

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE ..... OA 520 ..... OF ..... 1989 .....

NAME OF THE PARTIES ..... G. K. Shukla ..... Applicant

Versus

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

Part A.

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**CERTIFICATE**

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

Dated ..... 16/6/2011 .....

Counter Signed.....

Section Officer/In charge

Signature of the  
Dealing Assistant

COMPILATION 'I'.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

.....

"FORM-I"  
(See Rule 4 )

O.A. CASE NO. <sup>520</sup> OF 1989  
(Under Sec. 19 of the Administrative Tribunal Act-1985).

Dr. Ghanshyam Krishan Shukla..... Applicant

Versus

State of Uttar Pradesh, and others..... Opp. parties.  
-----

S.No.	Particulars of documents.	Pages.
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Dt. 2.6.89

*Sudhir Ag*  
Adv.  
(Counsel for the Applicant)

KShukla

18.11.91

Hon. Mr. D.K. Agrawal, JM  
Hon. Mr. K. Oberoi, AM

Sri Chandra Prakash Advocate  
has desired adjournment of  
his cases up to 26.11.91, List  
his case for hearing on  
2.12.91 as requested by Sri  
S.C. Budhwar Counsel for the  
applicant.

A.M.

De  
S.M.

18/11  
Submitted before the  
Hon'ble court on 2-12-91  
for hearing.

S.S.  
29/11/91

2.12.91

Hon. V.C. Srivastava, J.C.  
Hon. A.B. Grewal, A.M.

Put up on 13.12.91 for  
hearing.

Box

13-12-91

24.12.91 No hearing. Adjn to 23-1-92  
for hearing.

Box

The case relates to territorial jurisdiction  
of Lucknow Bench hence is being transferred  
to Lucknow Bench. Vide Hon. V.C.S. order  
dated 18/12/91

S.C.  
24/12/91  
(J)

CA 520/89C

3 CA 521/89

17.7.92

Shri. Mr. Justice U.C. Srivastava V.C.  
Shri. Mr. K. Obayya, Member (A)

On the request of applicant.

Case is adjourned to 26.8.92

*[Signature]*  
A.M.

*[Signature]*  
V.C.

Dated: 26.8.92

Hon'ble Mr. Justice U.C. Srivastava V.C.  
Hon'ble Mr. K. Obayya, Member (A)

OR  
25.8.92  
25.8.92

Shri Anoop Kumar put appearance on behalf of the respondents today and seeks time on the ground that he is not aware with this case. As this is very old case and requires speedy disposal. However, <sup>Neither</sup> further adjournment shall be given in future nor any time for filing any kind of affidavit. If any counsel is changed in this case in future, <sup>by the parties.</sup> in those circumstances also, no adjournment will be given. List this case for final hearing on 17.9.1992.

O.K.

Case is  
S. + H.

*[Signature]*

16/9/92

*[Signature]*  
A.M.

*[Signature]*  
V.C.

judgment on separate sheets

BOC  
*[Signature]*

(u) (i)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
(LUCKNOW BENCH)  
LUCKNOW.

...

G.A. NO 520/89 199 (L)

T.A. NO \_\_\_\_\_

Date of Decision \_\_\_\_\_

*M. G. K. Shukla* Petitioner.

*Shri S. C. Bhatnagar* Advocate for the  
Petitioner(s)

V E R S U S

*Union of Public Servants* Respondent.

*Shri M. S. K. K. K.* Advocate for the  
Respondents

C C R A M

The Hon'ble Mr. *J. D. C. S. S. S. S.*

The Hon'ble Mr. *K. C. S. S. S. S.*

1. Whether reporter of local papers may be allowed to see the Judgment ?
2. To be referred to the reporter or not ?
3. Whether to be circulated to other benches ?
4. Whether ~~be~~ their Lord ships wish to see the fair copy of the Judgment ?

\_\_\_\_\_  
VICE-CHAIRMAN/MEMBER

5

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

O.A. No. 520/89

Dr. G.K.Shukla

Applicant

versus

Union of India & others

Respondents.

Sri S.C.Budhwar  
Sri Anoop Kumar

Counsel for applicant.  
Counsel for Respondents.

