the applicant most humbly submits and prays

-12-

that ad an interim order of stay pending the final decision of the application may kindly be issued xxxx directing the opposite parties not to hold the said competitive examination of L.D.C.E. scheduled from 30.9.1989 on the basis of Scheme and Syllabus issued by the R.D.S.O. opposite party no.3 and 4.

10. That the requisite application fee of Rs.50/- has been paid vide Postal Order No. ~~DD~~ 819072 dated 28.9.89 issued by Post Office. Manak Nagar, Lucknow

11. List of Enclosures:-

1. Postal Order No. ~~DD~~ 819072 dated 28.9.1989 issued by Post Office Manak Nagar, Lucknow
2. Annexure-I- Order dated 5.9.89
3. Annexure-III- Order dated 8.2.89
4. Annexure-III- Order dated 19.9.89
5. Annexure-IV- Recognition Letter issued by Railway Board
6. Annexure-V- Paras 212 and 213 ~~of Last Board in Rly~~
~~ADMINISTRATION AND FINANCE~~
7. Annexure-VI-Letter dt. 7.12.79
8. Annexure-VII- Letter dt. 11.1.1988.
9. Annexure-VIII-Representation of O.P.No. 3 and 4 dt. 14/18/4.1989.

CC STATION 200

-13-

12.

Verification.

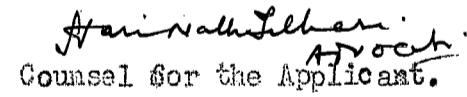
I, N.K.Srivastava son of Sri P.N.Srivastava aged about 44 years working as Chief Design Assistant Carriage Directorate, R.D.S.O., Lucknow as well as the General Secretary of R.D.S.O. Class III Staff Association r/o Bhadewar, Lucknow do hereby verify that the ^{Akhand} contents of paras 1, 4, 5, 6, 7 and 11 are true to my knowledge and those of paras 2, 3, ~~4~~, 4-I and K and 8 are believed by me to be true on legal advice and that I have not suppressed any material.

Dated:

Place- Lucknow.



Signature of Applicant.


Harivallabh Jyoti
Counsel for the Applicant.

In the Central Administrative Tribunal

Allahabad Bench at Lucknow

Case No. of 1989.

(District Lucknow)

R.D.S.O. Class III Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

Union of India and others.Respondents.

Annexure - I.

[Large handwritten signature]

A 25

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

A 26

Case No.

R.D.S.O. Class III Staff Association, Petitioner

v/s

Director General, R.D.S.O. (Ministry of Railways)
Manak Nagar, Lucknow & others Respondents

ANNEXURE NO. - I

Page - I

Government of India
Ministry of Railways
Research Design and Standards Organisation

STAFF NOTICE

Sub: LDCE for forming panel to fill up Class II (Tech)
Group 'B' posts in Mechanical, Electrical
and S&T Departments of RDSO.

Ref: This office Staff Notice of even no. dated
12.5.89.

The Limited Departmental Competitive Examination
for Group 'B' (Class II) posts in Mechanical, Electrical and
S&T Departments of RDSO which was postponed till further
advice vide Staff Notice referred to above, will now be held
on 30th Sept. and 1st. Oct. 89 as per programme given below:

<u>Date</u>	<u>Paper No.</u>	<u>Time</u>	<u>Duration</u>
30.9.89	Paper No. I	10.00 to 12.00 hrs.	2 hrs.
		(Genl. knowledge)	
30.9.89	Paper No. IIA	14.00 to 17.00 hrs.	3 hrs.
		(Professional and Tech. subject)	
		10.00 to 13.00 hrs.	3 hrs.
01.10.89	Paper No. IIB		
		(Professional and Tech. subject)	
01.10.89	Paper No. III	15.00 to 17.00 hrs.	2 hrs.
		(Financial and Estt. Rules)	

The dates for viva voce test will be notified later on.

2. The staff concerned may please be relieved
well in time and directed to report to SO/E-II at 9.00 hrs.
sharp on 30.9.89 in the Admin. Bldg., RDSO/Lucknow for further
information regarding venue of the examination etc.

BASANT KUMAR

(Basant Kumar) S. K.
for Director General

DA/Nil

File No. EII/SLN/0/Cl.II/Tech/Mech/LDCE
Manak Nagar, Lucknow-226011.
Dated: 05.09.89.

Distribution

Addl. DG, JDA-II, III, DSW, DS/Carr., DS/MP, Dir/ED, Dir/Testing, DR, DSE,
DTI, Dir/PSI, DS/Sig., Dir/Telecom., JDS/Carr. I, II, III, IV, V, JDSW-WDI&II,
JDSW-BG, JDSW-BC, JDSW-BD, JDS/MP(I/C), JDS/MP-II, III, IV, V, VI, VII, VIII,
JD/ED, I, II, JDRM, SI, DT, OT-I, II, III, JDRM-BL, BU, JD/TI(OHE), JD/PSI-I, II,
JDSE-LD, MRS, TML, TMU, Thy, SG, TLM, AC, JDS/Sig. I, II, III, IV, V, JDS/Tele-Lab.

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class I^TI Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

Union of India and others.

.....Respondents.

Annexure-II.

A 25

JDS/Tele/WL/..., JDS/Tele/KE, JDS/Tele, JDR(S&T), DS/Track, Dir/Computer, JDTI(PSI)-I (Sh. Dungriyal), SO/Conf., JD/Computer.

SO(MCW)-I, II - 10 copies) for wide publicity amongst the
 SO/MP- 10 Copies.) concerned staff for LDC examination.
 ED Dte-5 copies.
 SO(RM) Testing-10 copies
 SO/Sig.-10 copies.
 SO(R)-5 Copies.
 SO/Elec.-5 Copies.
 TI Dte.-5 copies.

Notice Board (Admn. Bldg.), Annexe-I, II.

By Rcgd. Post.

1. Dy. Director Inspection/Mech., RDSO, ICF/Perambur, Madras.
2. The Jt. Director Insp/Mech, RDSO, CLW/Chittaranjan.
3. The General Manager, Wheel & Axle Plant, 18 Millers Road, Bangalore-46.
4. The Jt. Director Inspection(S&T)/RDSO, 4th Floor, West Wing, 17, N.S. Acad, Calcutta-700001.
5. The Jt. Director Inspection(S&T), RDSO, Room No. 210, Annexe Bldg., DRM Office, N.Railway, New Delhi. S/Sh. B.R. Mallik and **
6. The Jt. Director Inspection(S&T), RDSO, Composite System Technical School, Bangalore-23.
7. The Jt. Director Inspection(S&T), RDSO, 1st Floor, New Annexe Bldg. Western Railway, Churchgate, Bombay-400000. Shri D.M. Tripathi, SI/Sig. may be advised of the above examination.
8. The Managing Director, RITES, 27, Barakhamba Road, New Delhi House, New Delhi-110001. Shri C.P. Gupta, Ex. CRA/S&T presently working as Asstt. Manager(S&T) in RITES may be advised of the above LDC examination.
9. The Joint Director Inspection/Elect., RDSO, Inspection Cell BHEL, Block III Annexe, Bhopal-462021. Shri N.B. Mughal, CI/Elec. may please be advised of the above examination and directed to report this office on the scheduled date. S/Shri Mohammad Shahia Khan, K.K. Sethi, A.M. Chowdhury & D. Bhaskar, Chief Inspectors may also please be advised.
10. The Joint Director Inspection/Elect., RDSO Inspection Cell, CLW., Chittaranjan. Sh. B. Lahiri, CI may be advised of the above.
11. The General Manager, Ordnance Factory, Chanda, P.O. Chandrapur, Ordnance Factory(Maharashtra)-442501. Shri R.K. Tanwani, Ex. CI now working under you as AWM/E may please be advised of the above.
12. The Chief Administrative Officer, DCW/Patiala, Shri S.S. Sekhon, Ex. CDA/MP now working under you as AWM may please be advised of the above examination.
13. The Dy. Director Inspection(Mech), RDSO, ICF, Perambur, Madras. Shri M. Lingaswamy, CI may please be advised of the above examination.
14. The Jt. Director Inspection(Mech), RDSO, CLW/Chittaranjan. S/Shri R.N. Tripathi, D. Sreeramulu, Dilip Kumar Sarkar and Vijay Bahadur Pandey, CIs may please be advised of the above LDC.
15. The General Manager, Rail Coach Factory, Hussainpur, Kapurthala. Shri H.S. Sohanpal, Ex. CDA/MP now working under you as Supdt. Design. may please be advised of the above examination.

SO/Conf.

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class I-II Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

Union of India and others.

.....Respondents.

Annexure-II.

Shri B. S. D.

Case No.

R.D.S.O. Class III Staff Association,.... Petitioner
v/s
Director General, R.D.S.O. (Ministry of Rly)
Manak Nagar, Lucknow & others, Respondents

ANNEXURE NO. 2

Ministry of Railways
Research Design and Standards Organisation. Page 1

STAFF NOTICE

LIMITED DEPARTMENTAL COMPETITIVE EXAMINATION
IN CONNECTION WITH THE FORMATION OF A PANEL
TO FILL THE VACANCIES IN THE CADRE OF CL.II
(TECH) IN THE MECHANICAL ENGINEERING DEPTT.
RDSO AGAINST 25% quota.

Ref: Staff Notice No. EII/SLN/0/Tech/Cl.II/
Mech dt. 16.5.88.

A Limited Departmental Competitive Examination
for selection of cl.II(Tech) Officers scale Rs. 2000-3500 (RSR)
in the Mech. Engineering Department, RDSO from amongst the
non-ministerial Group 'C' staff holding the posts in the
grade the minimum of which is Rs. 1400/- and in higher
Group 'C' grade will be held 18th & 19th March '89.

Vacancies There are four vacancies, out of those one is
reserved for SC candidate.

Eligibility: The non-ministerial Group 'C' staff of the
Mechanical Engineering Department holding the posts in
the grade the minimum of which is Rs. 1400/- in the revised
scale, 1986 and in higher Group 'C' grades and who have
rendered a minimum of five years non-contiguous service
in the grade are eligible to apply.

2. The examination will consist of:

(a) Written examination.
Viva-voce

(b) The subject for the written examination and the marks
allotted for each of the papers and viva-voce are as
under:

1. Written examination

Paper-I	General knowledge	50 marks
Paper-II(A)	Professional & Technical subject.	100 marks
Paper-II(B)	-do-	100 marks
Paper-III	Financial & Estt Rules (25 marks for each)	50 marks
Paper-IV	Viva-voce (Confidential Reports personality address & leadership)	100 marks 400 marks

CDA/WD-I, II, III, IV, V, X

Many NL with a circulate among

20

ANNEXURE-2

Page-2

(c) In order to qualify a candidate must secure a minimum of 60% of marks in each of the subject of written examination, in the record of service in the viva-voce separately and also in the aggregate. Only such of the candidates who qualify in the written examination will be called for viva-voce test.

3. No supplementary examination is permissible for the absentees. A copy of the syllabus for papers I, II(A), II(B) and III is enclosed for information & guidance of the candidates.

4. Those who fulfil the conditions of eligibility as referred to in para 1 above as on 8.2.89 and are desirous of appearing in the said selection may submit their applications on the enclosed proforma through their controlling officer not later than 26-2-89. Applications submitted after this date will not be considered. No advance copy of application will be entertained. The Controlling officers while forwarding applications of eligible candidates should certify the eligibility of the candidates.

File No. ETI/SIN/0/Tech/CLW/II/

Mech/EDCE,
Lucknow

Dated: 8-2-89

Bikram

(BASANT KUMAR) ^{8.2.89}
for Director General

Distribution

1. DSW, DS/Carr, DS/Ex Dir/ED, DR, Dir/Testing, DDEI & II SO/E-I, VI, Notice Board Main Bldg, Annexe-I&II.

2. SO/MCW-I&II 10 copies (For giving wide publicity
SC/EP 10 copies amongst the eligible technical
SO/RM 05 copies staff working in the respective
ED Dte 05 copies Dte/Wings/Section.

3. Copy forwarded to the following with the request that wide publicity about holding the above examination may be given amongst the concerned eligible staff:

JDS/Carr-I, II, III & IV, JDS/Wagon(WD), JDSW-BG, JDSW-MG
JDSW/BD, JDSW/BC, JDS/MP(I/C), JDS/ED-I, II, III, IV, V, VI
VII, VIII, JDRM-I, II, JDRM/SI, JDRM/OT-I, II, III
JDRM/DT, JDRM/BU, JDRM/BDL, JDRM/BL.

Registered post

4. Jt. Director Insp (Mech), RDSO at CLW/Chittaranjan
5. -do- DIW/Varanasi
6. Dy. Dir Insp (Mech), RDSC Inspection Cell at ICF,
Perambur Madras.



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

Case No.

R.O.S.O. Class III Staff Association, Petitioner

v/s

Director General, R.O.S.O. (Ministry of Railways)

Manak Nagar, Lucknow & others Respondents

ANNEXURE NO.

Ref:- RDSO Staff Notice No.

ER/ISLN/4/Tech/Cl.II/Mech
dated 16-5-88 and 08-2-89

Syllabus for Paper No. I & III for Limited Departmental
Competitive Examination in respect of 25% vacancies for
cl. II Technical posts of RDSO,

Paper-I General knowledge - 50 marks

ANNEXURE-2/1

It should contain questions on subjects of interest as well as importance. The questions should be so based as to test the knowledge of candidates, which they would acquire by general observation/reading without a specific study or detailed knowledge of text books. The paper should also contain question on topics of national importance, achievements of railways as also questions which will test the awareness of candidates to developments which are taking place.

Paper-III Financial & Establishment Rules- 50 marks

(a) Establishment Rules- 25 marks

- (1) Organisation of the Establishment Sections in RDSO, objectives and policies.
- (2) Classifications of various services-Recruitment to different service groups 'A' to 'D', recruitment of artisan staff, special reservations in railway service, Role of Railway Service Commissions in the recruitment. Recruitment other than through usual channel. Promotion policies and method.
- (3) Personnel Supervision, leadership styles, formal and informal leadership, leadership qualities, different leadership styles, democratic or participative leadership style, Advantages of participation, JCM, PNM schemes.
- (4) Organisation, Role and Functions of Trade Unions in RDSO, Important recognised trade unions in railways, role of unrecognised unions and methods of dealing with them.
- (5) Industrial disputes and the legislative framework, causes of industrial disputes, basic remedies, the Industrial Disputes Act, 1947, strikes, lock-outs and layoffs, handling of grievance in RDSO, handling of grievances by Labour Enforcement Officers.
- (6) The Hours of Employment Regulations, Overtime, Job analysis and its techniques.
- (7) The Factories Act, special rules for workshop staff in the RDSO.
- (8) The Workmen's Compensation Act-Ex-gratia payment, Incentive Bonus Scheme.
- (9) Payment of Wages Act.
- (10) Pass Rules.
- (11) Retirement benefits under the Provident Fund and Pension Scheme, Final settlement.

(12) Staff Benefit Fund-usefulness.

(13) D&AR Rules, Railway Service Conduct Rules, TA Rules and leave Rules.

(14) Chapter I, II and X of Manual of Office Procedure.

(b) Financial Rules- 25 marks

(1) Parliamentary control over Railway Finance-Public accountability canons of financial propriety.

(2) Financial Planning and Budgeting-Budgetary and Financial Reviews-Appropriation Accounts.

(3) Rules of allocation-classification of expenditure control over expenditure responsibility accounting- Performance budgeting Exchequer control Financial Results of working,

(4) Works Programme-Financial justification of works- Surveys- Preparation of Estimates-Capital Budget- Control over capital expenditure productivity test.

(5) Financial control over stores expenditure- Purchase and Stores keeping procedure-inventory control and ABC analysis.

(6) Financial and cost control in Railway Workshops.

(7) Rules and Procedure relating to tenders and contracts for execution of works and procurement of stores.

(8) Procedure for processing and finalising the audit objections and draft paras.

(9) Delegation of powers.

(10) Losses, Frauds, and embezzlements.

(11) Delegation of powers in RDSO in Estt. & Non-Estt matters.

(12) Procurement and Accountal of equipment, stores and stationary.

(c) Recommended Reading(Financial Rules).

(1) Indian Railway General Code Vol. I & II (Chapter III, IX, XVIII)

(2) Indian Railway Code for Accounts Deptt. Pt. (Chapter VIII)

(3) Indian Railway Administration & Finance-Chapters III, V, VII and VIII.

Signature

- 3 -

- (4) Indian Railway Code for the Stores Deptt,
Excluding chapter XV to XXX & XXIII.
- (5) Report of the Task Force on Budgetary, Accounting
and Management Practices on Railways-First and
Second Reports.
- (6) Report by the Committee on Technique of Financial
Appraisal of Railway Projects.
- (7) Establishment Manual, Pass Manual, Labour Acts.
- (8) A few questions on official language policy and
official language rules will also be included in
the paper-General knowledge.

Syllabus for Paper No. II-A (Professional subject) for
Unified Competitive Departmental Examination in respect
of 25% vacancies for cl. II Technical posts of Mech. Engg
Discipline of R.D.S.O.

22

Mathematics

Algebra

Solution of simultaneous equations with 2 and 3 variables, solution of quadratic equations, methods of factorisation, remainder and factor theorems, arithmetic geometric series, summation of series, convergent and divergent series, logarithm and logarithmic equations, plotting of curves, matrices and operation of matrices of third order, determinants, partial fractions.

Geometry

Properties of rectangles, triangles, parallelograms, quadrilaterals, polygons, circles, ellipse, parabola and Hyperbola, surface area and volume of prism, cylinder and spheres.

Trigonometry

Trigonometric functions and their relationship, estimation of height, hyperbolic functions.

Calculus

Differentiation of functions, solution of simple differential equations, curve tracings, polar and cartesian co-ordinates and their conversions, differentiation from first principles, integration of simple functions, integration within limits, calculation of area and volume by integration analysis of wave form.

Statistics

Frequency Distributions, Measures of Central tendency and divergence, normal, binomial and ~~pepsi~~ poisson distributions, statistical quality control, correlation and regression analysis, testing of statistical hypothesis.

Applied Mechanics and Strength of Materials

Statics

Principles of statics, forces, acting on a rigid body moment of forces, couples, friction, centre of gravity and centroid, equilibrium and forces on a plane, analysis of plain trusses and frames, equations of equilibrium, virtual work, catenary, elementary vector analysis.

Dynamics

Principles of dynamics, Newton's laws, differential equations of motion, motion of a particle acted upon by a constant force, free and forced vibrations, analysis of system of torsional vibrations, resonance and damping, curvilinear motion, gyroscopic motion, momentum and impulse, work, energy and power, equation of motion of a rigid body about a fixed axis, moment of inertia.

Strength of material

Principles of strength of materials, ultimate strength, factor of safety, elasticity and elastic limit, Hooke's law, elongation and reduction in cross-sectional area, stress and strain in tension, compression and shear stresses due to temperature changes, bending of beams and bonding stresses, bonding moment and shear force diagrams, compound stresses and strains, mechanism of fatigue failures, pressure vessels-thick and thin cylinders, strength of flats-plates and spherical shells subjected to internal pressure and cylinders subjected to internal or external pressure, torsion of round bars, torsional moment, design of shafts compound torsion and compression, deflection of solid and hollow shafts, laminated and closed coil helical springs, testing of materials-tensile, impact, croop, fatigue and hardness testing, non-destructive testing.

Theory of Machines and Machine Designs

Relative velocity of parts in machines and their determination by calculation and graphic methods, velocity and acceleration diagrams for reciprocating engines and quick return motions. Balancing of motors reciprocating engine and rotating parts including locomotive balancing crank shaft balancing, problems of vibrations and torsional oscillations. Power transitted absorbed by belt drives, brakes and friction gearing. Theory of shape and action of gear teeth, simple compound and epicyclic gear trains.

Analysis of forces in machines. Design of machine components subjected to pure bending pure torsion, combined bending and torsion, signs of gears and screw mechanisms.

Surface quality standards, limits, fits and tolerances.

Finite element analysis for stress investigation of machine components.

Thermo-Dynamics and Heat Engines

Fundamental laws of thermodynamics-Carnot Cycle, auto-cycle, diesel cycle concept of Entropy, isentropic and isothermal processes.

Conduction, convection and radiation heat exchanger design fundamentals.

Physical properties of steam, steam tables and their use, the laws of perfect gases, their expansion and compression.

Testing of engines, indicator diagrams, calculation of brake horse power, mechanical and thermal efficiency.

Engineering

- 6 -

Refrigeration cycle.

Combustion of fuels-liquid and gaseous fuels, heat of combustion.

Cycles for reciprocating and rotating compressors.
Air flow measurements.

Flow of viscous fluids-streamlined and turbulent flow. Flow through pipes orifices and box sections. Parallel and cross flow. Bernouli's equation.

Steam and gas turbines, characteristics of turbo machines with compressors and turbines mounted on the same shaft.

Computer programming.

Essentials of computer programming, use of various Fortran IV statements for programming of scientific problems.

Workshop Technology, Metallurgy and Chemistry.

Principle features of construction and function of general purpose machines such as lathes, drilling machines, shapers, planers, boring machines, grinding machines etc. Different types of cutting tools-method of specifying them.

Composition, physical properties and engineering uses of various common metals and their alloys such as cast iron, MCI, mild steel, carbon steels, phosphor bronze, aluminium alloys, tool steels etc.

Heat treatment-relation between heat treatment and physical properties of steels-effect of carbon, critical temperature. Hardening, tempering, annealing, normalising and case hardening. Structures produced by heat treatment and their identification.

Elastomers-their properties and uses. Common engineering plastics-their properties and uses. Laboratory tests and methods to assess the quality of rubber components for different engineering applications.

Different non-destructive testing methods-their uses and limitations.

Different types of lubricants used in engineering applications and their characteristics. System of service trials to assess the suitability of lubricants for different applications.

Various preparatory processes for forming materials-casting, forging, rolling, drawing, pressing, extruding, machining, welding etc. Inspection of formed materials-tools and gauges involved.

Blanton

Record keeping

Drawing office practice including relevant Indian Standard specifications, Documentation, drawing reproduction information retrieval systems, Modern concepts of record keeping information retrieval and drawing reproduction systems.

STANDARD

- 3 -

Syllabus for Paper-II (Professional subject) for Limited Competitive Departmental Examination in respect of 25% vacancies for class II Technical posts of Mech. Engg Discipline of RDSO.

Note The question paper will be divided in 5 sections and the candidates will be required to answer the desired number of questions in such a manner that the total number of questions to be answered by them come from any 2 of the 5 sections. In addition there may be a compulsory question to be answered by all candidates.

Section 'A'-Diesel Engine (Applied)

Diesel engine cycles and valve timings, firing order, compression ratio, combustion in diesel engines, different phases of combustion process, different types of combustion chambers and their effect on combustion process, air turbulence, cylinder head design, elementary cycle simulation.

Super charging, inter-cooling and after cooling, two stage super charging, turbo charges performance and matching, scavenging ratio-heat balance and thermal loading of diesel engines, exhaust manifolds.

Rating of diesel engines, derating considerations for ambient temperature and altitude, thermal efficiency.

Diesel engine components design and performance evaluation cylinder, block, crank case, crank shaft and cam shaft, cylinder liners, piston rings, valve and valve gear mechanism, connecting rods and bearings. Vibration analysis of diesel engine components.

Fuel injection system-pumps and injectors-testing of injecting equipment.

Cooling water system, water pumps, radiators, cooling fans, treatment of cooling water.

Lube oil pumps, lube oil heat exchangers, lube oil systems for diesel engines.

Filters-lube oil, fuel oil, air car body and oil bath-paper type and self cleaning type, cyclone filters.

Governors-engine and governor matching, load and speed control governors, types of governors used for railway traction, testing of governors.

Refining of crude oil and petroleum products, specific a tions, properties and characteristics of diesel fuel oil, effect of sulphur on engine performance, storage, handling and dispensing of fuel oils. Fuel consumption and its economy.

Signature

Properties and characteristics of crank case lubricating oils, lube oil contamination and testing, lube oil performance and reclamation, lube oil consumption and its economy, storage handling and dispensing of lube oils.

Diesel traction transmissions-mechanical transmission-gear boxes and carden shafts, hydraulic and hydro-mechanical transmission, torque converters fluid couplings, Suri transmission and its characteristics, reverse governing of engine with Suri transmission, engine and transmission matching. Electrical transmission, excitation system, transitions, load control voltage regulator control system. Use of alternator rectifiers.

Rating and performance tests for diesel engines and transmissions, UIC test procedures.

Vacuum and air brakes on locomotives and rail cars-pneumatic circuits and controls, electro-pneumatic brakes, hydraulic brakes, disc brakes, dual brake systems, dynamic brake Rheostatic and regenerative. Design of break system.

Compressors, exhausters, expressors, their capacity estimation.

Safety devices on locomotives.

Maintenance schedule for diesel locomotives and rail cars-instructions and manuals, preventive maintenance, reclamation of components, failure and defect investigation rectification of defects.

Layout of diesel running sheds tools and equipment for diesel loco maintenance, POH of diesel traction units.

Performance evaluation of traction units-project studies, planning and execution.

Rating of locomotives and traction units gross rail and draw bar horse power tractive effort and draw bar pull resistances load/speed characteristics inter sectional running time, adhesion axle load/weight transference-fuel consumption calculations.

Section 'B' (Vehicle design)

Bogies-suspension and springs, dampers and shock absorbers. Rail-wheel/track vehicle interaction, stability and ride quality criteria. Track structure and track geometry standards. Track monitoring methods, track parameters having bearing on stability and riding quality, procedure of speed certification of vehicles.

Adhesion effect of creep on adhesion, deformation of wheel and rail under load, weight transference wheels, axles, tyres, axle boxes and roller bearings, draft and buffering gear-CBC transition and straight. Superstructure and cab lay out, pipe and coupling, pneumatic and vacuum pipes, conduit pipes.

BTM

problems on bogies and the high adhesion coefficient, strength of underframe and chassis. Handler and correct specifications of diesel traction units material and component specifications. Testing of bogies-instrumentation of bogies for assessing riding characteristics. Defects and modifications on the vehicle portion of diesel and electric locomotives, maintenance manuals, maintenance problems reclamation of components. Performance evaluation of traction units-planning and conducting project studies, Oscillation tests on locomotives, negotiability of locomotives on curves and turnouts, stability calculations and characteristics, effect of worn wheel profile on riding characteristics. Stress analysis and calculation-calculation codes-finite element analysis of stresses on bogies/components. Application of fracture mechanics on the bogies frame strength. Development of mathematical models for bogies. Compilation and codification of data and information-documentation procedure. Evaluation of crane design break down cranes, transhipment cranes for traffic use. Defects and modification of cranes and their components.

Basic construction and design features of diesel and electric locos manufactured in India. Tractive force-horse power and load speed curves for locomotives. Working Type/ Commissioning tests of diesel/electric locomotives. Working knowledge of measuring instruments. Painting procedure for locomotives. Diesel engine testing. Lubrication practices. Finalisation of relaxation/modifications/ deviations during locomotive inspection. Safety devices in electric/diesel locomotives. Utility of gauges and types of gauges used in electric locomotives. Specification of spring steel used in electric locos.

SECTION 'C' -Coaching stock design & containerisation.

Fundamentals of design of coaching stock, EMUs and Container flats. New trends in design of coaching stock and EMU with respect to higher speeds, increased safety, increased comfort and improved passenger amenities.

Principles of suspension design relating to coaching stock, EMUs and container flats. New trends in design of passenger vehicle suspension.

Rail-wheel/track vehicle interaction, stability and ride quality criteria, track structure and track geometry standards. Track monitoring methods, track parameters having bearing on stability and riding quality procedure of speed certification of vehicles.

Salient features of various designs of coaching stock, EMUs and container flats developed by RDSO. Salient features of coaching stock bogies developed by RDSO. Design of special stock such as milk tank vans, motor vans, fish vans, horse boxes etc.



Underframe design parameters-impact and dynamic augment factor of safety. Criteria for coach design-structural and stability.

Welding techniques used for manufacture and repair of coaching stock and components. Welding defects, their identification and causes-rectification procedure.

Braking systems, including air brakes EP Brakes and disc brakes. Friction material for brake systems.

Corrosion and its cause prevention techniques-corrosion repair of coaches in workshops and depots, Development of corrosion free designs.

Maintenance of coaching stock maintenance schedules-preventive maintenance techniques failures and defects investigations, reclamation of components-repair and inspection procedure in workshops.

Design standardisation and maintenance practices in respect of wheels and axles, roller bearings, draft and buffering gear, braking systems, rubber components used on coaching stock.

Material specification for coaching stock steel, non-ferrous materials including synthetic materials and glass reinforced plastic and nylon, timber, insulating materials used on coaching stock.

Passenger amenities schedule furnishing materials related to coaching stock including EMUs-fire retardant materials.

Airconditioning and refrigeration in coaching stock-modern development in this field.

Standardisation CWSC+ Reports, various standards i.e. IS, American, British etc. Preparation of Indian Railway Standards and procedure for their adoption. Preparation of schedule of Technical Requirements.

Knowledge of IRCA Rules pertaining to coaching stock.

Layout of depots and workshops-tools, equipments and gauges for maintenance.

Containerisation advantages both mechanical and functional impact on freight transportation future prospects-special types of ISO containers.

Limitations of moving gauge and axle load for coaching stock/container vehicles both on rail and roads.

Road delivery vehicles for containers-essential features of container delivery-cum-handling vehicles.

Signature

Handling equipment for containers-technical devices-advantages and specific application of different types.

Design of container terminals for various levels of traffic-essential features and facilities. Different types of handling systems.

SECTION 'D' -Freight stock Designs & servicing

Fundamentals of design of freight stock Limitations of moving gauge and axle load, limitations in determining wagon parameters. Principles of suspension design. New trends in freight stock suspension designs.

Rail-wheel/track-vehicle interaction, stability and ride quality criteria, track structure and track geometry standards, track monitoring methods, track parameters having bearing on stability and riding quality, Procedure of speed certification of vehicles.

Salient features of important freight stock designs developed by RDSO, salient features of freight bogies developed by RDSO, knowledge of special purpose wagons designed by RDSO under consultancy scheme.

Underframe design parameters-impact and dynamic augment-factor of safety.

Wagon superstructure-layout and design calculations-fabrication techniques, welding techniques used in wagon repairs, welding defects, their identification, causes and rectification procedures.

Corrosion and its causes-prevention techniques-development of corrosion-free designs, procedure for panel patching and painting of wagons, maintenance of wagon stock-Indian Railways. Maintenance Manual for freight stock-maintenance schedules-preventive maintenance technique procedure for POH of wagons-various modifications suggested for BOX wagon bogies.

Design standardisation and maintenance practices in respect of wheels and axles, roller bearings, draft and buffing gear, braking systems and rubber components used on wagons.

Service Engineering-failure and defect investigation of wagon components, issue of rectification procedures-inspection and repair procedures for wagon components in depots and workshops. Common defects found in steel castings and their identification.

APD measures for freight stock, use of plastic and nylon components in freight stock scope and limitations. Layout of wagon repair depots and workshops-tools, equipment and gauges for maintenance.

Standardisation-CWSC reports-various standards i.e. IS, American, British etc. Preparation of IR standards and procedure for their adoption-preparation of Schedule of Tech. Requirements.

Knowledge of IRCA Rules pertaining to freight stock.

Terminal Engineering essential parameters for terminal designs-different types of handling systems.

Braking systems used on freight stock future trends in brake system designs friction materials for braking systems.

Quality control and quality assurance programmes for critical components used on freight stock.

SECTION 'E' RESEARCH

Locomotive performance, railway brake equipment, brake testing, mechanical testing, fatigue testing, vehicle dynamics and stress exploration.

Equipment of the dynamometer car, hydraulic dynamometer, electronic dynamometer, apparatus for measuring work done and drawbar horse power and draw bar forces. Measurement of temperature and equipment for analysis of flue gases, engine indicating equipment, auxiliary equipment of dynamometer car. Conditions for dynamometer car trials, types of dynamometer car tests test loads and test fittings on locomotive and tender.

Locomotive performance tests, measurement of coal and water, calculation and tabulation of data, heat balance calculations, steam consumption and coal consumption per 10F hour, tractive effort etc boiler performance, boiler capacity and boiler efficiency. Valves and valve gears as adopted on steam locos.

Special equipment and features in carrying out rating and performance trials on diesel and electric locomotives.

Vehicle resistance, starting resistance, rolling resistance, curve resistance, grade resistance etc.

Vacuum brake, direct release air brake, gradable release air brake, disc brakes, drum brakes, use of cast iron as a braking material compared to the composition materials, direct admission and quick release valves, means of compensation for load variation and automatic adjustment of brake slack. Latest innovations in braking such as two stage braking, electric magnetic rail brakes etc. Laboratory and field testing of brakes quantities to be measured, their correlation, tabulation and assessment. Instrumentation required for measuring brake preparation rates, filling time, brake fade, rigging efficiency etc. Brake dynamometer its principles, details of main equipment and auxiliaries and its mode of employment.

S. B. M. N. D.

General principles of special testing machines, their design and construction and the methods employed in their use.

Measures of physical phenomena including abrasion, temperatures, acoustical quantities, forces, displacement etc. Collection of data relating to these quantities, their correlation and analysis.

Principles of dynamic fatigue, its assessment and means of developing S-N curves, their assessment and utility. Equipment required for fatigue testing, fatigue testing machines including pulsators and jacks, loading frames and foundations and isolation of vibrations from surrounding area. Ancillary equipment including high pressure test piping, their construction, assembly and total utilisation of fatigue testing equipment, programming units, their significance and mode of employment.

Preliminary optics, polarised light, stress optic law, two dimensions. Equipment required for photo elastic stress analysis. Photo elastic materials and model preparation. Stress freezing and stress patterns. Techniques for three dimensional photo elastic studies.

Knowledge of rolling stock suspension design with special reference to the influence of flexibility damping and natural frequencies on riding characteristics. This would include rolling stock suspension in use on the Indian Railways and certain classical suspensions developed in the continent.

Theory of vibrations with special reference to the analysis of rolling stock suspension. Random vibration. Rail wheel/track vehicle interaction, stability and ride quality criteria, track structure and track geometry standards, track monitoring methods, track parameters having bearing on stability and riding quality. Procedure of speed certification of vehicles. Practices followed by different member Administrations of UIC/ORE on this subject. Procedure for conducting field trials to assess the stability and riding quality of rolling stock. Analysis of oscillograms with special reference to evaluation of stability, passenger comfort and extent of parasitic motions, such as bouncing, pitching, rolling etc.

Knowledge of strength of materials as applied to vehicle structures and critical appreciation of the procedures adopted for testing of structures under static and dynamic loading conditions.

Techniques of data acquisition by electronics sensing devices. Design and functions of accelerometers, linear variable differential transducers and force measuring devices. Knowledge of the functions of different types of recording instruments commonly used for vehicle dynamic and stress exploration investigations. General knowledge of the modern techniques of data processing by use of digital computers.

Unconventional springs—their usage.
Principles of physical modelling.

S. G. D. N. N.

43

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

Union of India and others.Respondents.

Annexure-III.

Shri B. D. D.

344

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

Case No.

R.O.S.O. Class III Staff Association, Petitioner

v/s

Director General, R.O.S.O. (Ministry of Railways)

Manak Nagar, Lucknow & others Respondents

ANNEXURE NO. 3

राज्य : रेल मानक
Telegrams : 'RAILMANAK'



ANNEXURE-3

भारत सरकार - रेल मंत्रालय

अनुसंधान अधिकाल्प और मानक संगठन

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

पत्र संख्या
Our Reference No. RDSO/SLN/O/Cl-II/Tech/Mech/LDCE

दिनांक
Dated 19-9-1989

The President,
RDSO Class III Staff Association,
RDSO, Lucknow

Dear Sir,

Sub: Review of Syllabus for Class-II Mech
LDCE (25% quota).

Ref: Hon'ble Genl. Secy/CTSA's letter No. CTPSA/GS/
Cl.II Syllabus/89/9 dated nil.

The issues raised in Hon'ble Genl. Secy/CTSA's letter, under reference, were discussed with the representatives of CTSA, who called upon the Addl. DG on 18-9-89. The position regarding the syllabus prescribed for written test for LDCE and assessment of vacancies has been examined. It emerges that the syllabus for Class-II Mech. LDCE prescribed now, is exactly the same as it was for the 1984 examination. The cause for representation against the syllabus, at this stage is, therefore, not understood. As advised earlier, the syllabus is quite alright and does not need any revision.

2. As regards calculation of vacancies, it may be stated that the calculations were done sometime in Sept/Oct '87 and the selection was planned for filling up Dy. Directors' posts by operating them in Class II, taking into account anticipated vacancies due to Dy. Directors becoming eligible for promotion in JA Grade in the next two years and those due to retirements of incumbents working against Dy. Directors' posts, deleting therefrom the posts of Dy. Directors being converted into Jt. Directors. Since the selection was not a normal one, the rule of adding 30% of the cadre etc. was not followed. In view of this, there is no justification for revision of the calculation of vacancies.

3. LDCE already planned on 30th September and 1st October, 1989 is being gone ahead with.

Yours faithfully,

S. H. Khan
(I.A.Khan)
Jt. Director/Admn-II
for Director-General

Decd on
29/9/89
S. H. Khan

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association
Manak Nagar, Lucknow and another.

.....Applicants.

Versus.

Union of India and others.

.....Respondents.

Annexure-IV.

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

Case No. 36

R.D.S.O. Class III Staff Association,.... Petitioner

v/s

Director General, R.D.S.O. (Ministry of Railways)
Manak Nagar, Lucknow & others, Respondents

ANNEXURE NO. 34

GOVERNMENT OF INDIA

MINISTRY OF RAILWAYS
(RAILWAY BOARD)

ANNEXURE A

No. ERB1/69/RB3/28

of Read & Safe

New Delhi, dated

RCG 1

27.12.1973

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

Sub : Setting up of an Office Council in the RDSC under
the Joint Consultative Machinery for Central
Government Employees.

Ref : Your letter No. A/ES/RAU dated 27.7.73.

The Government of India are pleased to accord recognition
to the following two staff Associations in RDSC, to be represented
on the Office Council:

i) RDSC Class III Staff Association
ii) RDSC Class IV Staff Association

2. The above recognition is subject to the following conditions:

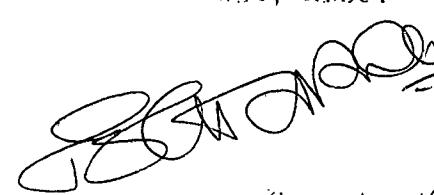
i) All matters concerning the service which the above
Associations represent, should be through the Director General,
RDSC, who will also receive deputation, if any, of the Associations.

ii) The Govt. of India will, when they consider it
desirable, consult the Associations in any particular matter
concerning the welfare of the service which the Associations
represent. No guarantee can, however, be given that the Association
will be consulted on any particular matter and the fact that
the Govt. of India have accorded recognition to the Associations
does not mean that the Associations have been granted the status
of advisory bodies or that they will have the right to be
consulted on all service matters.

iii) The instructions regarding the recognition of by the
Central Government of Service Associations of non-gazetted
Railway servants as contained in Chapter XXVI of the Indian
Railway Establishment Manual will apply to the Associations.

iv) The Railway Board should be supplied regularly through
the Director General, RDSC, copies of the rules of the two
Associations and amendments thereto and the annual statements
of their accounts when published, as also an annual list of
their Members.

v) Any change in the official address of the Associations
should be intimated to the Railway Board through the Director
General, RDSC.


A.L. Gupta
Secretary, Railway Board

Copy to S(L) Branch, Railway Board.

In the Central Administrative Tribunal

Allahabad Bench, at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association
Manek Nagar, Lucknow and others.

.....Applicants.

Versus.

Union of India and others.Respondents.

Annexure-V.

Subrata

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

Case No.

R.D.S.O. Class III Staff Association,.... Petitioner
v/s
Director General, R.D.S.O. (Ministry of Rly)
Manak Nagar, Lucknow & others Respondents

ANNEXURE NO. 5



PRB-232
20,000

INDIAN RAILWAY ADMINISTRATION AND FINANCE

AN INTRODUCTION

FIRST EDITION 1976

Embodying all corrections issued upto 30th September, 1976 including Advance Correction Slip No. 147 to the erstwhile General Code Volume I.

212. The Railway Board has the following attached and subordinate offices:—

(a) Attached Offices.—

- (1) The Research, Designs and Standards Organisation.
- (2) Office of the Railway Liaison Officer with the Directorate General of Supplies and Disposals.

(b) Subordinate Offices.—

- (1) Railway Service Commissions.
- (2) Railway Staff College.
- (3) Indian Railway School of Advanced Permanent Way Engineering, Pune.
- (4) The Indian Railway Institute of Signal Engineering and Tele-communications, Secunderabad.

213. Attached Offices.—(1) Research, Designs and Standards Organisation.—The Central Standards Office and the Railway Testing and Research Centre were merged in March, 1957 to form the integrated Research, Designs and Standards Organisation. This organisation is an attached office of the Railway Ministry. Its principal aim is to promote progressively standardisation of Rolling Stock, track, bridges and structures and all equipment commonly used on Indian Railways in accordance with the changing conditions and as a result of practical experience. A major responsibility which devolves on this organisation is the investigation of problems of research pertaining to Railway Engineering and to fulfil the need to achieve self sufficiency in the design and manufacture of railway equipment. This organisation also publishes the Indian Railway Technical Bulletin and other Railway technical papers. It is headed by an officer of the rank and status of a General Manager of the Indian Railways who is designated as Director General. The organisation has taken over all the functions of the Foreign Consulting Engineers earlier employed by Railways as Experts and Specialists for designs, etc., in the various branches of Railway Engineering.

(2) Office of the Railway Liaison Officer with the Directorate General of Supplies and Disposals.—This organisation is functioning as an attached office of the Railway

49

In the Central Administrative Tribunal

All-ahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association Manak
Nagar Lucknow and another.

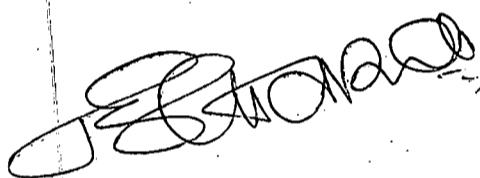
.....Applicants.

Versus.

Union of India and others.

.....Respondents.

Annexure - VI.



In the Hon'ble Court of Administrative Tribunal, Allahabad
Circuit Bench Lucknow

Case No. 50

R.D.S.O. Class III Staff Association
Manak Nagar, Lucknow

Petitioner

Director General, R.D.S.O. (Ministry of Rly)
Manak Nagar, Lucknow & others

Respondents

ANNEXURE NO. 6

12

Establishment Rules

which has been fully replaced by Rs. 700-900 in case of Drawing Office staff but has been replaced partly by Rs. 700-900 and partly by Rs. 840-1040 in case of Shop Supdts and open line supervisory staff. In such cases, the test to be applied would be whether the pre-revised scales of Rs. 450-575 has been wholly replaced by :

- (i) Rs. 840-1040 ; or
- (ii) Rs. 700-900 ; or
- (iii) Partly by Rs. 840-1040 and partly by Rs. 700-900.

Where the pre-revised scale has been wholly replaced by Rs. 700-900 or by Rs. 840-1040, the application of the aforesaid instructions for determining the integrated seniority will present no difficulty whatsoever. But in regard to the cases where authorised scale of Rs. 450-575 has been replaced partly by Rs. 700-900 and partly by Rs. 840-1040 or some posts in grade Rs. 700-900 have been upgraded to Rs. 840-1040, the notional stepping up as provided in the above instructions, will be applied treating as if the authorised scale of Rs. 450-575 had been fully replaced by Rs. 700-900.

[Rly. Board's No. E(GP) 74/II/20 dated 26.2.79] (N. Rly. S. No. 7245)

[R.B's. No. E (GP) 24/2/20 of 31-8-78] (N.R., S. No. 7093)

(c) The field of consideration will be six times the number of vacancies to be filled. [R. B's. No. E(GP) 74/2/20 of 11-7-77] (N.R., S.N. 6815).

(d) Selection procedure is given in following pages.