Coram:

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

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

The applicant who retired on 30th June, 1988 from the Indian Police Service, filed this application before this Tribunal in the year 1989 praying that the respondents may be directed to grant selection grade to the applicant w.e.f. 1.1.83 since when the I.P.S. officers of U.P. cadre of 1970 year of allotment have been sanctioned selection grade in accordance with IPS(Pay)rules, after having 13 years of service and a mandamus be issued to the respondents to consider the applicant for promotion to the post of D.I.G. of Police from the date earlier when his juniors Sri Tilak Kak etc. were considered and being found fit to give notional promotion to the applicant on the post of D.I.G. from the date earlier since when juniors to the applicant were given the said promotion, and the respondents be also directed to fix the salary and allowances of the

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applicant in the pay scale of selection grade and that of D.I.G. of police, in case he is found fit for promotion and to pay all arrears and other benefits and to fix pension of the applicant and other retiral benefits treating the applicant as having retired from the post of D.I.G. of police, and also to pay interest at the rate of 18% per annum on the late payment of salary.

2. The applicant who was selected by U.P.S.C in the year 1956 in the cadre of U.P. Police service, and was promoted on senior post in I.P.S. under Rule 9 of the I.P.S. (Cadre) Rules and joined the post on 8.7.1972, whereafter he was posted as Superintendent of Police of Etah District and his name was included in the I.P.S. prepared in the year 1974 under Regulation 5(1) of the I.P.S. (Appointment by promotion) Regulations and was formally appointed in the I.P.S. on 22.8.1977 and was confirmed on 22.8.1978. According to the applicant, when he was posted as S.S.P., Etawah one dacoit gang led by Lala Ram committed murder of 13 persons and the applicant who was on leave, was placed under suspension on 6.6.84 which suspension was revoked and he was again reinstated in the year 1984. On 19.6.85 a charge sheet was issued to him stating that he did not take adequate precautionary measures to protect the life and property of the villagers. The departmental enquiry proceeded and the enquiry officer concluded that the charges levelled against the applicant were not proved and suggested that the applicant be warned to be more vigilant and active in future. But the

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disciplinary authority ~~the disciplinary authority~~  
disagreed with the finding of the enquiry officer's report  
and sought advice from the U.P.S.C., who advised for  
withholding of promotion including the grant of selection  
grade till the date of superannuation which was accepted  
by the State Govt. and vide order dated 24.7.87 the  
punishment was imposed on the applicant. The said order  
was challenged before this Tribunal in O.A. No. 822 of 87  
and the Tribunal vide order dated 9.2.88 set aside ~~the~~  
the impugned order dated 24.7.87 as well as reference  
made by the State Govt. and the order was thereafter  
implemented. The benefit of the same was not given to  
the applicant; in as much as he was entitled to the  
selection grade with effect from 1.1.83 but the applicant  
was deprived of it. Although the selection committee  
met, but the case of the applicant was not considered.  
Applicant made several representations but of no avail.

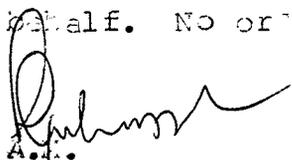
3. According to the applicant, his seniority was  
not determined and it was determined only on 11.6.87  
and he was not at all considered for promotion, even  
after, during the pendency of O.A.No. 822/87, the direction  
by the Tribunal to consider the applicant also for  
promotion to the post of P.I.G. and the order dated  
24.7.87 was set aside on 9.2.88.

4. It is not necessary to refer to various  
Counter  
pleas. Vide Supplementary/Affidavit it has been stated  
that the applicant was charged on 20.6.88 and the  
departmental proceedings were pending against the  
applicant. It has been stated that the selection committee  
considered the case of the applicant also for the  
promotion post but the proceedings were kept in sealed cover

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The learned counsel for the applicant contended that admittedly there was no charge sheet against the applicant when the Departmental Promotion Committee met and as such the procedure of sealed cover could not have been adopted and the respondents could have declared the result. In this connection he has made reference to the case of Union of India v. K.V. Jankiraman (AIR 1991 S.C. 2010) wherein it has been held that it is only after the issuance of the charge sheet the disciplinary proceedings will be deemed to have been initiated and the sealed cover procedure is to be adopted. Precisely the same position arises in this case.