Limited Departmental Competitive Examination

(1) The scheme of holding the Limited Departmental Competitive Examination to fill up 25% of the vacancies for which panel is required to be framed at any one time in Class-II, may be introduced in the following departments :—

- (a) Civil Engineering Department.
- (b) Mechanical Engineering and Transport (Power) Department.
- (c) Electrical Engineering Department.
- (d) Signal and Tele-communication Department.
- (e) Traffic Transportation and Commercial Department.
- (f) Stores Department.
- (g) Accounts Department.

[R.B's. No. E(GP) 26/2/96 (Pt) of 22.11.78] (N.R., S.N. 7176)

(2) The extent orders governing reservation of vacancies for Scheduled Caste and Scheduled Tribe candidates shall also be applicable in filling up 25% of the vacancies in Class II through Limited Departmental Competitive Examination.

(3) The panel of successful candidates drawn up against the

Recruitment & Training

25% vacancies to be filled up through the competitive examination will be valid for the same length of time as the panel drawn up for 75% vacancies to be filled to normal selection.

(4) In the matter of seniority in respect of the declared number of vacancies to be filled at any one time through the media of selection (75%) and competitive examination (25%) those employees empanelled through the normal selection will rank senior to those selected through competitive examination.

Procedure for Holding Competitive Examination

The following is the procedure for holding Limited Departmental Competitive Examination to fill up 25% vacancies in Class-II:—

(1) Conditions of Eligibility :—

(a) The employee should be a railway servant with a minimum of 5 years railway service.

(b) He should have been regularly selected for a grade the minimum of which is Rs. 425/- and above in the revised scale of pay.

(c) Only such categories of staff as are otherwise eligible for promotion to Class-II service under the normal selection rules, will be eligible to appear in the Limited Departmental Competitive Examination.

Note :—All candidates who fulfil the above conditions will be allowed to compete without any restriction as to the number of candidates to be admitted to the examination.

(2) Scheme of Examination :—

(a) The examination aims at a comprehensive assessment of knowledge of the candidates and has essentially to be in the nature of a rigorous test of their professional ability. The examination will consist of (i) a written examination of a substantially higher standard than that associated with normal selection for promotion to Class II, and (ii) viva voce.

(b) The subjects for the written examination and marks to be allotted to each of the papers set for the written examination, viva voce and record of service will be as under:—

(i) Written Examination :—

Paper 1	General Knowledge	50 Marks.
Paper 2 (A)	Professional Subject	100 Marks.
Paper 2 (B)	Professional Subject	100 Marks.
Paper 3	Financial and Establishment Rules.	50 Marks.

(ii) Viva Voce :—

Besides the written examination the viva voce will carry 100 marks against confidential report, personality, address and leadership. [R.B's. No. E (JP) 76/2/96 dated 14/2/80] (N.R., S.N. 7512).

(c) In order to qualify, a candidate must secure a minimum of 60% marks in each of the subjects of written examination, in the record of service, and in the *viva-voce* separately, and also in the aggregate.

(d) There will be no grading of successful candidates, as 'Outstanding', 'Very good' etc. Their names will be arranged in the order of merit on the basis of the total marks obtained by each of the candidates.

*Note :—*Paper II should contain questions on subjects of interest as well as importance. The questions should be so based as to test the knowledge of candidates, which they would acquire by general observation/reading without a specific study or detailed knowledge of text books. The paper should also contain questions or topics of national importance, achievements of Railways as also questions which will test the awareness of candidates to developments which are taking place. The standard of question paper should not be rigorous and it should not be more than the standard of Matriculation. (R.B.s. No. E (GP) 79/2/30 of 7-12-79) N.R.. S.N. 7512

Syllabi on professional subject of Paper 2 (A) & 2 (B) for various departments are given in Appendix I at the end of the book.

(3) Constitution of the Examination Board :—

The Examination Board both for the written examination and the *viva voce* will be constituted under the orders of the General Manager ; it will consist of

(a) On Zonal Railways :

(i) Chief Personnel Officer, and

(ii) Two Heads of Department, Level I, including the Head of Department for which the examination is being conducted.

(b) Production Units :

(i) Deputy Chief Personnel Officer, and

(ii) Two Heads of Department Level I or Level II including the Head of the Department for which Examination is being conducted. If and when necessary, assistance of the respective contiguous Zonal Railways may be taken.

(4) Frequency of holding the Examination :—

The competitive Examination for filling up 25% vacancies in Class II in the respective Departments will be held in the same year as that in which the normal selection is held for filling up 75% vacancies in Class-II by promotion in that department.

(5) There will be only one competitive examination for all branches of one department, and only one panel of selected candidates will be drawn up for that department as a whole.

(6) The final recommendations of the examination board in respect of successful candidates will be put up to the General Manager for his approval. If the General Manager does not approve of

Signature

153

them, he will record his reasons in writing and order a fresh examination if necessary. Once a panel of successful candidate is approved by the General Manager, no amendments shall be made without the prior approval of the Ministry of Railways.

[R.B's. No. E(GP) 76/2/96 of 3.6.77] (N.R., S.N. 6792)

Following clarifications have been issued by the Railway Board in connection with holding Limited Departmental Competitive examination to Class-II service:—

(i) The G.M. may, if he considers it necessary, entrust the work of setting the question papers on General knowledge and English language to an outsider on payment of remuneration.

(ii) The officers entrusted with the work of setting question papers and evaluating answer books in connection with examination for promotion to Class II (all departments) may be paid a consolidated honorarium of Rs. 100/- This will take effect from 1-5-80. (R. B's. No. E (G) 77HO 1-27 of 3-5-80) N.R., S.N. 7622

Notes :—(i) Paper 2 (A) and 2 (B) on professional subjects are two distinct papers on the same subject. Therefore the two papers are to be treated as two single papers and honorarium of Rs. 200/- (Rs. 100/- each for two papers) will be paid.

(ii) If a special dispensation is agreed for conducting supplementary examination, payment of honorarium for setting question paper and evaluating answer books at the prescribed rates can be made for supplementary examination also.

(iii) If the selection is cancelled after conducting the written examination for procedure lapses, honorarium has to be paid to the officers for the job done. (R.B's. No. E (G) 77HO 1-27 of 16-4-80) N.R., S.N. 7622.

(iii) An employee, if otherwise eligible, can appear in the normal selection to Class II as also in L.D.C.E.

(iv) The L.D.C.E. should be held at various centres within a Division simultaneously depending upon the number of candidates and the administrative feasibility. Such an arrangement will save the candidates a great deal of time to be spent in travelling long distances to the examination centres at Divisional/Zonal headquarters. [R.B's. No. E(GP) 76/2/96 of 15.12.77 & E(G)77 HO7/27 of 17.12.77] (N.R., S.N. 6932).

Signature

Appendix I

Ref. RB3 No E(GP)72/2/30 dt 7/12/1972

Syllabi for various papers in Limited Departmental Competitive Examination for filling 25 per cent vacancies in Class II on Indian Railways.

The allotment of marks for various papers for the L.D.C.E. for selection against 25% vacancies in all departments (except Accounts department) should be as under :—

I Paper	General knowledge	50 Marks
II (A) Paper	Professional Subject	100 Marks
II (B) Paper	Professional Subject	100 Marks
III Paper	Financial and Establishment Rules	50 Marks

Besides the written examination viva-voce will carry 100 marks against confidential report, personality, address and leadership.

Paper I (General knowledge)

This paper should contain questions on subjects of interest as well as importance. The questions should be so based as to test the knowledge of candidates which they would acquire by general observation/reading, without specific study or detailed knowledge of text books. The paper should also contain questions on topics of national importance, achievements of Railways as also questions which will test the awareness of candidates to developments which are taking place. The standard of questions should not be rigorous and it should not be more than the standard of matriculation.

The syllabi of paper II A & B for different departments and paper III for all the departments are given in the following pages.

Transportation (Traffic) & Commercial Department

OPERATING

Paper II (i)—100 Marks

I. General

(a) Hierarchical set up and line of control of operating department at the Divisional, Zonal and Railway Board Level.

II. Traffic, Train and Power Control Organisation

(a) Objectives and functional set-up of Control Offices.

(b) Duties of a section controller and efficiency indices of Controllers, namely

- (i) Speed and Through-out of a section
- (ii) Punctuality
- (iii) Engine detention
- (iv) Observance of 10 hour Rule.

[Handwritten signature]

35

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

Case No.:

R.D.S.O. Class III Staff Association, etc., Petitioner

v/s

Director General, R.D.S.O. (Ministry of Railways)
Manak Nagar, Lucknow & others Respondents

ANNEXURE NO.

components, vacuum brakes, protective devices.
pneumatic and vacuum brakes, protective devices.

Inspection, maintenance and overhaul schedules, brake block
replacement, ferrode brake blocks, special electrical and mechanical
failure, heavy repairs, trouble shooting sequence.

Safety precaution, special safety and fire prevention checks,
modification carried out.

Traction motors of various types and design, problems with
Traction Motors and how these are overcome.

Maintenance and overhaul organisation, liaison with other
depts.

3. Operation:

Trouble shooting, failure on line, Statistical data, Ghat section
working, banking, wheel slip, working in case of total interruption
of communication, working of EMU under flood condition,
working from rear cab.

Check to be conducted while taking out loco from shed,
energizing a dead locomotive.

Link working, calculation of crew and loco requirements
figures for watching utilisation of locos traction loco control
organisation, hauling capacities of locos.

Pantograph entanglements, accidents and restoration, typical
defects explained in locos and EMUs. Stabling Depots and their
working.

4. Rewinding shops:

Rewinding shops, organisation, outturn, special repairs, various
types of insulation, insulating materials, commutator repairs,
balancing of armature.

Mechanical Department

Signature Paper II (i) PROFESSIONAL SUBJECT (Theory)

Total Marks 100

Part A (50% Marks)

1. Genl. Maths.

- (a) Arithmetic and Statistical Operations: Graphs, Fractions,
Percentage, Sampling and Averages.
- (b) Geometry: Area and Volume etc. upto Higher Secondary/
Class XII Standard.

(c) Algebra: Simultaneous Equations etc. upto Higher Secondary/Class XII Standard.

(d) Mechanics: Velocity and Accelerations, Work Done and Horse Power etc. upto Higher Secondary/Class XII Standard.

2. Strength of Materials

Stress and Strain, Fatigue, Corrosion and Surface Finish etc.

3. Physics and Basic Electricity

(a) Temperature and its measurements.

(b) Steam Engines, I.C. Engines, Gas Turbines, Heat Recovery and Thermal Efficiency, Supercharging and Intercooling.

(c) Voltage, Current and Resistance, Wet and Dry Batteries, Simple Motors and Dynamos.

Part B (50% Marks)

4. Shed/shop layout for maintenance/POH of steam locos or diesel locos or coaching and wagons.

5. Out of commission (Under-Repair) percentage for different types of rolling stock and motive power and how to minimise the same.

6. Preventive Maintenance of Machinery and Plant.

7. Prevention of Hot Boxes on Motive Power/Rolling Stock Maintenance of Roller Bearings.

8. Prevention of defects on Motive Power/Rolling Stock to eliminate accidents.

9. Chittaranjan Loco Works Pattern of Incentive Scheme.

10. Different types of welding processes, welding defects etc.

11. Wheel tyres and axles and their ultrasonic testing.

12. Different types of machines tools such as lathes, milling machines, shapers, planners etc., cutting tools and cutting speeds.

Carriage and Wagon

1. Coaching stock-preventive maintenance schedules in sick lines/POH schedules in shops.

2. Latest design improvements in carriage and wagons to improve their performance.

3. Design improvements in coaches and wagons to raise their speed potential.

4. IRCA Rules for rejectable defects.

5. IRS, ICF and BEML bogies and their maintenance in shops/sick lines.

6. Corrosion repairs to coaching stock.

7. Different type of couplers and prevention of damage/breakage during service.

8. NPOH repairs to goods stock.

9. Intensive and safe-to-run examination.

BBR

tage answering of Court summons ; prevention of trespass ; disposal of human bodies found run over disposal of cattle found dead on the line.

Paper I and III

Paper I. General knowledge and English knowledge of a High Standard.

Part III. General Financial and Establishment Rules and Procedures.

Regarding General Financial and Establishment Rules and Procedures the Establishments Manual and General Code cover the Syllabus.

For all Departments

Paper III

Time 2 hours

Maximum Marks 50

Establishment Rules—25 marks

Personnel Management

1. Organisation of the Personnel Department in the Railways. The objectives of the Personnel Department, functions and policies of the Personnel Department. Role of the Personnel Officer in the Headquarters and on the Divisions.

2. Classification of services—Recruitment to the different services Groups 'A' to 'D'—Recruitment of Artisan staff—Special Reservation in Railway Services—Role of the Railway Service Commissions in recruitment—Recruitment other than through usual channels—Promotion policy and methods.

3. Personnel Supervision—leadership styles, formal and informal leadership, leadership qualities, different leadership styles, Democratic or Participative leadership style, Advantage of participation, Joint Councils of Management, Negotiating Machinery Schemes, Zonal and Divisional Corporate Enterprise Groups.

4. Inspections of Loco Sheds, C&W Depots, Stations, Engineering Offices.

Labour Relations and Welfare

Unions and Their Role

1. Important recognised Trade Union in Railways; Role of

Signature

Financial Rules*Recommended Reading*

1. Indian Railway General Code—Vol. I & II (Chapter III to IX, XVIII).
2. Indian Railway code for Accounts Deptt.—Pt. I (Chapter VIII).
3. Indian Railways Administration & Finance—An introduction—First Edition—Chapter III, V, VII & VIII.
4. Indian Railway Code for the Engineering Department—Chapter II to V, IX to XIV.
5. Indian Railway Code for the Stores Deptt—Excluding Chapters XXV to XXX & XXXII.
6. Report of the Task Force on Budgetary, Accounting and Management Practices on Rlys Reports—First and Second.
7. Report by the Committee on Technique of Financial Appraisal of Railway Projects.
8. Indian Rly. Code for Mechanical Deptt.—Chapter VIII to XII.

50

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

Case No.

R.D.S.O. Class III Staff Association,.... Petitioner
v/s
Director General, R.D.S.O. (Ministry of Railways)
Manak Nagar, Lucknow & others Respondent

ANNEXURE NO.

Appendix I

799

unrecognised unions and methods of dealing with them.

2. Industrial Disputes and the Legislative Framework, Causes of Industrial Disputes, basic remedies, the Industrial Disputes Act 1947; Strikes, Lock-outs and Lay-offs, handling of grievance at Divisions and in the Headquarters, handling of grievances by Labour Enforcement Officers.

3. The Hours of Employment Regulations, Overtime, Job-analysis and its mechanics.

4. The Factories Act, Special Rules for workshop staff in the Railways.

5. The workmen's Compensation Act-Ex-gratia payment, Incentive Bonus Scheme.

Welfare

6. Pass rules.

7. Retirement Benefits under the Provident Fund and Pension Schemes, Final Settlement.

8. Welfare for the whole family of railwaymen—concept and practice obtaining on the Railways.

II

Financial Rules—25 marks

1. Parliamentary control over Railway Finance—Public accountability Canons of financial propriety.

2. Financial Planning and Budgeting—Budgetary and Financial Reviews—Appropriation Accounts.

3. Rules of allocation—Classification of Expenditure—Control over expenditure—Responsibility accounting—Performance Budgeting—Exchequer Control Financial Results of working.

4. Works programme—Financial justification of works—Surveys—Preparation of Estimates—Capital Budget—Control over capital expenditure—Productivity test.

5. Financial control over Stores expenditure—Purchase and stores keeping procedure—Inventory Control and A.B.C. Analysis.

6. Financial and cost control in Railway workshops.

7. Rules and procedure relating to Teners and Contracts for execution of works & Procurement of stores.

8. Procedure for processing and finalising the Audit objections and Draft Paras.

9. Delegation of Powers.

10. Losses, Frauds and embezzlements.

Financial Rules*Recommended Reading*

1. Indian Railway General Code—Vol. I & II (Chapter III to IX, XVIII).
2. Indian Railway code for Accounts Deptt.—Pt. I (Chapter VIII).
3. Indian Railways Administration & Finance—An introduction—First Edition—Chapter III, V, VII & VIII.
4. Indian Railway Code for the Engineering Department—Chapter II to V, IX to XIV.
5. Indian Railway Code for the Stores Deptt—Excluding Chapters XXV to XXX & XXXII.
6. Report of the Task Force on Budgetary, Accounting and Management Practices on Rlys Reports—First and Second.
7. Report by the Committee on Technique of Financial Appraisal of Railway Projects.
8. Indian Rly. Code for Mechanical Deptt.—Chapter VIII to XII.

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association
Manak Nagar Lucknow and another.

.....Applicants.

Versus.

Union of India and others. Respondents.

Annexure-VII.



65

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

Case No.

R.O.S.O. Class III Staff Association, Petitioner

v/s

Director General, R.O.S.O. (Ministry of Rly)
Manak Nagar, Lucknow & others, Respondents

ANNEXURE NO. 7

ANNEXURE 7

Page 1

Copy of Railway Board's letter No. E(GP)87/2/72, dt. 11.1.1988
addressed to The DG/RDSO/Lucknow and others:-

Sub:- Selection for promotion from
Group 'C' to Group 'B'

As per ext. instructions, selections for promotion to Group 'B' posts should be held in all the Departments once in 2 years and the vacancies for the selections should be assessed properly. It is essential that not only the schedule for holding the selections is maintained, but the assessment of vacancies is also done conforming to the instructions, so that regularly selected employees to the extent needed become available and ad-hoc promotions are avoided. The field of consideration for the selection should be determined on the basis of sliding scale, as indicated in Board's letter No. E(GP)81/1/18 dated 9.2.1981.

2. It has recently come to the notice of the Ministry that some of the employees, included in the field as per their eligibility and turn, for two successive Group 'B' selections on a Railway did not appear with the result the Administration could not secure the required number of qualified employees and there was substantial shortfall in empanelment. Instructions exist for calling extra employees required to make up the field in the event of employees already included therein expressing their unconditional unwillingness to be considered at the selection. Instances have also come to notice of panels getting exhausted immediately after formation, leading to the necessity for making adhoc promotions to Group 'B'. This could be due to a) a proper assessment of vacancies not having been made of b) due to services of officers having been spared on transfer/deputation/secondment, causing a depletion in the cadre, c) a factor not anticipated or known at the time of assessment.

3. The position has been examined. It has been desided as follows:-

- 1) The selection for group 'B' posts should be held once every two years without fail. The work should be spread out evenly so as to cover half of the department in the first year and the rest of the department in the following year and the cycle repeated. The various processes connected with the selection should be commenced adequately in advance, so that the schedule for holding the selection is not disturbed. For this purpose, a suitable calendar may be drawn depending on the position on your system and the work monitored closely to ensure that the schedule is not tripped. The work in this regard should be reviewed periodically at the level of C.P.O.,

iii) Vacancies for two years should be assessed properly with the aid of all known factors and possible anticipations. To the vacancies so assessed, an addition of 30% (thirty per cent) of the cadre of both Group 'B' and Junior Scale posts including Construction Reserve should be made. This is in modification of the existing instructions for providing the addition at 20%.

For selections to the Group 'B' posts of ADO, Law Officer, APMO, AS(P&S), Assistant Chief Cashier, AChif where the cadre is small and the incidence of vacancies is not regular, the assessment should be limited to the vacancies existing plus those anticipated to arise during the two years' period covered by the assessment. In other words, there will be no addition to the assessment as a percentage on the cadre strength;

iii) The Notice issued for the selection, besides containing the names of eligible employees constituting the field should contain a reserve list carrying the names of extra eligible employees with the indication that the latter would be called for the written examination in the event of drop out of employees constituting the field;

iv) Employees constituting the field should be advised individually of the proposed selection with the clear stipulation, that they should on receipt of the notice advise their willingness/unwillingness to take the selection. For this purpose, each individual notice should have a counterfoil which should be returned by the employees within a fortnight of receipt indicating willingness or unwillingness to take the selection. The notice should carry a clear indication that it is the employee's responsibility to advise his/her willingness/unwillingness to take the selection and failure to respond or provide the intimation within the period allowed will be treated as unwillingness on his/her part to take the selection. Depending on the position of unwillingness reported or non-receipt of any intimation, employees from the reserve list should be called to the extent necessary for taking the selection.

v) Such employees who neither appear for the written examination nor indicate their unwillingness should be treated as having availed of an opportunity, for purposes of the instructions contained in para 1(iii) of Board's letter ...E(GP)65/1/78 dtd 10.9.1980.

63

ANNEXURE-7

- 3 -

Page-3

vi) Parts (iii), (iv) and (v) will not apply to selections of AFU for which the field is not determined with reference to the vacancies and all eligible volunteers in response to the notice are considered.

vii) All ad hoc arrangements made should be terminated on the declaration of the panel. There should also normally be no need to resort to ad hoc arrangements before the next selection in view of the provision for a liberal assessment of vacancies taking into account 30% of the cadre of both Group 'B' and Junior Scale posts including Construction Reserve. If the panel is likely to be used up before the next selection becoming due after two years, steps should be initiated to hold the next selection without waiting for the 2 years period to be over, so that the next panel becomes available. In the event of ad hoc arrangements still becoming necessary, due to unavoidable contingencies like injunctions from Court of Law, consideration for such appointment should exclude those who although called, did not appear for the earlier selection and also those who failed to qualify in the written test or viva-voce or in the selection.

4. Every effort should be made to ensure that the number of employees taking the selection corresponds to the field without any shortfall.

5. Kindly acknowledge.


SIX-
(N. ANANDARAM)
JUNIOR DIRECTOR, STAFF SELECTION (G.Z.)
RAILWAY BOARD.

In the Central Administrative Tribunal

Allahabad Bench at Lucknow.

Case No. of 1989.

R.D.S.O. Class III Staff Association
Manak Nagar Lucknow and another.

.....Applicants.

Versus.

Union of India and others-Respondents.

Annexure - VIII.

R.D.S.O. Class III Staff Association, Petitioner
v/s

Director General, R.D.S.O. (Ministry of Rly)

Manak Nagar, Lucknow & others Respondents

ANNEXURE NO. 8



President:
अध्यक्ष

Secretary:
मंत्री

Shri D.N. Singh,
The Director General,
RDSO, Lucknow.

Dear Sir,

Sub:- Review of syllabus for Class II, Mech (LDCE)
(25% quota),
Re-assessment of no. of vacancies,

Your kind and immediate attention is invited towards the representation of staff regarding heavy and lengthy syllabus for Cl. II Mech, (LDCE, 25% Quota) and the no. of vacancies assessed: 'CTSA' submits as follows:-

A. Syllabus is lengthy, heavy and over-standard:-

1. Staff have represented that the syllabus for Cl. II, Mech, LDCE, 25% quota, is not in conformity with the one directed by Railway Board. It is lengthy, complicative and cumbersome. The main drawback is that all the knowledge from primary to highest level of complete Mech, Engg, subjects have haphazardly been put in one paper of three hours duration only. The syllabus also includes Computer programming and Finite Element analysis for evaluation of stress in machine parts. These are very highly technical and specialised branches of engineering for which RDSO adminn. is spending a lot a/s sending officers and staff abroad. As such this standard of knowledge should not be expected from all the staff, who have not been provided this sort of training.
2. It is pointed out that the said syllabus is of higher standard than that of tech, graduates. Even syllabus for Class II of Railways is comparatively inferior and simple, though pay scales are same. On contrary after qualifying this hazardous syllabus, the eligibility for senior scale posts in RDSO is after 8 years whereas in Railways it is only after three years. As extreme it is compared with that of UPSC for Cl. I posts, which is held from the too young and fresh tech, graduates, there are more no. of question papers and the candidates are not to face the professional/departmental working paper.
3. Selection aims to adjudge the professional ability but the said syllabus adjudges the academic/technical ability alongwith the professional calibre of the candidates who are having vast experience and successful service career in their credit.
4. In extent R&P Rules, no minimum academic/technical qualification has been laid down for Cl. II selection or to hold Cl. II post. Any no. of candidates who have min. of FIVE yrs. experience in grade, min. of which is Rs 1400/- or above & are permanent, are eligible for selection (25% LDCE). Railway Board, in accordance to RRC recommendations, have prescribed that after 1.7.91, diploma will be essential for Cl. II promotions. These eligibility requirements do not appreciate the over-standard, heavy and lengthy syllabus.

- 2 -

B. FORMATION OF PANEL FOR 75% QUOTA: & ASSESSMENT OF VACANCY

The Cl.II selection (75% quota) have been held and panel formed ~~88%~~ against the posts of Dy. Directors operated in Cl.II but have not added the other vacancies arising at that time.

According to Railway 2. E(GP)78/2/101 dated 23.1.79; Boards letters, ... 3. E(GP)79/2/74 dated 05.2.1980; the panel of such selections should be linked to the no. of vacancies of the cadre strength. These rules present vacancy positions as follows:

In 1986: $2 + 04 = 6$

In 1988: $1 + 14 + 1 + 4 = 20$

Total = 26

25% of it = 6.5 (say 7)

Cadre Strength: (Twenty)

25% of it (in 1986) = 4

25% of it (in 1988) = 4

From above it is clear that the assessment of no of vacancies is not correct and need to be reviewed.

C. DEMAND:-

In the light of views expressed above, CTSA requests as:-

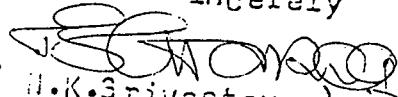
1. The subjects of Computer Programming and FEM be excluded from the syllabus.
2. Syllabus should be reviewed and made simple in accordance to Railway Boards directives. N.Rly syllabus (Copy enclosed) be considered as guideline.
3. 50% Marks be allocated to Objective type questions. Rest subjective types should bear 50% marks and be classified into two or three groups and candidates should be allowed choices to attempt the questions of their own choices.
4. No. of vacancies be assessed as suggested by us.
5. In the meantime, the LDCE scheduled on 30.9.89, be postponed.

CTSA be advised accordingly within reasonable time.

DA:

Comparative statement of syllabuses of RDSO, N.Rly and UPSC for ready reference.

Yours Sincerely


(N.K. Srivastava)

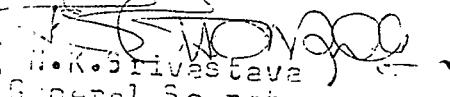
Hony. General Secretary

PS: Vide Railway Boards letter No. E(GP)97/2/72 dated 11.1.1988, the limit of 20% has been revised and raised to 30%. As such two vacancies for each year viz. 1986 and 1988 gets increased. Therefore, the total no. of vacancies becomes as under:-

For 1986, $2 + 0 + 6 = 8$

For 1988, $(1 + 14) + 1 + 6 = 22$

} Total = 30
25% of these = 7.5 (say 8)


(N.K. Srivastava)
Hony. General Secretary

COMPARATIVE STATEMENT OF SYLLABUSES OF RDSO, NORTHERN RAILWAY AND U.P.S.C.

Page-3

U.P.S.C.

R.D.S.O.

NORTHERN RAILWAY

SECTION-I

Part-A General English
Part-B General Studies
(G.K.)

Mech. Engineering Paper-I
Mech. Engg. Paper-II

These two papers are
objective type.

SECTION-II

Mech. Engg. Paper-I
Mech. Engg. Paper-II

These two papers are
conventional (subjective)
type.

PAPER-I SYLLABUS:-

1. Thermodynamics
2. IC Engine
3. Steam Boilers
4. Compressors
5. Heat Transfer
6. Properties & Classification
of Fluids.

PAPER-II SYLLABUS:-

1. Theory of Machines
2. Machine Design
3. Strength of Materials
4. Engg. Materials
5. Production Engg.
6. Industrial Engg.

PAPER-II
Paper-I
General Knowledge
Paper-II
General Knowledge
Paper-III, Part 'A'

1. Algebra
2. Geometry
3. Trigonometry
4. Calculus
5. Statistics
6. Statics
7. Dynamics
8. Strength of Materials
9. Theory of Machines including
Finite Element analysis.
10. Machine Design
11. Thermodynamics
12. Computer Programming
13. Workshop Technology.
14. Record Keeping

PAPER-II Part 'B'

Discipline wise questions
on professional subjects.

PAPER-III

Financial and Establishment
Laws

PAPER-IV

Questions related to General
engg. processes and functions.

RDSO CLASS III STAFF ASSESSMENT

(N.K.Srivastava)
Hon. General Secretary/CTSA

ANNUAL EXAMINATION

ANNEXURE-8

वकालतामा

माननीय उच्च न्यायालय उत्तर प्रदेश इलाहाबाद-लखनऊ

या

न्यायालय श्रीमान्

प्रथम/द्वितीय अपील, रिट/याचिका/रिजीवन

तिवाद/आवेदन पत्र/निष्पादन/प्रकीर्ण

खंडा

सन् १९

प्रति

प्रतिवाद/विपक्षी/प्रतिउत्तरदाता
तिथि पेशी

उपर्युक्त बाद में, मैं/हम अपनी ओर से श्री हरीनाथ मोतीलाल तिलहरी एडबोकेट
१६२/४२, अस्तबल चारवांग लखनऊ

तथा श्री

को अपना अधिवक्ता नियुक्त करके प्रतिबन्ध करता हू/करते हैं कि आपको अधिकार है कि आप उपर्युक्त मुकदमे में हमारी ओर से स्वयम् अथवा अन्य वकील द्वारा पैरबी व प्रश्नोत्तर व जवाब व बहस करें, सर्व प्रकार के बाद पत्र, अर्जी दावा व लिखित उत्तर सर्व प्रकार के प्राथना पत्र, निष्पादन पत्र व अन्य प्रकार की पत्रावली, दस्तावेज व अन्न लेख व दस्तावेज व कागज अपने हस्ताक्षर से हमारी ओर से प्रस्तुत करें व वापस लेवें, पंच नियुक्त करें व पचनामा व पंच निर्णय के विरोध में कारण उपस्थित करें। अपने या हमारे हस्ताक्षरों से हमारी ओर से सुलहनामा स्वोकृति पत्र उपस्थित करें एवं दावा स्वीकार करें या उठावें, डिग्री हो जाने पर उसे कार्य रूप में परिणित करावें व डिग्री का इप्या व तत्सम्बन्धी व्यय या अन्य कोई धन जो मुझे/हमें प्राप्त होने को हो अपने हस्ताक्षरों से हमारी ओर से प्राप्त करें, हमारी ओर से रु० जमा करें मेरे/हमारे या विपक्षी द्वारा जमा किया रु० अपने या हमारे हस्ताक्षरयुक्त रसीद लेवें। कोर्टफीस, स्टाम्प तलबाना व अन्य खर्च दाखिल करें व वापस लेवें व रसीद देवें और नकल लेवें मुकदमे की पत्रावली का निरीचण करें, मुकदमा पुनरीक्षण स्थगित करावें। रिट, अपील, बाद, चुनाव याचिका या अन्य कोई भी प्रार्थना पत्र स्वहस्ताक्षरों से किसी भी न्यायालय, दीवानी, फौजदारी, माल उच्च न्यायालय, ट्रिब्युनल, प्राधिकारी (इनकम टैक्स, सेल टैक्स व सर्व प्रकार के अन्य) आदि हमारी ओर से प्रस्तुत करें व तसदीक करें। आय व्यय का रिटन प्रस्तुत करें व शपथ पत्र उपस्थित करें या मेरा/हमारी ओर से मौखिक बयान दें। मुकदमे में गवाह तलब करावें, अपनी ओर से कोई अन्य वकील नियुक्त करके मुकदमे की सब कार्यवाही करावें व उक्त मुकदमा सम्बन्धी जो अन्य आवश्यक कार्य हो करें।

मैं/हम उक्त वकील साहब को उनका शुल्क निश्चित करने के पश्चात उपरोक्त अधिकार देते हुए अपना वकील नियुक्त करता हू/करते हैं और इकारार करता हू/करते हैं कि जो कुछ भी कार्यवाही अधिवक्ता महोदय इस मुकदमे के सम्बन्ध में करेंगे मुझे/हमें स्वीकार है और होगी और वह सेरा/हमारा किया हुआ समझा जावेगा मैं/हम यह भी प्रतिबन्ध करता हू/करते हैं कि मुकदमे के रीरान जो भी परिव्यय मुकदमे को स्थगित करने या बाद पत्र अथवा लिखित उत्तर में संशोधन करवाने के कारण या अन्य किसी कारण से न्यायालय, प्राधिकारी, ट्रिब्युनल आदि द्वारा मेरे विपक्षी को, मुझे/हमें देने की, आज्ञा दी जायगी वह सब परिव्यय आय अधिवक्ता महोदय पाने व स्वयं रखने के अधिकारी होंगे। यदि मेरी/हमारी अथवा मेरे/हमारे वकील की गंर मोजूदगी में कोई हुक्म मेरे/हमारे विरुद्ध हो जाय तो उसकी कोई जिम्मेदारी अधिवक्ता पर नहीं होगी। यदि मैं/हम अधिवक्ता महोदय का निश्चित शुल्क न देवें तो उन्हें पूर्ण अधिकार है कि वे हमारे मुकदमे की पैरबी न करें और उनके द्वारा ऐसा करने पर वह किसी भी प्रकार के हर्जी खर्ची के जिम्मेदार नहीं होंगे।

दिनांक.....

हस्ताक्षर द्वारा दिया गया अधिवक्ता
साक्षी श्री अवृष्टि लाल अग्रवाल
ठाकुर द्वारा दिया गया अधिवक्ता
मालाल नगर लखनऊ
(हरीनाथ मोतीलाल तिलहरी)
एडबोकेट

69

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

C.M.Application No. _____ of 1989

Union of India and others .. Applicants

In Re:
O.A. No. 273 of 1989 (L)

R.D.S.O. Class III Staff Association,
Lucknow and another .. Applicants

Vs.

Union of India and others .. Respondents

APPLICATION FOR VACATING THE INTERIM ORDER
DATED 29-9-1989

Filed today
L
23/R
The Applicants above-named respectfully submit
as under:

- i) That in view of the facts and reasons given in the accompanying Counter Affidavit, it is expedient in the interests of justice to vacate the interim order passed by this Hon'ble Tribunal on 29-9-89 in the above-noted case.
- ii) Wherefore it is respectfully prayed that the interim order dated 29-9-89 may kindly be vacated.

D.S. Randhawa
(D.S. Randhawa)
Advocate
(Senior Standing Counsel,
Central Govt.), High Court
Counsel for the Applicants

Lucknow
Dated: 23-10-89

70

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH LUCKNOW

IN

Regn. No. 273 of 1989 (L)

R.D.S.O. Class-III Staff Association
Lucknow and another ... Applicants

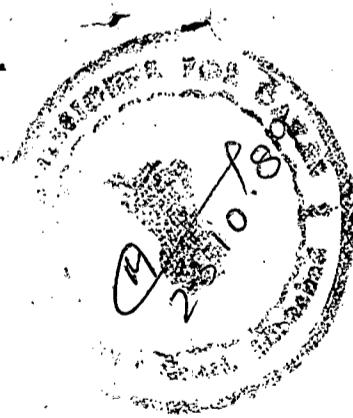
Vs

Union of India and others ... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS
NOS. 1 to 4.

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

1. That the Deponent is Dy.Director(Establishment)-I in the office of Research Designs and Standards Organisation (hereinafter called RDSO), Lucknow and he has been authorised on behalf of Respondents to affirm this affidavit.
2. That the Deponent has read and understood the contents of the claim Application and he is well conversant with the facts of the case deposited hereinafter.
3. That before giving para-wise replies to the claim application, it is necessary to state the following facts by way of brief background to the case:
 - (i) That according to the Recruitment and Promotion Rules as notified vide Railway Board's Notification No.ERB-I/77/44/24 dated 18-6-1983, (Annexure at C-1), Class-II Technical posts in RDSO


(S. BHATIA)
Dy. Director (Estt. - I)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

71

(2)

are required to be filled in the following manner:-

(a) 75% vacancies through Departmental Selection in which zone of consideration applies and selected candidates are placed on panel according to their seniority if they get marks between 60% and 79%. Candidates getting marks 80% or more are graded as "outstanding" and they are placed on the top of the panel without disturbing interse seniority amongst them.

(b) The remaining 25% of the vacancies are filled through a Limited Departmental Competitive Examination in which there is no zone of consideration and all candidates who fulfil the prescribed service conditions are eligible to appear in the Examination. There is no consideration given in this mode of selection for seniority and candidates are placed on the panel strictly according to the marks obtained by them. To be eligible for empanelment through Limited Departmental Competitive Examination, a candidate has to secure atleast 60% marks in each Paper as well as in aggregate both in written and viva-voce.

A true copy of the above-mentioned Notification dated 18-6-1983 is filed herewith as Annexure No.C-1. Thus, the Departmental Selection in which zone of consideration applies and the Limited Departmental Examination in which there is no zone of consideration

.....
(S. BHATIA)
Dy. Director (Estt. - I)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

72

(3)

and all eligible candidates can appear, are parts of the same selection and the vacancies are not calculated separately for Departmental Selection and Limited Departmental Competitive Examination.

(ii) That according to the scheme of examination for the two modes of selection, there are three question papers in the Departmental Selection for filling up 75% of vacancies for a total of 50 marks and Record of Service and viva-voce for 50 marks as against four Question Papers in Limited Departmental Competitive Examination for filling up 25% vacancies, for 300 marks and Record of Service and Viva-voce for 100 marks. The above scheme clearly indicates that in the Departmental Selection, Written Test and Viva-voce are on equal footing, there being 50 marks for Written Test as well as 50 marks for Viva-Voce, and higher stress is laid on professional ability as reflected by 300 marks allotted to written examination and 100 marks for Record of Service and Viva-voce in Limited Departmental Competitive Examination.

(iii) That the position stated by the Applicants regarding syllabus and vacancies is not correct and is not sustainable ⁱⁿ law. The correct position in this regard is briefly indicated as under:

(a) The Matriculation standard as prescribed in the crucial circular of Railway Board No. E(GP)79/2/30 dated 7-12-79 is regarding only the General Knowledge for the Written Test for Limited Departmental Competitive Examination for Class-II (Group 'B') posts. A true copy

(S. BHATIA)
Dy. Director (Estt - 1)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

In view of this correct position, it appears

standard of Matriculation."

rigorous and it should not be more than the English and General Knowledge should not be "the standard of the question paper of General Knowledge, it was stipulated that to this combined Part-I of both English and Paper-I was of General Knowledge. With regard of Paper-I was of English whereas Part-II of Paper-I into 2 parts each of 50 marks - Part-I General Knowledge for 100 marks and it was there was to be Paper-I of both English and In fact, according to the aforesaid circular of 7-12-79) N.R. S.N.7512)".

Railway Board's Letter No.E(GP)79/2/30
more than the standard of Matriculation
not be rigorous and it should not be
"The standard of question paper should

as follows:

therein the last sentence of the Note runs
its Page 14 a "Note" refers to Paper-II and
in Annexure-6 of the Application in which an
to note that in the printed matter contained
filled by the Applicants. It is significant
of some books (page 14) as related upon and
the printed matter from the internal matter
that there is mis-print in the extracts of
is filled herewith as Annexure C-2. It appears
of the aforesaid Circular dated 7-12-1979

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that in the book, of which there is no mention of the author and the publisher, it has been wrongly mentioned "Paper-II" instead of ~~Part~~ ^{Part} "Part-II". Further in this connection it may be mentioned that subsequently English was excluded from Paper-I vide Railway Board's circular No.E(GP)76/2/96 dated 14-2-80. A true copy of the aforesaid circular dated 14-2-80 is filed herewith as Annexure No.C-3.

Thus the position which stands according to the relevant instructions of Railway Board and the Railway Ministry is that Paper-I will be of General Knowledge of 50 marks only and its standard prescribed for General Knowledge only "should not be more than the standard of Matriculation" and not for other Papers.

(b) The vacancies have been correctly assessed according to the instructions of Railway Board as contained in Railway Board's circular No. E(GP)79/2/74 dated 15-2-80 (copy at Annexure C-4) which were in force when in the year 1987 anticipated vacancies were calculated and according to which Written Test was held in the year 1988. According to the aforesaid instructions, total vacancies against Limited Departmental Competitive Examination (25%), come to only 4 and not 8 as wrongly claimed by the Petitioner. It may be mentioned by way of clarification that in the earlier Circular dated 15-2-80 (copy at Annexure C-4)


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Dy. Director (Estt - I)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

(6)

percentage of additional vacancies was only 20% whereas according to the subsequent Circular No. E(GP)87/2/72 dated 11-1-88 (copy at Annexure-7 of the Petition) the percentage has been increased to 30%. Now this 30% may apply to the assessment of vacancies in future but it should not apply to the vacancies which were calculated in 1987.

That the respondents have assessed the vacancies in Sept. 1987 in accordance with law but the Hon'ble Tribunal was pleased to pass the interim order on 29-9-89 as the correct position was not placed before them. According to the aforesaid interim order dated 29-9-89, the respondents have been restrained from announcing the results of the examination till further orders, of the Hon'ble Tribunal. Now this interim order, in view of the position which is being stated in this Counter Affidavit, is liable to be vacated in the interest of justice.

4. The parawise comments on the Petition are given as under:
5. That in reply to the contents of para 1 of the Application, it is submitted that as per the prescribed R&P Rules of 1983, a true copy of which has been filed as Annexure No.C-1, a Staff Notice dated 8-2-1989 was issued notifying the dates for holding the Limited Departmental Competitive Examination giving the Programme of the Examination. A true copy of the aforesaid Staff Notice dated 8-2-1989 is filed at Annexure No.2 of the Application. It is worth

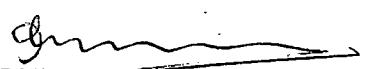
mentioning here that after notification of the R&P

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Manak Nagar, Lucknow-226011.

(7)

Rules in 1983, a Limited Departmental Competitive Examination for Technical Departments in RDSO was held in 1984 on the same standard syllabus with the approval of RDSO Administration as the appointing authority for Class-II posts in this Organisation is RDSO itself and accordingly panels were drawn up against Limited Departmental Competitive Examinations and appointments were made. It is not correct to say that the syllabus prescribed by the Administration are to be treated as illegal and are to be cancelled, as the syllabus prescribed or the examination conducted is strictly as per prescribed R&P Rules and perfectly valid and there is no infringement of rules or any legal aspect in the matter.

6. That the contents of paras 2 and 3 of the claim application need no reply.
7. That the contents of sub-paras (A), (B) and (C) of para 4 of the claim application need no reply.
8. That in reply to the contents of sub-para (D) of para 4 of the claim application, it is stated that the petitioner was an eligible candidate to appear in the Limited Departmental Competitive Examination for Mechanical Department but he did not appear at that Competitive Examination.
9. That the contents of sub-para (E) of para 4 of the claim application being matter of record need no reply.
10. That in reply to the contents of sub-para (F) and F(1) of para 4 of the claim application, the


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Dy. Director (Estt - 1)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

the assertion of the petitioner that RDSO is an "associate" office of Railway Board, is denied. However, it is admitted that RDSO is an "Attached Office" of Railway Board of the Ministry of Railways. This position has been admitted by the Petitioner in Sub. para F-1 of para 4 of the claim petition.

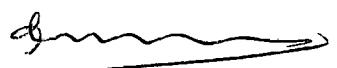
11. That the contents of sub-para (G) of para 4 of the claim petition being a reproduction of paras 123 and 124 of Indian Railways Establishment Code Vol. I (1985 edition) are not denied. However, it is submitted that this pertains to Class-III (Non-Gazetted) and Class-IV (non-gazetted) categories and are not relevant for the purpose of the present case as the same pertains to Group 'B' Class-II (Gazetted) posts.

12. That in reply to the contents of sub-para (H) of para 4 of the Claim Application, it is submitted that the contents thereof are not denied. It is, however, mentioned that ~~after~~ the Notification of the R&P Rules ~~of~~ 1983, 14 vacancies in the Mechanical Engineering Department were assessed in September 1987 out of which 10 were to be filled against 75% Departmental Selection and the remaining 4 against 25% by Limited Departmental Competitive Examination. Para 211 of Indian Railway Establishment Code Vol. I however, may kindly be read in conjunction with paras


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 Dy. Director (Estt. - I)
 R. D. S. O. (Min. of Rlys)
 Manak Nagar, Lucknow-226011

207 and 210 of the same Code under which powers have been given to General Managers for making appointments to Group 'B' Class II(Gazetted) on promotion. A true copy of paras 207 and 210 is filed herewith as Annexure No.C-5. Director General/RDSO who is also of the same rank of General Manager is delegated with same powers.