5. The respondents are directed to open the sealed cover and in case the applicant has been found suitable, he may be given promotion with effect from the date he was entitled to and w.e.f. the date others have been given promotion or next junior to the applicant was given promotion with consequential benefits. The result of the charge sheet will take its own course and the respondents will proceed with the enquiry taking into consideration the pleas of the applicant that no action can be taken against him on the basis of the charge sheet on the basis of 'grave misconduct'. We make no observation in this behalf. No order as to costs.

  
A.S.

  
V.C.

Shakeel/

Lucknow: Dated 17.9.92

Central Administrative Tribunal  
Additional Bench At Allahabad  
Date of Receipt by Post 02/6/89  
OR  
Date of Receipt by Post 04/7/89 after defects are removed  
Dr. Ghanshyam  
02/6/89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

.....

C.A.No. 520 OF 1989  
(under Section 19 of the Administrative Tribunal Act-1985)

\_\_\_\_\_  
: DATE OF FILING :  
:  
: OR :  
: DATE OF RECEIPT BY POST :  
:  
: REGISTRATION CASE NO. :  
:  
: SIGNATURE REGISTRAR. :  
\_\_\_\_\_

I Under Feb to remove  
defects before 15-6-89  
Jan 2-6-89

defects removed today  
Jan 27-6-89

filed today  
Noted for 11-7-89  
Jan 2-6-89

BETWEEN

Dr. Ghanshyam Krishan Shukla..... Applicant.

Versus

State of Uttar Pradesh & others....Opp.parties.

*Ghanshyam*

*[Signature]*

Dr. Ghanshyam Krishan Shukla, Retd. Supdt.

of Police, son of Late Shri Shanti Prasad  
Shukla, resident of village Dukh Haran Nath,  
Gonda.

..... Applicant.

Versus

1. State of Uttar Pradesh through Secretary,  
Home Department, U.P. Shashan, Lucknow.
2. Union of India, through Secretary,  
Ministry of Home Affairs, North Block,  
New Delhi.
3. Director General of Police, U.P., Lucknow.

..... Respondents.

1. Particulars of the order/action against  
which present application is being made.

The application is against the following  
order/action:

- a) The applicant has not been considered for the  
grant of selection grade after determination of

seniority in Indian Police Services, although his *Senior*  
*Officers of 1970* juniors are being granted the same with effect from

*Ghanshyam Shukla*

*[Signature]*

1.1.83 and the applicant is also entitled for the same from the said date.

b) After the judgment, the Hon'ble Tribunal in O.A.

No. 822 of 1987, the respondents have not considered the applicant for promotion to the post of Deputy Inspector General of Police from the date his juniors were given promotion.

c) The applicant is claiming arrears of salary<sup>and</sup>/allowances etc. from the due date when he became entitled for the selection grade and for promotion to the post of Deputy Inspector General of Police in U.P. Cadre of I.P.S.

2. Jurisdiction of the Tribunal.

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

3. Limitation: The applicant submits that the instant application is within limitation prescribed under the provisions of Administrative Tribunal Act, 1985.

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*Handwritten signature*

4. Facts of the case.

The facts of the case are as under:

- a) That the applicant was initially selected through U.P. Public Service Commission for U.P. Police Services in the year 1956 and was appointed on the post of Deputy Superintendent of Police.
- b) That the work and conduct of the applicant was highly meritorious, efficient and to the utmost satisfaction of the Superior officers and at no point of time he was ever communicated any adverse entry. On the other hand, the applicant believes that his character roll entries are exemplary and outstanding.
- c) That on account of the outstanding and meritorious work of the applicant, he was promoted on senior post in I.P.S. by the respondent No.1 in exercise of the power under Rule 9 of the IPS(Cadre) Rules and was posted as an Additional Superintendent of Police, Moradabad where the applicant joined on 8.7.1972. Therefrom, the applicant was posted as Superintendent of Police, Etah, where he joined on 1.11.1972.

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*[Handwritten signature]*

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d) That the applicant since thereafter continuously held various senior posts in I.P.S. and was included in the select list of 1974 prepared under Regulation 5(1) of the I.P.S. (appointment by promotion) Regulations (herein-after referred to as the "promotion regulations") and was appointed formally in the IPS on 22.8.1977. On completion of satisfactory probation period in I.P.S., the applicant was confirmed on 22.8.1978.

e) That with effect from 15.6.1983, the applicant was posted as Senior Superintendent of Police, Etawah.

f) That during the posting of the applicant as S.S.P/ Etawah, the applicant liquidated a number of dacoits gangs and also entered into almost a dozen encounters within a short period of six months from the date of his joining as Senior Superintendent of Police, Etawah. However, on account of the illness of his daughter, the applicant had applied for 15 days leave and on receiving the intimation regarding its sanction, he proceeded on leave on 25.5.84 after handing over the charge to the then Joint Superintendent of Police Shri Ram Aadhar.

*G. S. Kulkarni*

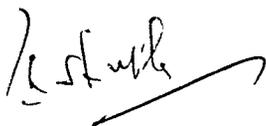
*[Signature]*

g) The on 26.5.84, a dacoits gang led by Lala Ram looted the village Asta and committed murder of 13 persons and set several houses on fire resulting in the death of 2 persons.

h) That the applicant was immediately called back from his leave and on 6.6.84, he was placed under suspension. The suspension was revoked and the applicant was reinstated from 28.12.84 and he joined as Superintendent of Police (Security) in the Vigilance wing of UPSEB, Lucknow.

i) That on 19.6.84, a charge sheet was issued to the applicant alleging that the applicant did not exercise proper supervision by not taking adequate precautionary measures to protect the life and property of the villagers of Asta and hence was guilty of serious dereliction of duty.

j) That the departmental enquiry was conducted by Shri Som Prakash the then Inspector General, Kanpur, who was appointed as an Enquiry Officer by the Respondent No.1. In the enquiry, the Enquiry Officer held that



the charges levelled against the applicant vide charge sheet dated 19.7.84 could not be proved.

However, the Enquiry Officer on his own suggested that considering the circumstances of the applicant, as they exist at the time of this occurrence of this incident and the responsibility, the applicant be warned to be more vigilant and active in future.

k) That the respondent No.1, although did not dis-agree of the findings of the Enquiry Officer, on the matter of charge sheet, however, disagreed with the recommendations made by the Enquiry Officer of awarding of warning and proposed the punishment of censure for the applicant and sought advice from Union Public Service Commission. The Commission however, advised for increase of the punishment to withholding of promotion including the grant of selection grade till the date of superannuation which was accepted by the respondent No.1, and vide its order dated 24.7.87, the aforesaid punishment was imposed on the applicant.

l) That the applicant challenged the validity of

*g. Kulkarni*

the order dated 24.7.87 before this Hon'ble Tribunal in O.A. No. 822 of 1987.

m) That the aforesaid application was allowed by this Hon'ble Tribunal by a Divisional Bench consisting of Hon'ble D.S.Misra and Hon'ble G.S.Sharma, J.J. vide their judgment dated 9.2.87 and the impugned order dated 24.7.87 as well as the reference made by the State Government to the Commission and the advice of the Commission were set aside.

n) That the respondent No.1, vide its order dated 12.5.88, implemented and accepted the judgment dated 9.2.88 of this Hon'ble Tribunal declaring the order of punishment dated 24.7.87 as illegal and regularised the applicant's services during the period of suspension for all purposes holding the applicant entitled for all benefits of pay and allowances. A true copy of the order dated 12.5.88 being filed herewith is marked as ANNEXURE 1 to the Compilation No.2.

o) That although the respondents implemented the judgment of this Hon'ble Tribunal dated 9.2.88, yet

*2/2/88*

*[Signature]*

*has not been given*  
the applicant was ~~denied~~ the consequential benefit for which he was entitled under the law.