13. That in reply to the contents of sub-para (I) of para 4 of the claim petition, it will appear that there is no mention of the Author and Publisher of the book from which the extracts have been taken. It is submitted, however, that the position with regard to 25% of the vacancies in Class II(Group 'B' Gazetted) through Limited Departmental Competitive Examination, is not denied. But by way of clarification of the position as stated in Railway Board's letter No.E(GP)79/2/30 dated 7-12-79 (copy at Annexure C-2) it is submitted that the aforesaid circular refers to Paper-I of 100 marks of the Written Test which earlier consisted of both English and General Knowledge. Then Part-I of Paper-I was about English whereas Part-II of Paper I was about General Knowledge. It was provided in the aforesaid circular that "the standard of the question paper on English language and General Knowledge should not be rigorous and it should not be more than the standard of Matriculation". However, subsequently, English was excluded from Paper-I in Railway Board's circular No.E(GP)/76/RD2/96 dated 14-2-80, a true copy of which is filed as Annexure No.C-3. Now there is Paper-I only of


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General Knowledge of 50 marks which is expected to be of the Matriculation standard.

Further, it is pertinent to reproduce the "Note" about the so called Paper-II at page 14 of the extract of the book as contained in Annexure-6 of the Petition:

"Note:- Paper II should contain questions on subjects of interest ~~and~~ as well as importance.

The questions should be so based as to test the knowledge of candidates, which they would acquire by general observation/reading without a specific study or detailed knowledge of text books. The paper should also contain question or topics of national importance, achievements of Railways as also questions which will test the awareness of candidates to developments which are taking place. The standard of question paper should not be rigorous and it should not be more than the standard of Matriculation. (R.B's No.E(GP) 79/2/30 of 7-12-79) N.R. S.N.7512".

14. That in reply to the contents of sub-para (J) of para 4 of the Application, it is submitted that the position of the syllabus and the authority to prescribe it, is not correct. In this connection, it is submitted that the syllabus prescribed in RDSO are perfectly valid and legal & suffer no infirmity as the RDSO has full power to make promotions in Class II posts.

Further it is submitted that the syllabus for competitive examination for recruitment and promotion

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(S. BHATIA)
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R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

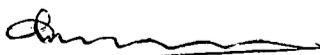
in RDSO is bound to be different from that prescribed for competitive examination for selection to the posts on Indian Railways, as the nature & duties of the various Technical categories of posts on Zonal Railways comparing to the RDSO are quite at variance and as such the syllabus in RDSO have been prescribed separately according to the needs & requirements of this Organisation. In this connection, it is significant to mention that RDSO although is an "Attached Office" of Railway Board, RDSO have powers as such to make promotions to Class II (Gazetted) posts in the Organisation.

It may be added that the position referred regarding the standard of the syllabus has already been explained above in para 3 of this Counter Affidavit, and further submissions are made as under:

(i) That the standard for Paper IIA & IIB of the Written Examination as prescribed in para 2 (Scheme of Examination) of the Annexure to the Ministry of Railways' letter No. E(GP)76/2/96 dated 3.6.77 (copy at Annexure C-6) has provided that the "written examination will be of a substantially higher standard than that associated with normal selection for promotion to Class II".

(ii) The position with regard to the standard of written examination for normal selection to Class II is submitted below:

As regards Paper IIA and IIB on professional ability, it is submitted that according to Railway Board's letter No. E(GP)76/2/96 dated 3-6-77 (copy at Annexure C-6) the examination aims at a comprehensive assessment of


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knowledge of the candidates and has essentially to be in the nature of rigorous test of their professional ability and the written examination has to be of a substantially higher standard than that associated with the normal selection.

It would be pertinent to bring to the Hon'ble Tribunal's notice that the minimum qualification prescribed for the lowest Class III technical posts which form the feeder categories for Class II is Matriculation alongwith certificate/diploma in draftsmanship. This/

Academic qualification was prescribed as early as 1976
It may thus be seen that for departmental selection to Class II Technical posts, the minimum requirement is Matriculation with certificate/diploma in draftsmanship. It is also pertinent to mention here that all the lower category Class III technical posts have an alternative mode of recruitment called the Direct Recruitment for which the minimum qualification ranges from Matriculation or its equivalent and Diploma in the appropriate engineering discipline for posts in grade Rs.1400-2300 to a Degree or its equivalent in appropriate engineering discipline with two years experience in an Engineering Organisation or Master's Degree in appropriate engineering discipline for Class III technical posts in grade Rs.2000-3200.

It thus emerges that for departmental selection for Class III technical posts, the minimum standard required is that of Matriculation with an additional requirement of certificate or diploma in draftsmanship. Now since the standard of the written examination for Limited Departmental Competitive


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Manak Nagar, Lucknow-226011

Examination has to be of a substantially higher standard. It is abundantly clear that the level is not repeat not Matriculation and it has to be substantially higher than the Matriculation.

While on the subject it would be in order to mention here that the minimum educational qualification for promotion to Deputy Director in technical departments which is made from Class II posts in technical departments, is a Degree in appropriate branch of Engineering.

The above facts would make it amply clear that the standard of the written examination for Limited Departmental Competitive Examination has necessarily to be substantially above Matriculation and Degree in Engineering and not Matriculation as claimed by the petitioners.

15. That the contentions raised in sub-para (k) of para 4 are emphatically denied and the position given in para 14 above is reiterated. It is submitted that the position as stated by the applicant in Annexure-6 is not correct. The correct position has already been explained above in paras 3, 13 and 14 of this Counter Affidavit.

The extracts of the "Note" reproduced in para 13 at page 10 of this Affidavit do not correctly state the position as contained in the above-mentioned circular dated 7-12-79 about Parts-I and Part II of Paper I which earlier consisted of English and General Knowledge. This "Note" erroneously refers to "Paper II" instead of "Part II" of Paper-I as it is very well evident from the contents of the

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aforesaid circular dated 7-12-79.

16. That in reply to the contents of sub-para (L) of para 4 (wrongly typed as sub-para (I) in the application), it is submitted that the vacancies in question were assessed by the RDSO Administration in September, 1987 according to the instructions as contained in Railway Board's circular dated 15-2-80 (copy at Annexure C-4). However, subsequently Railway Board vide its circular dated 11-1-88 (copy at Annexure 7 of the Petition) enhanced the additional vacancies from 20% to 30%. In



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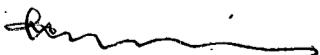
Signature
(S. BHATIA)
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(15)

in this context it is submitted that the petitioners have assessed the vacancies based on Railway Board's letter dated 11-1-1988 also and as in the years 1986 and 1988, but the Respondents calculated the vacancies in September 1987 only, and as such assessment made by the Petitioners is not correct. The instructions issued in the year 1988 cannot be applied in the year 1986.

Based on the above, the vacancies for Mechanical Engineering Department were calculated as 14 against which 4 fell in the share of 25% Limited Departmental Competitive Examination and accordingly the number of 8 vacancies as claimed by the Applicants is entirely wrong and baseless.

17. That the grounds (a) and (b) as taken in para 5 of the application are not sustainable regarding the standard of the syllabus as well as the number of vacancies as claimed by the Applicant. In this connection, it is submitted that the contention of the applicant that the prescribed syllabus has "the effect of depriving a good number of members of Staff of Group 'C' of the opportunity of appearing in the test" is entirely wrong and baseless in view of the position stated in the foregoing paragraphs of this Counter Affidavit. Further the Competitive Examination was held perfectly in accordance with law and the relevant instructions of Railway Board, and thus the examination held is not illegal in any manner. Still further, the Written Tests which were


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held on 30th September and 1st October 1989 were perfectly legal, just and proper and they were not liable to be set aside and cancelled. However, the Hon'ble Tribunal was pleased to pass an interim order restraining the Opposite Parties from announcing the results till further orders of the Court as the correct position was not placed by the Applicants before the Hon'ble Tribunal.

18. Now, in view of the correct position stated above in this Counter Affidavit, it is expedient in the interest of justice to vacate the interim order dated 29-9-1989.

19. That the contents of paras 6 and 7 of the claim application being matter of record need no reply.

20. That in reply to the contents of para 8 of the claim application, it is submitted that in view of the position stated in this Counter Affidavit, the applicant is not entitled to any relief sought in this application.

21. That with regard to the contents of para 9 of the Application it is submitted that, in fact, the applicants were not entitled to any interim order. But the Hon'ble Tribunal was pleased to grant interim order dated 29-9-1989 because the correct position was not placed by the applicants before the Hon'ble Tribunal. Now, in view of the position stated above, in this Counter Affidavit, it is expedient in the interests of justice to vacate the interim order.

22. That the contents of paras 10 and 11 of the application need no reply.


 (S. BHATIA)
 Dy. Director (Estt. - 1)
 R. D. S. O. (Min. of Rlys)
 Manak Nagar, Lucknow-226011

(17)

23. That the Deponent has been advised to state that there is no infringement of any Constitutional or other rights of the candidates for whom the Petitioners have pleaded and there is also no illegality in prescribing the standard of the selections, i.e. Limited Departmental Competitive Examination or in assessing the number of vacancies.

24. That the Deponent has been advised to state that the grounds taken by the applicant are not sustainable in law and no case has been made out for the reliefs sought by them. The claim application being devoid of any merit is liable to be dismissed with costs.


Deponent

Lucknow

Dated: 23-10-89

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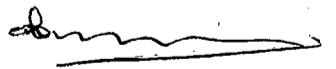
Dy. Director (Estt. - 1)

R. D. S. O. (Min. of Rlys)

Manak Nagar, Lucknow-226011

VERIFICATION

I, the above named Deponent do hereby verify that the contents of paras 1 and 2 of this Affidavit are true to my own knowledge and contents of paras 3 to 22 are true to my knowledge derived from official records and the contents of paras 23 and 24 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

Lucknow.

Dated: 23-10-89

(S. BHATIA)

Dy. Director (Estt. - 1)

R. D. S. O. (Min. of Rlys)

Manak Nagar, Lucknow-226011

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I identify the deponent who is personally known to me and has signed before me.

W. S. Saur
Advocate.

Solemnly affirmed before me on 23.10.89
at 1.50 A.M./P.M. by Shri S. Bhatia
the deponent, who is identified by
Shri D.S. Randhawa
Advocate, High Court, Lucknow.

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

OATH COMMISSIONER
OFFICE OF THE
ATTORNEY GENERAL
TUESDAY, APRIL 23, 1889
23-10-89

(18)

Annexure R-1

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. ERB-I/77/44/24

New Delhi, dt. 16.6.83

NOTIFICATION

G.S.R. In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the Group 'B' posts in the Mechanical, Civil, Electrical, Signal & Tele Communication Engineering and Traffic Department in the Research Designs and Standards Organisation, Lucknow of the Ministry of Railways, namely:-

1. Short title and commencement:- (i) These rules may be called the Research Designs and Standards Organisation (Group 'B' Technical Posts), Recruitment Rules, 1983.

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

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

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

4. Disqualifications:- No person, a) who has entered into or contracted a marriage with a person having a spouse living, or b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to any of the said posts.

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

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

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

Dy. Director (S. BHAIA)
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Manak Nagar, Lucknow-226011

THE SCHEDULE

Name of post.	No. of post	Classification.	Scale of pay	Whether the post or non-selection post.	Age limit for direct recruits.	Whether benefit of added years of service admissible under rule 2423(A) Indian Railways Estt. Code volume-II.	Educational and other qualifications required for direct recruits.
Assistant Design Engineer/ Assistant Research Engineer/ Assistant Inspecting Engineer/ Assistant Mechanic. (Mechanical Engineering Department.)	16*	Group 'B' (Gazetted) (non-Mini- strial)	Rs.650-30-740 -35-810-EB- 1000-EB-40- 1200.	Selection *Subject to varia- tion dependent on workload.	Not exceeding 30 years (relaxable upto 5 years for Government servants in accordance with the instructions issued by the Central Government) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman & Nicobar Islands and Lakshadweep).	No.	Essential: (1) Degree in Mechanical Engineering from a recognised University or equivalent (2) Two years professional experience.
							Note 1: The qualification(s) are relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified.
							Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, at any stage of selection, of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.
Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation: whether by direct recruitment or by reputation /transfer or by promotion, and percentage of the vacancies to be filled by various methods.	Method of recruitment: whether by transfer, grades from which promotion/deputation /transfer to be made.	In case of recruitment by promotion/deputation/ transfer, grades from which promotion/deputation /transfer to be made.	If a Departmental promotion Committee exists, what is its composition.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.		
8	Two years	By promotion failing which direct recruit-	a) 75% of the vacancies shall be filled by promotion through selection (which will include ordinarily a written test and also a viva-voce test) of the	Group 'B' Departmental Promotion Committee for considering promotion.	Consultation with the Union Public Commi- ssion.		
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Dy. Director (Estt. -)

R.D.S.O. (Min. of Rly)

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non-ministerial Group 'C' staff of the Mechanical Engineering Department. The selection will be made from:

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

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

b) 25% of the vacancies shall be filled through a limited Departmental Competitive examination open to all non-ministerial Group 'C' staff of the Mechanical Engineering Department holding the posts in the Grade the minimum of which is Rs. 425/- in the Revised scale and in higher Group 'C' Grade and have rendered a minimum of five years non-continuous service in the grade.

2. Two Heads of Department (One head of Department will necessarily be from the Department for which the selection/examination is being conducted. Seniormost member will be the Chairman of Departmental promotion committee).

2. Two Heads of Department (One head of Department will necessarily be from the Department for which the selection/examination is being conducted. Seniormost member will be the Chairman of Departmental promotion committee).

(S. BHATIA)
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Manak Nagar, Lucknow-226011

1	2	3	4	5	6	7
2. Assistant Design Engineer/Assistant Research Engineer/Assistant Engineer/Assistant Liaison Engineer (Civil Engineering Department).	17* (1932) (Gazetted) (non-ministerial).	Group 'B', Rs.650-30-740- 35-810-EB-35- 880-40-1000- EB-40-1200.	Selection Net exceeding 30 years (relaxable upto 5 yrs for Government servants in accordance with the instruction issued by the Central Government.		-No- 1) Degree in Civil Engineering from a recognised University or equivalent.	
					11) Two years professional experience.	

*Subject to variation dependent on work load.

closing date for receipt of applications from candidates in India (other than those in Andaman & Nicobar Islands and Lakshdweep).

Note: The crucial date for determining the age limit shall be the

NO	Two Years By promotion failing which by direct recruitment.	Promotion:	12	13
8	9	10	11	

a) 75% of the vacancies shall be filled by promotion through selection (which will include ordinarily written test and also a vivae voco test) of the non-ministerial Group 'C' staff of the Civil Engineering Department. The selection will be made from:

The staff holding the posts in the grade the minimum of which is Rs. 425/- in the revised scale and in higher Group 'C' grades 1. Senior Deputy Director of three years' non-forious service and have reached the stage of Rs. 560/-

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

b) 25% of the vacancies shall be filled through a 'limited' Departmental Competitive examination open to all non-ministerial Group 'C' staff of the Civil Engineering Department holding the posts in the Grade the minimum of which is Rs. 425/- in this revised scale and non-forious service in the grade.

Group 'B' Departmental Promotion Committee

Consultation with the Union Public Service Commission

1. Vice Chairman

2. Senior Deputy Director General, Research Designs and Standards Organisation.

3. Two Heads of Department (One head of Department will necessarily be from the Department for which the selection/examination is being conducted. Senior most member will be the

Chairman)

4. Chairman

5. Chairman

6. Chairman

7. Chairman

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234. Chairman

4. Assistant Design Engineer (1982)	9* (Gazetted) (Non-ministerial).	Rs.650-30-745 35-810-EB-3550 880-40-1000- EB-40-1200.
Engineer/Assistant Liaison Engineer (Signal & Tele-commu- nication Engineering Department.).	*subject to variation dependent on work load.	

Not exceeding 30 years for Relaxable upto 5 yrs for Government servant in accordance with the instructions issued by the Central Government.

Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands & Lakshadweep).

Essential: (i) Degree in Electronics/Technical Communication/Tele-communication Engineering from a recognised University or equivalent.
(ii) Two years professional experience.

Note:1: Qualifications are relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified.

Note: 2: The qualification(s) regarding the experience is/are relaxable at the discretion of the Union Public Service Commission in the case of candidates belonging Schedule Castes and Schedule A Tribes, If, at any stage of selection, the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

8.	9.	10.
NO	Two Years	By promotion failing which by direct recruitment.
		Promotion.
		a) 75% of the vacancies shall be filled by promotion through selection (which will include ordinarily a written test and also a viva-voce test) of the non-ministerial Group 'B' staff of the Signal & Telecommunications Engineering Department. The selection will be made from : The staff holding posts in the grade the of which is Rs. 425/- in the revised scale and in higher Group 'C' grades on a regular basis, provided that they have rendered a minimum of three years non-forfeitious service and have reached the stage of Rs. 560/-.

B) 25% of the vacancies shall be filled through a Limited Departmental competitive examination to all non-ministerial Group 'C' staff of the Signal & Telecommunication Engineering Department holding the posts in the grade the minimum of which is Rs. 425/- in the revised scale and in a maximum of 5 years non-Group 'C' grade and have rendered a minimum of 5 years non-
fortuitous service in the grade.

ueje 7

(S. BHATIA)
Dy. Director (Est. - 1)
R.D.S.O. (Min. of Rlys)-
Manak Nagar; Lucknow-226011

1	2	3	4	5	6	7	8	9	10	By Promotion.
Assistant Research Officer (Traffic)	1*	General Service (Group 'B' (Gazetted) (non-ministerial)	Rs. 650-30-740-35-880-40-1000-RB-40-1200.	Selection Not applicable.	Not applicable.	Not applicable.	Applicable.	Not Applicable.	Applicable.	Not Promotional.
*subject to variation in dependant on work load.										

Promotions:

Through Departmental Selection (which will include ordinarily a written test and also a viva-voce test) of the Group 'C' staff (other than Ministerial staff and staff of Psycho Technical Cell) working in Traffic Research Directorate. The selection will be made from:

1. Senior Deputy Director General Research Designs and Standards Organisation.
2. Two Heads of Departments (one Head of Department will necessarily be from the Department for which the selection/ examination is being conducted. Senior most member will be the Chairman).

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

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

Group 'B' Departmental Promotion Committee.

Consultation with the Union Public Service Commission not necessary while selecting an officer for appointment to this post.

Himmat Singh
Secretary, Railway Board & Ex-officio Joint
Secretary to the Government of India.

(For insertion in Part-II, Section, 3, sub-section (1) of the Gazette of India).

SB/-
R.L. Agarwala, Under Secretary, EP, I
Railway Board.

(S. BHATIA)
D.Y. Director (Estt. - I)
R.D.S.O. (Min. of Ry's)
Manak Nagar, Lucknow-226011

1. Mr. M. S. Bhatia, Dy. Director (Estt. - I), R.D.S.O. (Min. of Ry's), Manak Nagar, Lucknow-226011
2. Mr. R. L. Agarwala, Under Secretary, EP, I, Railway Board.

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Government of India/Bharat Sarkar
 Ministry of Railways/Rail Mantralaya
 (Railway Board)

No. (CP) 79/2/30.

New Delhi, dated 7.12.1979.

The General Managers,
 All Indian Railways,
 including CLW, DLM & ICF
 and Wheel & Axle Plant, Bangalore.

Subject: Limited Departmental Competitive Examination for
 filling 25% vacancies in Class II on Indian
 Railways.

The syllabi on professional subjects of Paper III(i) and
 III(ii) for the Limited Departmental Competitive Examination for
 filling 25% vacancies in Class II in Civil Engineering, Stores,
 Electrical Engineering, Mechanical Engineering and Signal & Engg.
 Telecommunication Departments of the Railways have since been
 finalised and sent to you and that for the T(T)&C Department is
 expected to be finalised shortly.

2. As regards Paper I on English and General Knowledge, it
 should be ensured that there is no wide variation in the standard
 of the question papers set for various departments and that the
 standard of English Paper should be of not more than that of
 matriculation. For the sake of uniformity of standard and to
 facilitate setting of the question paper some guide lines are
 given in the Annexure enclosed. These may be published for the
 benefit of the candidates.

(G.C. Malik)
 Deputy Director, Establishment (Trg.),
 Railway Board.

* A.K/29.11.79 *

(S. BHATIA)
 Dy. Director (Estt. - I)
 R.D.S.O. (Min. of Rlys)
 Manak Nagar, Lucknow-226011

26

Guidelines for all Departments on Paper I - English and General Knowledge - for the Limited Departmental Competitive Examination for filling 25% vacancies in Class II on all departments on Indian Railways.

Paper I (English and General Knowledge) - 100 marks

Paper I on English and General Knowledge should be split up into two parts - Part I comprising of noting, drafting and precis and Part II on General Knowledge, the maximum marks for each part being 50.

Under Part I, the questions to be set should be designed to test the candidates' ability to prepare notes and drafts. In addition, passages may also be set for summary or precis to test the ability of the candidates' power of comprehension.

Part II should contain questions on subjects of interest as well as importance. The questions should be so based as to test the knowledge of candidates, which they would acquire by general observation/reading without a specific study or detailed knowledge of text books. The paper should also contain question on topics of national importance, achievements of Railways as also questions which will test the awareness of candidates to developments which are taking place.

[The standard of the question paper on English language and General Knowledge should not be rigorous and it should not be more than the standard of Matriculation.