p) That in accordance with the provisions of the I.P.S. pay rules, the applicant was entitled for selection grade in IPS with effect from 1.1.83 since when the officers of 1970 year of allotment have been granted the same. The respondents however, have not allowed the selection grade to the applicant till this date although he has also been allotted 1970 year of allotment vide order dated 11.6.87 issued by the Respondent No.2. A true copy of the order dated 11.6.87 is being marked as ANNEXURE 2 to Compilation No.2.

q) That similarly the applicant is also entitled for being considered for promotion to the post of Deputy Inspector General before the cases of his junior IPS officers in Uttar Pradesh are considered and given promotion. *How is* The applicant's junior Indian Police Services of U.P. Cadre namely Shri Tilak Kak and Shri D.K.Panda have been considered for promotion to the post of Deputy Inspector General and were actually given promotion on 29.3.88 and on 1.4.88 respectively. However, the applicant

*Resh...*

*[Signature]*

was not at all considered for the said promotion in spite of the fact that this Hon'ble Tribunal has directed the respondents to consider the applicant also for promotion to the post of Deputy Inspector General during the pendency of O.A. No. 822 of 1987 and to keep his result in the sealed cover which was liable to be opened after the judgment of the said case. Even after the judgment, the applicant's case was not at all considered for promotion to the post of Deputy Inspector General and hence the applicant is being discriminated in the matter of promotion to the higher post in violation of Articles 14 and 16 of the Constitution of India.

r) That as a result of the judgment of this Tribunal dated 9.2.88 the <sup>reason</sup> bar to deprive the promotion to the applicant <sup>has disappeared</sup> collapsed and became non-consideration of the applicant <sup>to</sup> any promotion to the higher post and to give him promotion if found fit on due date with all the benefits of arrears, salary etc. is wholly arbitrary and discriminatory.

s) That the applicant made several representations dated 10.3.88, 7.4.88, 7.5.88 etc. but the same have

*to state*

*[Handwritten mark]*

remained unheeded till this date and no action has been taken by the respondents. True copies of the aforesaid representations dated 10.3.88, 7.4.88 and 7.5.88 are being filed herewith and marked as ANNEXURES 3, 4, & 5 respectively.

t) That it is a settled law that no person can be allowed to suffer for no fault of his own and in the instant case the applicant has been denied the benefit of grant of selection grade with effect from 1.1.83 due to the fact that the applicant's seniority was not at all determined by the respondent No.2, although it was mandatory ~~upon~~ it under the provisions of IPS (Regulation of seniority) Rules and hence denial of the benefit of selection grade to the applicant till this date is wholly arbitrary and discriminatory.

u) That similarly the applicant was not considered for promotion to the post of Dy. Inspector General firstly on account of the fact that his seniority was not determined and when it was determined vide order dated 11.6.87, the applicant's promotion was again

*K. S. Kulkarni*

*[Signature]*

made impossible by imposing the punishment of  
*of promotion*  
withholding including the selection grade till  
*k*  
the date of superannuation vide order dated  
24.7.87 which was declared illegal and without  
jurisdiction and was set aside by this Tribunal  
on 9.2.88. Thereafter, the applicant was  
entitled to be considered for promotion in  
preference to his juniors and in denying the same  
to the applicant the respondents have acted  
*have*  
illegally and discriminatory the applicant for *in*  
*k*  
violation of Article 16 of the Constitution of  
India and hence non-consideration of the applicant  
for promotion to the post of Deputy Inspector General  
is arbitrary and discriminatory.

5. Grounds for relief with legal provisions.

The grounds on which the present application  
is being filed are as under:

GROUND 1.

*As above*

*[Signature]*



and on 1.4.88 respectively. However, the applicant was not at all considered for the said promotion inspite of the fact that this Hon'ble Tribunal has directed the respondents to consider the applicant also for promotion to the post of Deputy Inspector General during the pendency of O.A. No. 822 of 1987 and to keep his result in the sealed cover which was liable to be opened after the judgment of the said case. Even after the judgment, the applicant's case was not at all considered for promotion to the post of Deputy Inspector General and hence the applicant is being discriminated in the matter of promotion to the higher post in violation of Articles 14 & 16 of the Constitution of India.

iii) Because as a result of the judgment of this Tribunal dated 9.2.88 the bar to deprive the promotion to the applicant collapsed and became nonest and hence non-consideration of the applicant any promotion to the higher post and to give him promotion if found fir on due date with all the benefits of arrears, salary etc. is wholly arbitrary and discriminatory.

*H. Shukla*

*[Signature]*

iv) Because it is a settled law that no person can be allowed to suffer for no fault of his own and in the instant case the applicant has been denied the benefit of grant of selection grade with effect from 1.1.83 due to the fact that the applicant's seniority was not at all determined by the respondent No.2, although it was mandatory upon it under the provisions of IPS (Regulation of seniority) Rules and hence denial of the benefit of selection grade to the applicant till this date is wholly arbitrary and discriminatory.

v) Because similarly the applicant was not considered for promotion to the post of Deputy Inspector General firstly on account of the fact that his seniority was not determined and when it was determined vide order dated 11.6.87, the applicant's promotion was again made impossible by imposing the punishment of withholding including the selection grade till the date of superannuation vide order dated 24.7.87 which was declared illegal and without jurisdiction and was set aside by this Tribunal on 9.2.88. Thereafter,

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*Handwritten signature*

the applicant was entitled to be considered for promotion in preference to his juniors and in denying the same to the applicant the respondents have acted illegally and discriminatory the applicant for violation of Article 16 of the Constitution of India and hence non-consideration of the applicant for promotion to the post of Deputy Inspector General is arbitrary and discriminatory.

6. Details of the remedies exhausted.

The applicant made representations to the respondent No.1 on 10.3.88, 7.4.88 and 7.5.88 etc., but no action has been taken by the respondents although more than six months had elapsed. There is no further and other remedy available to the applicant under law.

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

The applicant further declares that no application, writ petition or suit regarding the matter in respect of which this application has been made before any court or any other authority or any

*[Handwritten signature]*

*[Handwritten signature]*

other bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Relief sought. In view of the facts stated in para 4 above, the applicant prays for the following relief:

- i) to direct the respondents to grant selection grade to the applicant with effect from 1.1.83 since when the IPS officers of U.P. cadre of 1970 year of allotment have been sanctioned selection grade in accordance with IPS (Pay) Rules after having 13 years service.
- ii) to issue mandamus to the respondents to consider the applicant for promotion to the post of Deputy Inspector General of Police from the date earlier when his juniors Shri Tilak Kak etc. were considered and having found fit to give notional promotion to the applicant on the post of Deputy Inspector General from the date earlier since when juniors to the applicant were

*[Handwritten signature]*

*[Handwritten signature]*

given the said promotion.

iii) to direct the respondents to fix the salary and allowances etc. of the applicant in the pay scale *Selection grade as that of* of Deputy Inspector General, if the applicant *Police* is found fit for the said promotion and to pay all arrears and other benefits consequentially to the same and also to fix pension of the applicant ~~as having~~ and other retirement benefits treating the applicant as having retired from the post of Deputy Inspector General of Police.

iiiA) - to pay interest at market rate i.e. 18% p.a. on the late payment of ~~period~~ of salary etc.

iv) to issue any other suitable order or direction as this Hon'ble Tribunal deem fit and proper in the circumstances of the case.

v) to award costs throughout to the applicant.

9. Interim order if any prayed for.

No interim order is required.

10. Not applicable.

11. Particulars of Bank draft/postal order in respect of the application fees.

i) Name of the Bank on which drawn.

ii) Demand draft number

OR

*G. S. Kulkarni*

*[Signature]*

- i) Number of Indian Postal order <sup>5</sup> DD 534200
- ii) Name of the issuing post office H.P.O. Allah
- iii) Date of issue of postal order. 26.6.89
- iv) Post office at which payable.

12. List of enclosures:

as details given in the Index.