AB
(S. BHATIA)
Dy. Director (Estt. - 1)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226001



Copy of Railway Board's letter No. E(GP)76/2/96
 dated 14.2.1980, addressed to GMs, General Managers & DGRDSO, Lko.
 (Taken from Northern Railway, Broda Bouse File No.
 752E/473-II (Dra). SX 153)

1. Please refer to this ministry's letter of even No.
 dated 3.6.77 on the above subject.

2. After re-examination the Board have decided that allotment of marks for various papers for the LDCs which was given in Para II of the annexure to the above quoted letter, for selection against 256 vacancies in all departments (except Accounts department for which the existing procedure as laid down in Board's letter No. L(GP)76/2/96 dated 3.8.77 will continue), should be as under:-

I. Paper: General Knowledge <small>(There will now be no paper on English language)</small>	50 Marks
II(A) Paper: Professional subject	100 "
II(B) Paper: Professional subject	100 "
III Paper: Financial and Disc. Rules	50 "

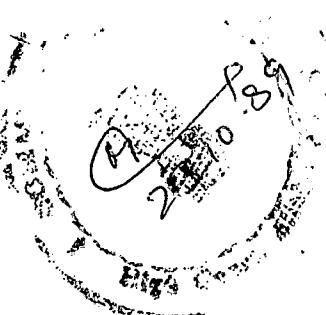
3. Besides the written examination, the viva voce will carry 100 marks against confidential reports, personality address and leadership.

The syllabus for paper I which was communicated in this Ministry's letter No. E(GP)79/2/30 dated 7.12.79 may please be amended accordingly to exclude Part T on noting, drafting and précis.

The above change need not, however be given effect to selection for which written examinations have already been held. These would apply to future selections.

Please acknowledge receipt.

done
 (S. BHATIA)
 Dy. Director (Estt - 1)
 R.D.S.O. (Min. of Rlys,
 Manak Nagar, Lucknow-226011)



28
In the Hon'ble Central Administrative Tribunal, Circuit Bench
Lucknow.

Regn. No. 273 of 1989(L)

R.D.S.O. Class III Staff Association
and another

Petitioners

VS
Union of India and others

Respondents

Annexure C-4

Copy of Railway Board's letter No. E(GP)79/2/74 dated 15.2.1980
addressed to the General Managers of All Indian Railways & others.

Subject: Selection for promotion from Group 'C'
(Class III) to Group 'B' (Class II).
...

Please refer to Board's letter No. E(GP)78/2/101 dated
23.1.79 on the above subject.

2. It was stipulated in para 3 of the letter referred to
above that the vacancies for 2 years for selection to Group B
(Class II) services should be assessed carefully and
meticulously and to the vacancies so assessed an addition
of 20% of the cadre, including Construction reserve, should
be made and for the total number of vacancies so determined
the panel should be formed.

3. It has been represented that the word 'meticulously'
should be deleted as it could be fraught with complications.
The intention of the Ministry of Railways is that there
should be a realistic assessment of the vacancies so that
there should be no wide variation between the assessment
and the actual vacancies existing plus those expected to
materialise definitely during the currency of the panel. The
assessment of vacancies could be based on vacancies already
existing plus vacancies due to arise as a result of retirement
during the period plus vacancies arising as a result of new
posts/additional posts for which proposals have been processed
less the vacancies which would be filled by officers who return
from deputation/long leave, etc. All these aspects are known
to the Railway Administrations and it should not be difficult
for them to make a realistic assessment for computation of
vacancies. What is desired is that the vacancies should be
carefully assessed so as to avoid any wide variation between
what has been assessed and what has actually materialised.

4. An addition of 20% of the class II cadre, including the
Construction reserve, is also required to be made to the
assessment as indicated above. This refers to additional
vacancies arising due to upgradation of posts, due to more
number of officers going abroad on deputation than anticipated
and any other unforeseen development.

(S. BHATIA)
Dy. Director (Estt. - 1)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

(29)

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

Regn. No.273 of 1989(L)

R.D.S.O Class III Staff Association
and another

Petitioners

Vs

Union of India and others

Respondents

Annexure C-5

Copy of paras 207 and 210 of Indian Railway Establishment Code Vol-I

207. Recruitment to Railway Service Group B.- Appointments to Group B Service by promotion of staff employed on the Railway may be made by the General Manager.

210. Promotion to Railway Services, Group B.- Promotions to Group B posts shall be made by the General Managers except in the Security Department provided that such promotions are made in the strict order of placement on the panel recommended by the Selection Board; if any supersession of that order is involved, the matter should be referred to the Railway Ministry. The posts of Assistant Accounts Officers shall ordinarily be filled by selection from Group C railway servants who have passed the departmental examination qualifying for promotion as Section Officer (Accounts), Inspector of Stores Accounts/Inspector of Station Accounts or are exempted from passing that examination.


(S. BHATIA)
Dy. Director (Estt. - I)
R. D. S. O. (Min. of Railways)
Manak Nagar, Lucknow-226011

Annexure C
Sect. 2
New Delhi, Dated 3.6.1977. (2)

No. (GP) 70/2/96.

(30)

The General Manager, s
All Indian Railways,
(including CLW, DLW & ICF).

Subs-Promotions from Class III to Class II service on
the Railways.

In Railway ministry's letters No. (GP) 70/2/6-Pt. dated 14.1.76 and 20.1.76, the Railway Administrations were advised that the scheme of holding Limited Departmental Competitive Examination as envisaged in the Recruitment Rules notified in their letter No. 73-(GR)I/15/4 dated 31.7.73 for filling up of 25% of the vacancies in Class II in the four Engineering Departments has been scrapped and that the Recruitment Rules were being amended. The decision to scrap the above scheme was reiterated to the Railways in Railway Ministry's letter No. (GP) 70/2/6 dated 23.3.75.

2.1. This question has been, once again, reviewed by the Ministry of Railways and on further consideration of various aspects of the matter it has now been decided that the scheme of holding the Limited Departmental Competitive Examination to fill up 25% of the vacancies for which panel is required to be framed at any one time in Class II, may be introduced in the following Departments:-

1. Civil Engineering Department.
2. Mechanical Engineering & Transportation (Power) Deptt.
3. Electrical Engineering Department.
4. Signal & Telecommunication Department.
5. Traffic Transportation & Commercial Department.

2.2. The broad details of the scheme of the Limited Departmental Competitive Examination are contained in the 'Annexure' to this letter. Action is also being taken to amend the relevant Recruitment Rules and the Railway Administrations will be advised as soon as the amendments are notified.

2.3. The extant orders governing reservation of vacancies for Scheduled Caste/Scheduled Tribe candidates shall also be applicable in filling up 25% of the vacancies in Class II through Limited Departmental Competitive Examination.

2.4. The panel of successful candidates drawn up against 25% vacancies to be filled up through the Competitive Examination will be valid for the same length of time as the panel drawn up for 75% vacancies to be filled through normal selections.

....2/-

Amrit Singh

(S. R. S. T. A. T. I. A.)

(Sect. - 1)

R. D. S. C. (.....)

Aligarh, U.P. 226001

32

Annexure to Ministry of Railways letter
No. E(GP)76/2/06 dated 3.6.1977.

Details of Limited Departmental Competitive
Examination to fill up 25% vacancies in Class II.
QUOTICLES OF ELIGIBILITY.

(1) To be eligible to appear in the Competitive

(a) To be eligible to appear in the competitive examination, a candidate has to fulfil the following conditions:-

(i) He should be a permanent railway servant with a minimum of five years railway service, and (ii) he should have been regularly selected for a grade the minimum of which is Rs. 425/- and above in revised scale of pay.

(b) All candidates who fulfil the conditions of eligibility in (a) will be allowed to compete in the examination without any restriction as to the number of candidates to be admitted to the examination.

II.

Scheme of Examination.

Scheme of Examination.
(a) The examination aims at a comprehensive assessment of knowledge of the candidates and has essentially to be in the nature of a rigorous test of their professional ability. The examination will consist of (i) a written examination of a substantially higher standard than that associated with normal selection for admission to Class II and (ii) viva voce.

(b) The subjects for the written examination, and the marks to be allotted to each of the papers set for the written examination, viva-voce and record of service will be as under:-

(i) <u>Written Examination</u>			
Paper I	General Knowledge	50	100
	English Language	50	

2/2

... - - - (11A)

22601

Recruitment Unit

Deputy Chief Personnel Officer and
Deputy Heads of Department Level I or II including the Head
of the Department for which examination is being conducted
or and when necessary, assistance of the respective departmental
authorities will be taken.

V. Frequency of holding the Examination.

The Competitive Examination for filling up 25% vacancies in
class II in the respective departments will be held in the
same years, that in which the normal selection is held
for filling up 75% vacancies in class II by promotion in
that department.

There will be only one competitive examination for all
branches of one department, and only one panel of selected
candidates will be drawn up for that department as a whole.

VI. The final recommendations of the examination Board in
respect of successful candidates will be put up to the General
Manager for his approval. If the General Manager does not
approve of them, he will record his reasons in writing and
orders a fresh examination, if necessary. Once a panel of
successful candidates is approved by the General Manager,
no amendment shall be made without the prior approval of
the Ministry of Railways.

Om

(S. BHATIA)
Dy. Director (Estt. - I)
R. D. S. O. (Min. of Rlys)
Manak Nagar, Lucknow-226011

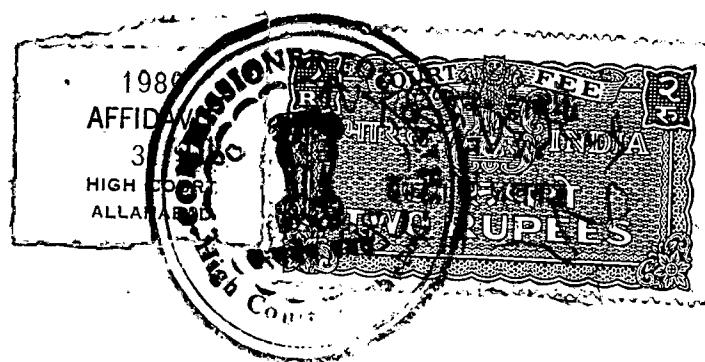
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In the Hon'ble Central Administrative Tribunal

Circuit Bench Lucknow.

In

Regn No. 273 of 1989(L)



R.D.S.O. Class III Staff Association Lucknow

and others.

.....Applicants.

Vs.

Union of India and others.

.....Respondents.

Rejoinder Affidavit.

I, N.K.Srivastava aged about 44 years son of Sri P.N.Srivastava resident of Badeva Lucknow at present employed as Chief Design Assistant Carriage, Directorate E.D.S.O., Lucknow hereinafter described as the deponent solemnly affirm as under:-



1. That the deponent is the claimant petitioner no.2 as well as is the General Secretary of petitioner no. 1 and is well conversant with the facts of the case and deposed hereinafter.
2. That the deponent has read the counter affidavit filed on behalf of opposite parties 1 to 4 and has

understood the contents thereof.

3. That para 1 and 2 of the counter affidavit need no reply.
4. That the allegations of para 3(i) needs no comment except that the power to frame Rules with respect to the method of recruitment in respect of employees working in Research Design and Standard Organisation vests in the President of India under Article 309 of the Constitution of India. And is further regulated by the letters issued by the Ministry of Railways (Railway Board) and none else has got any power to prescribe any method of recruitment or any matter relating thereto. That in view of the above the method for recruitment of 25% vacancies by limited departmental Competitive Examination and the syllabus relating thereto being part and parcel as well as material particulars relating to holding of examination could be prescribed by the Government of India namely the President of Indiathe Ministry of Railway (Railway Board) and no other subordinate authority including the Director General (General Manager) of the R.D.S.O. This is exhibited by Annexure C-T read along with Article 309 of the



20th Jan 1982

Constitution and the various paragraphs which have been referred to and quoted in the claim petition namely paragraphs 123, 124, 211 of the Railway Establishment Code Volume I anything to the contrary is denied.

5. That para 3(ii/1) and 3(iii) need no reply so far as and to the extent they refer and deal with the question of rigor and standard of first paper namely the paper of General Knowledge is concerned. It may be mentioned here that annexure no.6 is the photo state copy of the pages 12 to 15 of the book bearing title "Railway Establishment Rules" by B.S. Main in which at page 14 it is printed as paper II and a perusal of annexure C-2 indicates that in the note there is a misprint of expression II for I.

It may further be mentioned that expression paper II in the Main's Book may be a mistake as guidelines also indicate that the standard of question paper on English language and General knowledge should not be rigorous. It should not be more than that standard of matriculation and the defendant does not dispute the same.



Om Prakash

6. That as regards the allegations of para 3(iii)(b) of the counter affidavit it is claimed that the assessment of vacancies has been meticulously and correctly being made keeping in view the directions issued by the Railway Ministry (Railway Board) in para 3 and 4 of the Board's letter no. R(C.P.)79/2/74 dated 15.2.1980. The formula regarding meticulous i.e. realistic assessment of vacancies as propounded and laid down in the aforesaid letter may be stated as under:-

Actual vacancies + anticipated vacancies
(for 2 years) + vacancies arising due to unforeseen contingencies i.e. 20% of the cadre which percentage mentioned vacancies in respect of last/has been increased to 30% with effect from 11.1.83.

It may be stated that in the year 1986 there have been two actual vacancies there was 1 anticipated vacancy and the 30% of the cadre vacancies i.e. vacancies ~~numbered 4 in the year 1986~~ cover up unforeseen numbered 4 in the year 1986 i.e. total vacancies for the year 1986 with reference to cadre planning Board.

As regards year 1988 there have been 15 actual vacancies there was 1 anticipated vacancy and there have been 6 vacancies with reference to cadre planning Board.



circumstances calculated at the rate of 50% of the cadre i.e. in 1988 the position of vacancies has been 15 + 1 + 6 i.e. 22 total assessed vacancies for the years 1986 and 1988 has been 6 + 22 i.e. 28, 1/4 of these total vacancies had to be filled up by ~~selected~~ Departmental Competitive Examinations comes to $\frac{28 \times 25}{100}$ = 7 thus the limited Departmental Competitive Examinations has to be held and ought to have been held for 7 vacancies and not for 4 vacancies. The allegation of paragraph 3(iii)(b) to the effect that the total vacancies for L.D.C.T comes to 4 is absolutely ~~1~~ correct and wrong. It should have been for 7 as has been indicated above and as such the L.D.C.T is ¹ being held in breach of the directions of the Railway Ministry referred to and contained in Annexure no.C-4 to the counter affidavit i.e. "Railway Board's letter dated 15.2.1980 and in particular in breach of para 3 thereof. Apart from the examination being held in breach of the syllabus prescribed by Railway Ministry (Railway Board) sent following departments under the Railway Ministry including the D.D.S.C. as per their own document annexure no. C-2, but it is necessary to mention that the opposite parties and in particular the defendant named in the counter affidavit who is

described in para 1 of the Counter Affidavit as the Deputy Director Establishment appears to have purposely concealed the syllabus of professional subject paper prescribed by the Railway Board from this Hon'ble Tribunal.

7. That the deponent has been advised to state that firstly assessment of vacancies of 1988 had to be done in accordance with the direction issued in January 88 raising the percentage from 20 to 30 and even if without concluding for a moment it be taken that as assessment was done in September/October, 1987 as alleged by them to be the correct allegation and the percentage of 20% of the Cader was applicable even then applying the 20% of the Cader formula with reference to year 1986 and 1988 and adding those vacancies to actual and anticipated vacancies the total of vacancies would have been 26, 25% of which would have come to 6.5 i.e. to say in round figure 7 and so the L.D.C.E held with reference to and on the basis of assessment of vacancies in clear breach of the Ministry direction contained in Annexure C-4 has been illegal apart from the same being based and held on the basis of self created and self framed syllabus of the R.D.S.O. without any authority as right to frame Rules right to prescribe mode of recruit-



ment right to prescribe the examination of the ~~xxxxxx~~ syllabus forming the basis of examination as well as right to prescribe the qualification and conditions of the eligibility for the candidates to appear for the examination and in being explained in letter before appointed in the series of steps for appointment to posts under the Government of India and the establishment and organisation under the ~~control~~ of Government of India vests in the President of India acting under the constitution in accordance with completion and collective advice of the Ministries concerned and in the present case the Ministry of Railways (Railway Board) and none else including the R.D.S.O. and the Director General has a right to frame the Rule or touching all subjects referred to above and as such the syllabus introduced by opposite party no.3 and contained in Annexure no. 1, 2 and 2/1 of the India Petition if it is contrary to the one prescribed by the Railway Ministry (Railway Board) is illegal null and void and as such the examination i.e. L.R.C. held on 30th September/ 1st October 1939 in pursuance of which is illegal and null and void without any force. The last point right to hold L.R.C. on the basis of the syllabus not prescribed by the Railway Board is illegal. The Petition of the L.R.C. of 1939 is illegal and



Signature

authorised under any law or delegation of power by the Government to frame the syllabus as has been indicated above.

8. That in view of the above the claimant applicant is entitled to claim the declaration and the relief sought in the claim petition as well as to the continuance of the interim order of stay dated 29.9.89 pending the decision of the claim petition.
9. That the allegations of para 4 need no reply.
10. That the allegations of para 5 are denied so far as the said allegations run counter to the allegations made in the earlier part of this affidavit as well as to para 1 of the claim petition.
11. That the allegations of paras 6 and 7 need no comment.
12. That the allegations of paragraph 8 are not denied, but it is stated that the disputed L.P.C.B. having being contrary to law and having been based on illegal syllabus prepared and prescribed by a person having no authority in the matter that petitioners no.2 and others does not form the part of which.



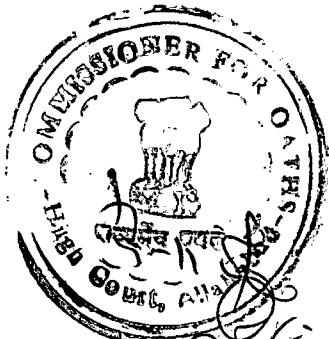
29.9.89

13. That the allegations of para 9 need no comment.

14. That the allegations of para 10 need no specific comment as it has been admitted by the opposite party that the R.D.S.O. is the attached office of the Railway Board.

15. That the allegations of para 11 need no comment but it is denied that the paras 123 and 124 of the Code are not relevant.

16. That as regards allegations of para 12 of the counter affidavit the said allegations are not admitted to be correct exposition of vacancies the correct position is as has been indicated in the earlier part of this affidavit. It is further stated that para 207 and 210 per se indicate that only power to make appointment has been given to the General Manager but their hands are not free or uncontrollable as is apparent from the language of para 210 as well which says
"That such provisions are made in the strict order of placement on the panel recommended by the Selection Board, if any supersession of that order is involved the matter should be referred to the Railway Ministry" and this indicates that the authority



Subba Rao

to pass the conditions to prescribe mode of recruitment to prescribe the examination in that connection and to prescribe the syllabus therefor as well as to prescribe the qualifying marks for passing the examination and the like as well as the framing of Rules and the power to issue the direction and instructions with regard thereto all vest in the Govt of India i.e. the President of India the ministers existing to aid and advise the President of India and to control his actions delegated specifically which is not to the contrary case as no delegation of power of P.I.G.C. has been alleged or proved in the counter affidavit.

17. That the allegations of para 13 need no reply in view of what has been stated in reply to paragraph 3(ii).

(a) of the Counter Affidavit. Allegations of para

4(i) are being reiterated.

18. That the allegations of para 14 are denied. It is asserted that the syllabus has been followed in the examination held on the basis thereof as alleged.

It may further be added with reference to clause (i)

(ii) that the letter dated 3.6.77 i.e. Annexure 16

has no got no relevance, in view of the scheme

proposed by Prelims Board and communicated with

letter dated 7.12.79 annexure no.6 to the claim petition and Annexure C-3 to the counter affidavit.

A perusal of Annexure 6 will itself indicate the standard with respect to professional papers to be the higher Secondary or class XII standard.

19. That the allegations of paragraph 15 need no further comment in view of what has been earlier stated in the affidavit.
20. That the allegations of para 16 so far are concerned reference may be made to the reply given in this affidavit with reference to allegations of para 3(iii) (b) of the Counter Affidavit.
21. That the allegations of para 17 are denied so far as the said allegations run counter to the allegation of para 5 of the claim petition.
22. That the allegations of para 18 are incorrect and denied as ends of justice require that the examination (L.D.C.E) held on 30th September/1 October 1988 need be cancelled and declared null and void on one hand and on the other the interim order dated 29.9.88



[Handwritten signature/initials]

29.9.89 requires to be continued as operative pending the decision of the claim petition.

23. That allegations of para 19 need no reply.

24. That allegation of para 20 and 21 are not correct and as such are denied. It is further submitted that the disputed examinations having been in breach of Rules and syllabus prescribed by Railway Ministry (Railway Board) as well as on the basis of non meticulous and erroneous assessment of vacancies is illegal null and void and needs be quashed and pending the disposal of the claim petition 1 and 4 necessary that the interim order of restraint dated 29.9.89 be continued and be maintained pending the disposal of this case.

25. That the allegations of para 22 need no reply.

26. That the allegations of para 23 and 24 are incorrect and are denied as advised.

Lucknow dated:-

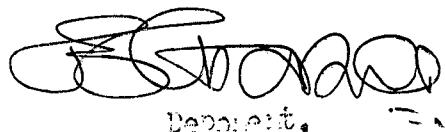
November 09, 1989.


Deponent. =

Verification

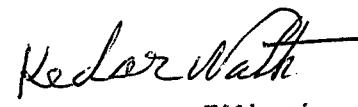
I, the defendant named above do hereby verify the allegations of paragraph 1 and 2 of this affidavit to be true to my knowledge and that of para 3 to 26 are verified by me to be true and correct on the basis of information received from the record as well as on the information and advise received from my counsel. Nothing material has been concealed no part of it is false or untrue so help me God.

Lucknow dated:-
November 4, 1989.
Nov. of


Defendant.

I, Kedar Nath registered cl. 11 to Sri H. L. Nath Tilakri, Advocate do her by on the basis of the facts of the defendants and on the basis of the facts of the documents relating to case no. 2000 mentioning his name to be Sri J. L. Srivastava identify that the defendant who has signed this affidavit before me is Sri K. L. Nath Srivastava.

Lucknow dated:-
November 6, 1989.


Kedar Nath
Clerk to Sri H. L. Tilakri,
Advocate.

Solemnly affirmed before me on 09-11-88
at 11.35 a.m./p.m. by Sri N.K.Srivastava the deponent
who is identified by Sri K.K. Kedar Nath Clerk
to Sri Hari Nath Tilhari, Advocate, High Court at
Allahabad.

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

Mukesh Sharma
Mukesh Sharma
HATH COMMISSIONER
High Court, Allahabad
Lucknow Bench
No. 312160
Date 09-11-88

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

ADDL.BENCH, ALLAHABAD

CIRCUIT BENCH, LUCKNOW

C.A. No. 273 of 1989 (L)

RDSO Cl.III Staff Association, Lucknow

and Others.....

Applicants.

V/s

Union of India & others.....

Respondents.

Supplementary Counter Affidavit on behalf of
Respondents:

I, S.Bhatia, aged about 54 years son of Shri U.C. Bhatia resident of C-77/2, Manak Nagar, Lucknow, hereinafter described as the deponent, do hereby solemnly affirm and state as under:-

1. That the deponent is Dy. Director Estt. I in the office of RDSO, Lucknow and he has been authorised on behalf of the respondents to affirm this Affidavit.

2. That the deponent has read and understood the contents of the claim application and the Counter Affidavit filed earlier and he is well conversant with the facts of the case deposed hereinafter.

3. That the position regarding the number of vacancies was also stated earlier in our Counter Affidavit, specially in its paras 3, 12 and 16. But now in view of the interim order dated 7.12.89 passed by the Hon'ble Tribunal this supplementary Counter Affidavit is being filed specially to explain the position of the eight posts of Dy. Directors which had been earlier proposed to be operated in lower grade but subsequently upgraded to the posts of Jt. Directors, had been reduced from the assessed existing vacancies for Cl.II posts.

4. That the position regarding the assessment of number of vacancies is stated as under:-

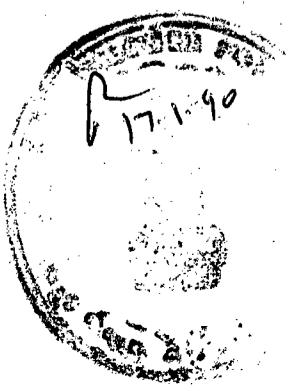
(i) that since suitable persons were not available for posting in the vacant posts of Dy. Directors at the time of assessment of vacancies in the year 1987, 14 vacant posts of Dy. Directors were proposed to be operated in Cl. II by downgrading these posts from Cl. I to Cl. II and accordingly these 14 posts were also assessed as existing vacancies for the formation of the panel of Cl. II. Accordingly, the existing vacancies were assessed as 17.

(ii) that at the same time the proposal for upgradation of 8 posts out of the above 14 (fourteen) posts of Dy. Directors was pending for active consideration before the Railway Board. In this regard Sr. Dy. DG's DG letter No. E/II/MT/86 dt. 30.1.87 was addressed to the Railway Board. A true copy of the aforesaid letter is filed herewith as Annexure No. C-7.

(iii) that the sanction of the Ministry of Railways for the creation of 17 JA Gr. posts of Jt. Directors by surrender of 22 posts of Dy. Directors which included 8 posts of Dy. Directors (Mech) was accorded vide Railway Board's letter No. 88E(GC)56 dt. 5.2.88. A true copy of the aforesaid letter of the Rly Board is filed herewith as Annexure C-8.

Annexure
17-1-90

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



(iv) that in view of the position stated above the 8 posts of Dy. Directors which were available for downgrading earlier from Cl.I to Cl.II were added to the existing vacancies of cl.II posts. However, subsequently these 8 posts of Dy. Directors had to be deducted from the number of existing vacancies assessed earlier. Accordingly, the number of existing vacancies after deducting 8 out of 17 comes to 9, so the number of vacancies is as under:-

Effective existing vacancies	-9
Anticipated	-1
20% of the 19 cadre strength	$\frac{19 \times 20}{100} = 3.8 = 4$
Total = 14	

and 25% of the total vacancies of 14 comes to $3.5 = 4$ from LDCE.

(v) that the relevant percentage of additional vacancies was to be 20% of the Cadre strength and not 30% as wrongly stated by the Applicant. It is significant to mention that in the earlier circular dt.15.2.80, the percentage of additional vacancies was only 20% of the cadre strength and this percentage was applicable to the assessment of vacancies in the year 1987 whereas the percentage was increased to 30%

only by the circular dt.11.1.88. True copies of both are already on the record of the case. The circular dt.15.2.80 and 11.1.88 has been filed

by the petitioner as Annexure No.7 whereas the circular dt.15.2.80 has been filed by the Respondents as Annexure C-4 with their Counter Affidavit. The position in this regard has already been explained in para 3 of our earlier Counter Affidavit.

5. That the calculation made regarding the assessment of vacancies is manifestly erroneous for the following reasons:-

(i) that the vacancies have been assessed in the year 1986 and again in the year 1988. In fact the assessment of vacancies could be made only in the year 1987. In this regard it is significant to mention that the earlier panel for Cl.II posts was formed in 1985 and that panel was to remain in operation for 2 years i.e. till 1987. So the assessment of vacancies could not be made earlier than 1987. Thus the assessment of vacancies made by the Applicant for the year 1986 has no basis whatsoever. Similarly the assessment of vacancies also can not be made for the year 1988 instead of 1987. Since the life of the earlier panel of the year 1985 continued till the year 1987 the assessment of vacancies was rightly made in the year 1987.

(ii) that the applicant has assessed the number of additional vacancies at the rate of 30% of the cadre strength 19 which was not applicable as the percentage at the relevant time was only 20% when the vacancies were assessed in the year 1987 when the relevant circular dated 15.2.80 was in force. Accordingly the calculation of the vacancies assessed as made in the claim application in sub para (1) of para 4 of the claim application, is manifestly erroneous. The total number of assessed vacancies as given by the Applicant is $8+22=30$ which is manifestly erroneous. Accordingly 25% of 30 total assessed vacancies coming to $7.5=8$ is also wrong.

-5-

6. As per orders dt.9.11.89 of this Hon'ble Tribunal the results of the examination were declared and panel notified vide this office Staff Notice No.EII/SLN/CL/2/Tech/Mech/LDCE dt.4.12.89. The appointments of S/Shr.R.S.Madhukar & B.K.Gupta were made in Cl.II vide Officers' Posting Order No.72 of 1989 dt.5.12.89. ~~A~~ True copies of the aforesaid Notice dt.4.12.89 and the Posting Order dt.5.12.89 are filed herewith as Annexure No.C-9 and C-10 respectively.

7. That the deponent has been advised to state that the remedy provided under the Administrative Tribunal Act 1985 as ammended upto date is a personal remdy which is available to a person aggrieved under section 19 of the Act and as such this claim application filed on behalf of RDSO Cl.III Staff Asscn. is not maintainable as RDSO Cl.III Staff Association has no locus standi to file this claim petition.

8. That the deponent has been advised to state that in view of the averments made in this supplementary Counter Affidavit as well as in the earlier Counter Affidavit, the claim application is liable to be dismissed with costs.

Lucknow

Dated: 17th January 1990

Deponent;

By Director Establishment,
R. D. S. O., ~~107/190~~
Alambagh, LUCKNOW-3

Verification

I, the above named deponent do hereby verify that the contents of para 1 and 2 of the affidavit are true to my knowledge, the contents of para 3 to 5 are true to my knowledge derived from the official records and the contents of paras 6 and 7 of the affidavit 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.

Lucknow

Dt: 17/1/90

Deponent

17/1/90

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

I identify the deponent who is personally known to me and has signed before me.

Debbarma
Advocate

at 4.00

Solmenly affirmed before me on 17/1/90 AM/PM

by the deponent S. Bhatia

who is identified by Shri D. S. Ranade
Advocate, High Court, Lucknow

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



Debbarma
Advocate
High Court, Lucknow
17/1/90

17/1/90

A.P. Agarwala
Sr. Dy. Director General

Annexure No. C-7

DO NO EII/MT/86

My dear Agarwala,

Dated 30.1.87

Sub: Upgrading the posts of Dy. Directors
in RDSO to Jt. Directors of equivalent
monetary value.

Ref: Board's letter No. ERBI/84/38/2-Pt.
dated 16.1.87.

I am enclosing a copy of this office letter
of even number dt. 22/23.1.87 on the above subject
for ready reference & further necessary action at
your end.

Yours sincerely,

DNA as above

Sh. R. L. Agarwala
Under Secretary (ERBI),
Railway Board,
New Delhi.

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

17/1/90

भारत सरकार GOVERNMENT OF INDIA
MINISTRY OF TRANSPORT

Ans c-7/1
SN 32

Re. issued

From

23/1/87

S.No. 33

E II/MI/86

22.1.86
23

The Secretary (Estt),
Railway Board,
New Delhi.

Sub: Upgrading the posts of Dy. Directors in
RDSO to Joint Directors of equivalent
monetary value.

S.No.32 Ref: Board's letter No. ERBI/84/38/2-Pt dt. 16.1.87.

The break up of the 24 vacant posts of Dy. Directors
Discipline wise is given below:

<u>Discipline</u>	<u>No. of vacant posts of Dy. Directors</u>
Civil	7
Mechanical	9
Electrical	4
S&T	<u>4</u> <u>24</u>

2. Out of the above 24 vacant posts, only two posts
are work-charged, one in Civil Design Dte and one in
Mechanical Dte; the remaining 22 vacant posts are revenue
charged.

Agarwala
(A.P. Agarwala)
for Director General

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

1/1

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.88E(GC)5-6

B. S. Lucknow, dated 5-2-1988
8 FEB 1988

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

See S. S. 58

DG
Sub:- Creation of 17 revenue-charged JAG posts
of Joint Directors by surrender of 22
Sr. Scale posts of Dy. Directors.

SDG 4/8/2
J.D.G. 4/8/2
J.D.A. II SMC 9/2
Ref:- Correspondence resting with your
Sr. Dy. DG's I.O. letter No. E.II/MI/86
dated 30-1-87.

Sanction of the Ministry of Railways is accorded
to the creation of 17 JA Grade posts of Joint Directors by
surrender of 22 revenue - charged Sr. Scale posts of Deputy
Directors in the various disciplines as detailed as under:-

Discipline	No. of Revenue-charged posts of Dy. Directors to be surrendered
Civil	6
Mechanical	8
Electrical	4
S&T	4

2. The dates from which the posts of Joint Directors
are operated and the designations of the posts should be
intimated to this office early. The posts of Deputy
Directors which are to be surrendered should be surrendered
en bloc before any post of Joint Director is operated.

2. This issues with the concurrence of the Finance
Directorate of the Ministry of Railways.

No.88E(GC)5-6.

New Delhi, dated 5-2-88.

Copy to:- 1. The Jt. Director (Finance)/RDSO / Lucknow.
2. The Director of Audit/Northern Railway/
New Delhi.

Copy sent to JDF
V. S. Sivaraman
Please accept my regards

Dy. Director Establishment, (V. Sivaraman)
R. D. S. O., Ministry of Railways
Arambagh, Lucknow-5
Railway Board.

Copy to: EDMS, JS(G), JS(C), AE(O)III and F(E)I Branch.
Railway Board.

Suo 20/17

Government of India
Ministry of Railways
Research Designs and Standards Organisation

Manak Nagar, Lucknow-11.

STAFFNOTICE

As a result of the Limited Departmental Competitive Examination held on 30th Sept. & 1st October, 1989 and interview on 28.11.89 and 01.12.89 in connection with formation of panel to fill vacancies in the cadre of Class II (Tech) scale Rs.2000-3500(RPS) in the Mechanical Engineering Department of RDSO against 25% quota and recommendations made by the Departmental Promotion Committee, DG has approved a panel of three successful candidates.

2. The names of the following 2(Two) successful candidates empanelled for Class II(Tech) vacancies in the Mechanical Engg. Department, RDSO are notified in order of merit indicated below:-

1. Shri R.S.Madhukar, CDA/ED.
2. Shri B.K.Gupta, CDA/MP.

3. As notified in Staff Notice of even no. dated 8.2.89 and 3.4.89 2 posts of Class II(Tech) are reserved one each for SC and ST candidates but since as recommended by Departmental Promotion Committee, DG has approved a panel of only three successful candidates, the result of remaining one successful candidates will be notified after the the said vacancy has been dereserved.

4. The above panel is provisional and subject to the final decision by the Hon'ble Supreme Court in SLP(C) 6655/84 and 6656/84 and will be current for two years from the date of issue or till exhausted whichever is earlier.

5. S/Shri R.S.Madhukar and B.K.Gupta may please note that they will be assigned seniority below the candidates selected against 75% quota posts.

Auth: The above panel has been approved by the Director General vide his orders dated 4.12.89.

and also subject to the final decision of Hon'ble C.A.T./Lucknow dated OA No.273 of 1989

(Basant Kumar) 4.12.89
for Director General

File No.EII/SLN/Cl.II/Tech/Mech/LDCE
Dated: 4.12.1989

Distribution

1. All Staff
2. Personal files. Addl.DG, DSW, Dir./Computer, JD/II (Shri B.S.Dungariyal), DS/MP, DS/Carr., Dir/ED, SO/E-I, SO/Cnf., Notice Board, DCE-I with 4 copies.

Government of India Ministry of Railways
Research Design & Standards OrganisationOFFICERS' POSTING ORDER NO. 72 OF 1989

The following promotions/ postings are ordered:-

i) Shri R.S.Madhukar, CDA/ED, empanelled for Class II post (Ref: Staff Notice No. EII/SLN/Cl.II/Tech/Mech/LDCE), is posted as ADE against an existing vacancy of DD/ED by temporarily operating the post in class-II.

/dt. 4.12.89

/dt. 4.12.89

ii) Shri B.K.Gupta, CDA/MP, empanelled for Class II post (Ref: Staff Notice No. EII/SLN/Cl.II/Tech/Mech/LDCE), is posted as ADE/wagon-IV against the existing vacancy.

2. S/Shri R.S.Madhukar and B.K.Gupta should note that their postings are provisional and subject to the final decision by the Hon'ble Supreme Court in SLP(C) 6655/84 and 6656/84 and also subject to the final decision of Hon'ble CAT/Lucknow Bench in OA No. 273 of 1989.

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

Dated: 5-12-1989
file No. DG/CRP-77/Mech
Lucknow-226011

(R.K.Gupta)
Jt. Director Admin-II
for Director General

Distribution

DSW D/ED JDF JDA-I JDA-II JDA-III JD/Works TEN

DDE-I DDE-II DDA Sr. Hindi Officer AAO-I & II

Audit Officer SOE-I OSE-II SOE-III SOE-IV SOE-V

SOE-VI SO (MCN) SO/ED SO (Rectt. & Reservation) SO/Legal

SO/Stenos Pass Section ADE/Telecom/Tele Estate Supvr.

Asstt. Security Commissioner Secy./RDSO Cl.II Officers Assoc.

Receptionists-I, II and III Officers concerned P/files

Notice Board.

17.12.89

By. Director Establishment,

R.D. Ministry of Railways

Alamgir, Lucknow-5

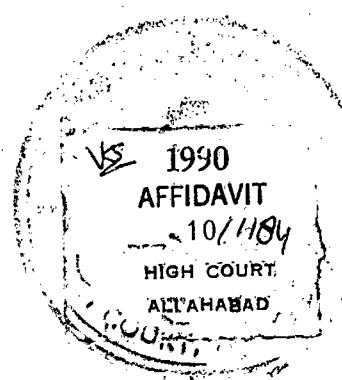
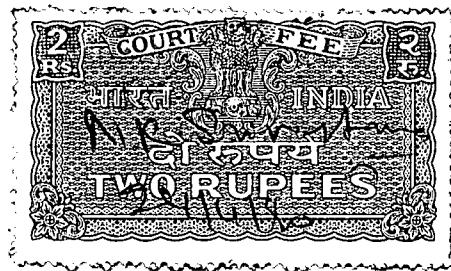
In the Central Administrative Tribunal, Allahabad Bench

at

L u c k n o w .

Case No. 273 / 1989 (L)

L u c k n o w .



R.D.S.O. Class III Staff Association,
Lucknow and others.

.....Applicants.

Versus.

Union of India and others.

.....Respondents.

Supplementary Rejoinder Affidavit in reply

Supplementary Counter Affidavit dated January 19,

1990.

I, N.K.Srivastava aged about 44 years son of Sri P.N.Srivastava resident of Bhadewa, Lucknow at present employed as Chief Design Assistant Carriage Directorate, R.D.S.O., Lucknow hereinafter described as the deponent solemnly affirm and states as under:-

1. That the deponent is petitioner no.2 in the claim petition and is also the General Secretary of the Association i.e. petitioner no.1 and is such is filing this Supplementary Rejoinder Affidavit on his own behalf as well as on behalf of petitioner no.1 in the capacity of person authorised to represent the Association to protect and to save protect and represent the common interest of the members of the Association.
2. That the deponent has read the Supplementary Counter Affidavit and has understood the contents thereof.
3. That allegations of paragraph 1 and 2 of Supplementary Counter Affidavit need no comment.
4. That as regards paragraph 3 of the Supplementary Counter Affidavit the opposite party was directed by this Tribunal vide its order dated 7.12.89 to file a supplementary Counter Affidavit and to explain the position regarding the Assessment of vacancies for which competitive examinations as well as selections were to be held. The contents of order dated 7.12.89 may be verified from the orders on record itself.

Anything to the contrary is denied.

4. That in reply to the allegations of paragraph 4(i) of the Supplementary Counter Affidavit it may be stated that Notice dated 8.2.89 Annexure no.2 to the claim petition makes a reference to Staff Notice dated 16.5.88 which is being annexed herewith as Annexure No.IX and the Staff Notice dated 30.10.87 which is being annexed herewith as Annexure X to the Claim petition per se disclosed that primarily the selection and examinations were being conducted to fill the vacancies of Deputy Directors to be operated in class II Annexure IX indicates that 75% of the total number of vacancies of Deputy Director's post was ten with reference to Departmental Selection Quota and thus 4 were the vacancies of the post of Deputy Director to be filled by L.D.C.E quota and thus the 14 posts of Deputy Director were proposed to be filled up It may further stated here that 10 vacancies of Deputy Directors to be operated in Class II on 75 % departmental Selection quota have been filled up vide notice of appointment dated 13.1.89 annexed as Annexure No. XI indicating the name of those who have been appointed and as regards the 25% of such vacancies of Deputy Director's post to be operated in Class II may be 4.

That the above appointment of 10 person under departmental selection quota falsifies the case of opposite party which has taken in the Supplementary Counter Affidavit paragraph 4(ii) and 4(iii) of the Supplementary Counter Affidavit as it indicates that 14 vacant posts of Deputy Directors that had been notified for being filled up vide Annexure No. IX and Annexure No. II were one finalised after deducting 8 vacancies of the post of Deputy Director already surrendered as well also appear from the perusal of Annexure No. 3 the letter of the joint Director vide para 2 thereof. It may also be noted that the opposite parties did not add the contingent vacancies required to be added at the rate of 20% or 30% of the Cadre.

The joint Director had written-

"Since selection was not normal one the rule of adding 30% of the Cadre etc was not followed."

The petitioner further states that a reading of Annexure III, Annexure IX and XI very clearly show that when selection or examination for filling the 14 vacancies of the post of Deputy Directors was done

and the calculation was made in September and October 1987 before the issuing the Staff Notices dated 30.10.87 and 16.5.88 deletion of post of Deputy Directors being converted into Joint Directors had already being done and as such there is no question of claiming any IIInd deletion with reference to those 9 posts.

That it may be stated that clarifying the position with reference to the Revenue charge posts to be surrendered referred to in G-8 dated 5.2.1988 to the Supplementary Counter Affidavit. The R.D.S.O.'s communication/letter no. E 1/S/ORG/1(II)P.G- G A Z) ME dated 17.3.1988 Annexure no. XII in para 6 says "All the above posts of Deputy Director and Joint Directors pertain to the quota of Railway Officers on deputation to R.D.S.O." The deponent in view of the above has been advised to state that the posts required to be surrendered belonged to Railway quota and not to R.D.S.O. quota. On which Officers in deputation from Railway used to come and there was no question of their being filled up by R.D.S.O cadre officers and therefore no question of addition of these post or deletion of these posts could arise at the stage of filling up the vacancies of the posts of Deputy Director in R.D.S.O. Cadre whether by operating them by downgrading to C'ass II.

*W. Shukla
24/11/1988*

Subodh Chandra

5. That the allegations of paragraph 5(i) of the Supplementary Counter Affidavit are wrong and denied. The correct position has been stated in the claim petition read in the light of paragraph 6 of Rejoinder Affidavit. It may further be stated that it is one of the important mandatory direction and the rule that the selection for promotion to group B post should be held regularly one in two years and in case the selection is delayed by more than a year then in the matter of delayed selection it has been provided that actual number of vacancies of each selection should be assessed separately and employees, within the field of consideration with reference to vacancies to be filled at each selection should only be considered for each of the selections a separate panel is to be prepared and all the panels are to be consolidated by placing the panel of earlier period over the one for the next and so on. It may be stated that last selection as well as last LDCE had been held in the year 1984 and since then none has been held till 1988. The Staff Notice dated 6.6.85 and 31.8.84 are annexed herewith as Annex XII and XIII to Claim petition and thus two selection had to be done one in the year 1986 and the other 1988 and 88 selection is to be governed in the matter of

John B
24/4/88

John B

assessment of vacancies by addition of contingent vacancies to the extent of 30% which in the matter of 86 selection shall be 20% of the Cadre strength. Allegations of paragraph 5(ii) are denied and in reply thereto the allegations of paragraph 6 contained at page 7 of the Rejoinder Affidavit are being reiterated as correct.

6. That the allegations of paragraph 6 of the Supplementary Counter Affidavit need no comment except that as indicated by Annexure C-X itself. The said appointment is subject to the final decision of the claim petition and so the appointment is provisional in its nature.

7. That the allegations of paragraph 7 of the Supplementary Counter Affidavit are misconceived and are denied. It further submitted that applicant no.1 is a recognised association of persons namely Class III Staff of PDS and is representative body of the employees with object and interest to promote the best interest etc of its members in order to improve their efficiency as has been indicated in paragraph 4(A), (B), (C) of the claim petition after a perusal of which the petition was intimated on 29.9.88 keeping in view the com-

*Anschrift
Zurufzettel*
Gezeichnet

of Social justice inshrined under the constitution and the Administrative Tribunals Act and the Rules framed thereunder read with rule IV (v)(b) of the rules framed under the Act and as such it is wrong to say that petition is not maintainable at the instance of petitioner no.1.

Lucknow dated:-

April 24/ , 1990.



Deponent.

Verification.

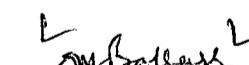
I, the above named deponent do hereby verify that the contents of paragraphs 1, 2, 3, 4, 5, 6, 7, 8^{re} are true to my own knowledge and no part of it is false and nothing material has been concealed so help me God.

Lucknow dated:-

April 24/ , 1990.



Deponent.


I, Om Ballabh, Kedar Nath Registered Clerk to Sri Hari Nath Tilhari, Advocate do hereby on the basis of the factum of the deponents engaging the counsel in my office and depositing the documents relating to case and the fee mentioning his name to be Shri N.K.Srivastava,

identify that the deponent who has signed this affidavit before me is Sri Davi Deen.

Lucknow dated:-

April 24, 1990.

OM Balash

Clerk to Sri Hari Nath Ti'hari
Advocate.

Solemnly affirmed before me on 24/4/90
at 12 to 2 p.m. by Sri N.K.Srivastava the
deponent, who is identified by Sri ~~Hader~~ ^{ON Present} Hader Nath
Registered Clerk to Sri Hari Nath Ti'hari, Advocate
High Court at Allahabad.

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

V.K.Shukla
Vikram Kumar Shukla
Advocate
OATH COMMISSIONER
High Court, Allahabad.
Lucknow Bench.
No. 10/1184
Date.....24.4.1990

V.K.Shukla
24.4.1990
OATH COMMISSIONER
High Court, Allahabad.

ANNEXURE - 9

Government of India
Ministry of Railways
Research Designs & Standards Organisation

STAFF NOTICE

DEPARTMENTAL SELECTION (AGAINST DEPARTMENTAL SELECTION QUOTA) FOR CLASS II (TECHNICAL) POSTS IN THE MECHANICAL ENGINEERING DEPARTMENT OF RDSO,

Ref: Staff Notice No. E-II/SLN/O/C1-II/Tech/87
dated 30.10.1987.

A written examination for selection for class-II posts (Tech) from amongst eligible class-III technical staff working the Mechanical Engineering Department of R.D.S.O. will be held on 22nd and 23rd June, 1988 as per existing R&P Rules.

2. Conditions of eligibility:

The staff holding the post in the grade the minimum of which is Rs.1400/- in the Revised Scale of Pay, 1986 and higher group 'C' grade on regular basis provided that they have rendered a minimum of three years non-fortuitous service and have reached the stage of Rs.2050/-.

24/4/88
Note: In case junior employee is considered for selection by virtue of his satisfying the relevant minimum service conditions, all persons senior to him shall also be considered eligible notwithstanding that they have not satisfied the requisite minimum service conditions.

3. Number of vacancies and list of eligible candidates:

3.1 As already notified, the selection is being held against the vacancies of Dy. Directors to be operated in class-II. The number of vacancies assessed is ten against 75% Departmental Selection quota.

3.2 The list of candidates falling within the zone of consideration is attached as Annexure-I. The candidates are required to give their willingness in the proforma at Annexure-II for appearing in the selection within a week from the date of issue of this notice. In case the willingness is not received within the stipulated time, it will be considered that the particular candidate is not willing to appear in the selection and equal number of candidates from Reserve List will be called for the selection. Out of the ten vacancies, one is reserved for scheduled tribe and one for scheduled caste candidate.

3.3 The candidates listed in the Reserve List at Annexure-I are also requested to keep themselves in readiness and give their willingness for appearing in the selection. They may be called for the selection if requisite number of candidates within the zone of consideration do not give their willingness to appear in the selection.

4. Detailed programme

The candidates will be required to appear in a written test and only those who qualify in the written test will be called for interview before the Selection Board. The programme for written examination is as follows:-

Date Paper No. Time Duration

(hrs.)

22.6.88 Paper-I 10.00 to 12.00 2 hrs.
Establishment and
General Administration

22.6.88 Paper No.-II 14.30 to 17.30 3 hrs.
General Engineering.

23.6.88 Paper No.-III 10.00 to 13.00 3 hrs.
Mech. Engineering.

The candidates should report to E-II Branch at 9.00 hrs. on the above dates.

Interview:

The date for interview will be announced later.

5. Syllabus:

There will be three question papers based on the following syllabus:-

Paper-I.

Establishment & General Administration.

Syllabus- Establishment. 20 Marks.

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

.../-

RECORDED

Syllabus - General

- ✓ delegation of powers in RDSO in Estt. and non-Estt. matters, Budget Estimates,
- ✓ Procurement and accountal of equipment,
- ✓ Store's and Stationery, Chapter I, II & X of the Manual of Office Procedure, Official Language Policy and Official Language Rules.

Paper-II

General Engineering (Mech) 40 Marks
(Syllabus attached) - Annexure-III

Paper-III

Engineering paper pertaining to 40 Marks
the individual wings of Mech, Department.
(syllabus attached) - Annexure-III

To qualify for being called for interview, the candidates must obtain a minimum of 60% marks in aggregate in all the three papers. All papers are compulsory.

6. A pre-selection coaching for 25 days for the reserved community candidates is being arranged. A separate notice will be issued to all concerned.

7. The candidates whose names are included in Annexure-I should treat this Notice as individual notice.

SM

16.5.88

Encl: As above. for Director General.

File No. E-II/SLN/0/C1.II/Tech, Mech

Lucknow-226011.

Dated: 16-5-1988.

DISTRIBUTION

1. DSW, DS/Carr., D/ED, DS(MP), D/Testing, D/I&L, Sr.Dy.DG
2. SO/MCW-I & II) With sufficient No. of copies. They are
SO/MP) requested to distribute the Staff Notice
SO/ED) to the staff concerned listed at Annex-I
SO/RM) and obtain their signature and send the
same to E-II for record.

.../-

109

Signature

ANNEXURE-10

Government of India
Ministry of Railways
Research Designs & Standards Organisation

Manak Nagar,
Lucknow-226011.

STAFF NOTICE

Sub: Departmental Selection for Class II (Tech) posts
in the Mechanical, Electrical and S&T Engineering
Departments of RDSO.

It has been decided to hold Departmental Selection for Class II Technical posts from amongst eligible Class III Technical staff working in Mechanical/Electrical and S&T Departments of RDSO for being empanelled for promotion to Class II Technical posts against the vacancies of Dy. Directors to be operated in Class II. The examination will be held some time in the beginning of the year 1988. The examination will be conducted as per existing notified R&P Rules. The syllabus for the examination will be more or less the same as notified for previous selection held in 1984.

2. The list of eligible candidates is under preparation and will be notified shortly alongwith the dates of examination and the syllabus.

File No. EII/SLN/0/Cl.II/Tech/87
Lucknow, dated: 30-10-87.

SM
30.10.87
(I.A. Khan)
for Director General.

DISTRIBUTION

1. DS(C), DS(B&S), DS/Track, DR/GE, SO(Civil).
2. DR, JDRM I/C, JDRM/OT-I & II, JDRM/DT, JDRM/ST, JDRM/BU & JDRM/BL, JDR/S&T, JDR/Instt-TERC, SO/R-I & II, Jt Dir(Microprocessor), JD(Computer Service).
3. DS/Carriage, JDS/Carr-I, II & III.
4. DS(W), JDSW-WD, JDSW-BG, JDSW/ED, JDSW/MG, JDSW/BC
5. Ex. Director/ I&L, SO(MCW)-I & II.
6. DS(MF), JDS(MF)-I/c, JDS(MF)-I, II, III, IV, V, VI, VII, VIII, SO(MF).
7. D(JD), JD/EP-I, II, & III, SO/ED.
8. DS/Signal, JDS/Sig-I, II, III.
9. DS/Telecom, JDS/Tele-Lab, JDS/Wireless/RE-INV, JDS/Tele, JDS/Tele-ED, SO(S&T).
10. DS/Elec., JDS/Elec, JDS/Elec-ED, JDS/Elec-MRS, JDS/Elec-TEL, JDS/Elec-MU, JDS/Elec-Thy.
11. JDS/Elec-CG, JDS/Elec-ELM & JDS/Elec-AC, SO/Elec.

.../-

Subhajit

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RESEARCH DESIGNS & STANDARDS ORGANISATION
MANAK NAGAR, LUCKNOW.

STAFF NOTICE

Sub : Departmental Selection for Class II(Tech)
posts in the Mechanical Engg. Discipline.

Ref : This Office Staff Notice No. EII/SIN/0/C1.II/
Tech/Mech. dated 16.11.88.

In continuation to this Office Staff Notices of even number dated 16.11.88 and 25.11.88, the name of 10th successful candidate empanelled for Class II (Tech) post of the Mechanical Engg. discipline, scale Rs. 2000-3500(RPS) in RDSC, is notified below :

Shri G.V. Ramna Rao - Outstanding

2. Accordingly, with the addition of the name of above candidate, the final position of the empanelled candidates for Class II(Tech) posts in the Mechanical Engg. discipline of RDSO will be as under :

S/Shri

1.	C.K. Sharma, ARE(Mech) Adhoc	Outstanding
2.	G.V. Ramna Rao, CDA/Carriage	Outstanding
3.	B.P. Jain, AIE/MP (Adhoc)	
4.	N.K. Asija, ADE/MP (Adhoc)	
5.	S.N. Prasad, ADE/ED(Adhoc)	
6.	K.C. Gupta, CRA/Mech.	
7.	S.M. Saheb, CRA/Mech.	
8.	S.C. Bhatnagar, CRA/Mech.	
9.	Tilak Raj, CDA/Carriage(SC)	
10.	Tham Singh, ADE/Carriage(adhoc) (SC)	

3. The above panel is subject to the final decision of the Hon'ble Supreme Court in SLP(C)s's Nos 6655/84 & 6656/84.

4. The above panel will be current upto 11.1.91 or till exhausted, whichever is earlier.

(Auth. The above panel has been approved
by DG/RDSO on 12.1.89)

V. Bandhu
(Vishwa Bandhu)
for Director General

File No. EII/SIN/0/C1.II/Tech/Mech.
Dated : 13-1-1989.

Distribution

DSW, DS/Carr., DS/MP, Dir/ED, Dir./Testing, DR, Addl.DG,
SO/MCW-I, II, SO/MP, SO/RM(Testing), FD Dte., All above staff,
P/Files, SO/Conf., SO/E-I, DDE-II,

Shri G.V. Ramna Rao

ANNEXURE - 12

R.D.S.O.

E-VT Branch:

No. E I / S / O R G / i (U P G - G a z) M E .

Dated: 17/3/1988.

Sub: Creation of 17 revenue charged JAG posts of Joint Directors by surrender of 22 Senior Scale posts of Dy. Directors in RDSO.

Ref: Railway Board's letter No.881(GC)5-6 dated
5.2.88.

In terms of Railway Board's letter quoted above, Ministry of Railways have accorded sanction to the creation of 17 JA grade posts of Joint Directors by surrender of 22 revenue charged Sr. Scale posts of Deputy Directors in various disciplines as detailed below:-

Discipline	No. of Revenue-charged posts of Deputy Directors to be surrendered.
Civil	6
Mechanical	8
Electrical	4
S&T	4

2. The posts of Deputy Directors which are to be surrendered should be surrendered en bloc before any post of Joint Director is operated.

3. Accordingly approval of the Director General/RDSO is hereby communicated to the following 4 (four) permanent posts (revenue charged) of Deputy Directors in various Directorates of the Mechanical Engineering discipline of RDSO being surrendered in phase-I:-

S.No.	Category, Designation of post	No. of posts	Directorate to which belongs	Ref. to Fly. Bd's sanction (letter No. & date) under which made permanent.
1.	Deputy Director Stds.Wagon(DDSW)	1	Wagon Design	* No.ERBI 84/41/18 dt. 10.1.86
2.	Dy. Director Stds./ MP (DDS/MP)	1	MP	* No.ERBI 84/41/18 dt. Dte. 10.1.86
3.	Dy. Director Res. Mech(DDRM/ BDL)	1	Res. Mech. Wing.	No.ERBI 84/41/18 dt. 10.1.86
4.	Dy. Director Res. Mech/FTL(DDRM/FTL)	1	-do-	No.ERBI 84/41/18 dt. 10.1.86

4. Consequent upon surrender of 4 (four) permanent posts of Deputy Directors, detailed in para 3 above, approval of the Director General/RDSO is also hereby communicated to three JA grade posts of Joint Director, indicated below, being created on permanent basis:-

S.No.	Category of post Designation of post	No. of posts	Name of the Dte./ Wing
1.	Joint Director Stds./MP-IX (JDS/MP-IX)	1 (One)	MP Directorate,
2.	Joint Director Res. Mech/ EDL (JDRM/EDL)	1 (One)	Res. Mech. Wing under Director/Testing,
3.	Joint Director Es. Mech/ FTL (JDRM/FTL)	1 (One)	do-

5. Director General/RDSO has further approved of the newly created post of Jt. Director Res. Mech/FTL, indicated at Sl. No. 3 in the table at para 4 above, being temporarily transferred and operated in Engine Development Directorate as Joint Director/ED. Transfer of a temporary post of Dy. Director/ED-I to Testing Directorate and its operation as JDRM/SI has also been approved by the Director General.

6. All the above posts of Dy. Directors and Jt. Directors pertain to the quota of Railway officers on deputation to RDSO.

7. The above is Phase one of the exercise. Sanctions for the remaining posts are being issued separately in continuation of this sanction memo.

DA:Nil.

(P. N. Kapoor) 17.3.66
Deputy Director/Estt.-II

JDF/RDSO, Lucknow
(4 copies)

Copy to:-

1. The Audit Officer, RDSO/Lucknow.
2. DDE-I, DDE-II, 3. SO/Conf., 4.
4. SO/EI, SO/ -II, SO/E-III, SO/E-IV, SO/E-V, SO/E-VI.
5. Director Stds. (MP), 6. Director/Testing,
7. DS(W), 8. JD/Admn-II.

W. S. Kapoor
Subrata

-13

GOVERNMENT OF INDIA-MINISTRY OF RAILWAYS
RESEARCH DESIGNS AND STANDARDS ORGANISATION
MANAK NAGAR, LUCKNOW-226011

STAFF NOTICE

Sub: Limited Departmental Competitive Examination
in connection with the formation of panel to
fill vacancies in the cadre of cl. II (Tech) in
the Mechanical Engineering Department at RDSO
against 25% quota.

As a result of the Limited Departmental Competitive
Examination held on 24th, 25th and 26th Nov '84, and interview
on 28.5.85 in connection with the formation of a panel to
fill vacancies in the cadre of class II (Tech) scale Rs. 650-
1200 (RS) in the Mechanical Engineering Department of RDSO
against 25% quota and recommendations made by the
Departmental Promotion Committee, DG has approved a panel
of six successful candidates.

2. The names of following 4 (Four) successful candidates
empanelled for class II (Tech) vacancies in the Mechanical
Engineering Department, RDSO are notified in order of merit
indicated below:

1. Sh. S. C. Dixit, CRA/M
2. Sh. D. Rengrajan, CRA/Carr
3. Sh. R. C. Bhalla, CRA/M
4. Sh. Narinder Kumar, CRA/ED

3. As notified in Staff Notice No. EII/SLN/O/Cl. II/Tech/
Mech/LDCE dated 1.9.84 two (2) posts of cl. II (Tech) are
reserved one each for SC and ST candidates, and accordingly
the results of the two (2) remaining successful candidates
will be notified after the aforesaid two vacancies have been
dereserved.

4. The above panel is provisional and subject to the
final decision by the Hon'ble Supreme Court in SIP(C)
6655/84 and 6656/84 and will be current upto 27.5.87 or
till exhausted whichever is earlier.

5. Sh. S. C. Dixit, D. Rengrajan, R. C. Bhalla and Narinder
Kumar may please note that they will be assigned seniority
below the candidates selected against 75% quota posts.

Auth: The above panel has been approved by the
Director General vide his orders dt. 27.5.85.

Hindi version will follow.

File No. EII/SLN/O/Cl. II/Tech/
Mech/LDCE Dated 6.6.85

(E. S. Gokhale)
Dy. Director General
For Director General

-14

Government of India
Ministry of Railways
(R.D.S.O.)

OFFICERS POSTING ORDER NO. 63 OF 1984.

As a result of their empanelment for Class II (Group 'B') posts (Tech) in the Mechanical Engg discipline, after Departmental Selection against departmental selection quota, as notified vide Staff Notice No. EII/SLN/0/C1.II/Tech/Mech dated 31-8-1984, the following candidates are provisionally promoted/regularised in Class II from the date(s) as shown against each:-

SN	Name of the candidate	Previous post held.	Present post again- st which prov.	Date from which prov. promoted/regularised/regularised/ promoted.
1.	2.	3.	4.	5.
1.	Shri K G P Rao	ADE/MP B-4 ad hoc.	ADE/MP B-4	31.8.84
2.	" Ⓛ A P M Krishnamurthy	ADE/MP A-6 adhoc	ADE/MP A-6	31.8.84
3.	" S Rajagopalan	CDA/Carr	ADE/Carr	wef the date he takes over.
4.	" Ⓛ A M Mukherjee	CDA/Wagon	ADE/W	-do-
5.	" T G Raghunathachari	CDA/Wagon	ADE/W	-do-
6.	" M V Balasubramaniam	ADE/MP B-5 adhoc	ADE/MP B-5	31.8.84
7.	" Ⓛ C L Gangwar	ARE/OT ad hoc	ARE/OT	31.8.84
8.	" D K Saha	CRA/M (on depu- tation to RITES)	ARE/RM	wef the date he takes over.
9.	" S Ananthakrishnan	ARE/RM ad hoc (against DD's post)	ARE/RM (Against DD's post)	31.8.84.
10.	" Ⓛ B P Sharma	CDA/MP	ADE/MP B-6	wef the date he takes over.
11.	" P C Tewari	CDA/MP	ADE/Carr	-do-
12.	" C B Sharma	CDA/Wagon	ADE/Wagon	-do-
13.	" Ⓛ H S Tuteja	CRA/RM	ARE/RM (against DD's post)	-do-
14.	" T Garib	CTA/RM (on dep. to RITES)	ARE/RM (against DD's post)	-do-
15.	" K L Nirwan	ADE/Carr ad hoc	ADE/Carr	31.8.84
16.	" Hardev Singh	ADE/MP D3 ad hoc	ADE/MP D-3	31.8.84.

Vishwakarma 2. The above promotions/regularisations are "Provisional" and are subject to a final decision of the Hon'ble Supreme Court in SLP(C)s' Nos. 6655/84 and 6656/84.

20/11/84 *Sharma* *P.T.O.*

Government of India Ministry of Railways
Research Designs & Standards Organisation

OFFICERS' POSTING ORDER NO. 72 OF 1989

The following promotions/ postings are ordered:-

i) Shri R.S.Madhukar, CDA/ED, empanelled for Class II post (Ref: Staff Notice No. EII/SLN/Cl.II/Tech/Mech/LDCEY, is posted as ADE against an existing vacancy of DD/ED by temporarily operating the post in class-II.
/dt.4.12.89

ii) Shri B.K.Gupta, CDA/MP, empanelled for Class II post (Ref: Staff Notice No. EII/SLN/Cl.II/Tech/Mech/LDCEY, is posted as ADE/Wagon-IV against the existing vacancy.
/ dt.4.12.89

2. S/Shri R.S.Madhukar and B.K.Gupta should note that their postings are provisional and subject to the final decision by the Hon'ble Supreme Court in SLP(C) 6655/84 and 6656/84 and also subject to the final decision of Hon'ble CAT/Lucknow Bench in OA No. 273 of 1989.

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

Dated: 5-12-1989
file No. DG/CRP-77/Mech
Lucknow-226011

1/12/89
(R.K.Gupta)

Jt. Director Admn-II
for Director General

Distribution

DSW D/ED JDF JDA-I JDA-II JDA-III JD/Works TEN
DDE-I DDE-II DDA Sr. Hindi Officer AAO-I & II
Audit Officer SOE-I OSE-II SOE-III SOE-IV SOE-V
SOE-VI SO(MCW) SO/ED SO(Recrtt. & Reservation) SO/Legal
SO/Stenos Pass Section ADE/Telecom/Tele Estate Supvr.
Asstt. Security Commissioner Secy./RDSO Cl.II Officers Assocn.
Receptionists-I, II and III Officers concerned P/files
Notice Board.

VAKALATNAMA

147
20

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
ADDL.BENCH, ~~ALAHABAD~~ / CIRCUIT BENCH, LUCKNOW

R DSO cl. in Staff Association

VERSUS

Union of India & others.

No. 273

of 1989 (L)

I/we the undersigned do hereby nominate and appoint Shri A. V. Srivastava
and Shri _____

Advocate, to

be counsel in the above matter, and for me / us and on my / our behalf to appear, plead, act and answer in the above Court or any Appellate Court or any Court to which the business is transferred in the above matter, and to sign and file petitions, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from, and also to apply for and receive all documents or copies of documents, depositions, etc, etc, and to apply for issue of summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrant or order and to conduct any proceeding that may arise thereout and to apply for and receive payment of any or all sums or submit the above matter to arbitration.

Provided, however, that if any part of the Advocate's fee remains unpaid before the first hearing of the case or if any hearing of the case be fixed beyond the limits of the town, then, and in such an event my / our said advocate shall not be bound to appear before the court and if my / our said advocate doth appear in the said case he shall be entitled to an outstation fee and other expenses of travelling, lodging, etc. Provided ALSO that if the case be dismissed by default, or if it be proceeded ex parte, the said advocate(s) shall not be held responsible for the same. And all whatever my / our said advocate(s) shall lawfully do, I do hereby agree to and shall in future ratify and confirm.

ACCEPTED :

Anant Vaidik 21/6/92
1. Advocate
Chairman, President

2.Advocate

Signature of Client

..... उप निवेशक स्थापना - 1
..... अनुसंधान अभियान और भानक संगठन,
..... देश मन्दिर, लखनऊ - 226011