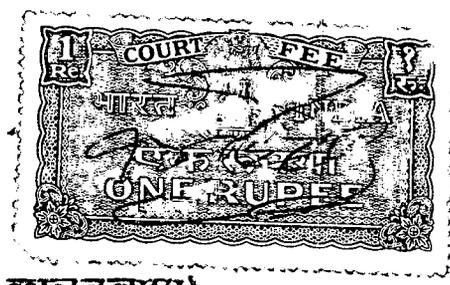
I, Dr. Ghanshyam Krishan Shukla, son of Late Shri Shanti Prasad Shukla, resident of village Dukh Haran Nath, Gonda, do hereby verify that the contents from 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place - Allahabad.  
 Dated - 2.6.89.

*K. Shukla*  
 Signature of the applicant.

To  
 The Registrar,  
 Central Administrative Tribunal,  
 Additional Bench at  
Allahabad.

*Sudhi Agorwal*



28

अभिभावक पत्र (वकीलतनामा)

# हाईकोर्ट आफ जूडीकेचर एट इलाहाबाद

अपील नं. 561989 सन् 1989  
 अ. निगरानी  
 Dr. G. K. Shukla  
 वनाम  
 State S. P.  
 वादी/प्रतिवादी  
 अपीलान्त  
 नादी/प्रतिवादी  
 रस्पान्डेंट

पुस्तकार ... हस्ताक्षर ...

Shukla

में  
 कि Dr. G. K. Shukla Petal S. P. S. P.  
 हम  
 S. P. Shukla Ho-ville Duth Mazon Nath  
 Bada

उपरोक्त प्रकरण (मुकदम) में—प्रपना पक्ष समर्थन हेतु  
 एम

Sri Sudhis Aggarwal

कानूनी शुल्क (मेंहनताना) नियत करके अपना/हमारा अभिभावक (वकील) नियुक्त करता हूँ और यह स्वीकार करता हूँ  
 निश्चित करता हूँ

—कि उक्त सज्जन हमारी ओर से वाद-पत्र (अर्जीदावा), प्रतिवाद-पत्र (वयन तहरीरी), वाद स्वीकार पत्र, विवाद पत्र, पुनरवलोकन एवं पुनर्निर्णय प्रार्थना-पत्र (दरखास्त), शापथिक कयन (हलफनामा), प्रवर्तन-पत्र (दरखास्त इजराय) मुजवात अरीफ, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना पत्रादि एव लेखादि की प्रतिलिपियां आने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करे और आवश्यक सवाल जवाब करे और लेखादि की प्रतिलिपियां (ब हमारे प्राप्त धन को अपने हस्ताक्षरी पावता देकर प्राप्त करें हमारी ओर से किसी को मध्यस्थ तथा साथी (पवाह) माने और उससे सम्बन्धित प्रार्थना पत्र प्रस्तुत करें तथा उसका समर्थन करें तथा तलदीक करे वाद पत्र उठावे छोड़े अथवा समझौता करे तथा मुलहनामा दाखिल करे तथा उसके सम्बन्ध में प्रार्थना पत्र दाखिल करके उनका समर्थन करे अर्थात् प्रकरण से सम्बन्ध रखने वाली कुल कार्यवाही डिग्री ये भर पाई होने के समय तक स्वतः या संयुक्त करे। आवश्यकता होने पर किसी अन्य वकील महोदय को वकील मुफ्त करे।

उक्त सभी कार्यवाही जो उक्त सज्जन करेगे प्रत्येक दशा में अपने किये की भांति—सर्वथा स्वीकार मुझ को

में कानूनी होगी। अगर—शुल्क तथा विशेष शुल्क आखिरी बहस के वक्त उक्त सज्जन को न दूँ/देँ तो उनकी हम निश्चित अधिकार होगा कि वह हमारी ओर से मुकदमा की पैरवी न करे। उपरोक्त दशा में उक्त सज्जन का कोई उत्तरदायित्व न रहेगा।

अतएव यह अभिभावक पत्र लिख दिया कि प्रमाण रूप से समय पर काम आये।  
 तिथि माह सं०

COMPILATION. 'II'.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

.....

"FORM -I"  
(See Rule 4)

O.A. NO. 520 OF 1989  
(Under Sec. 19 of Administrative Tribunal Act, 1985).

Dr. Ghanshyam Krishan Shukla..... Applicant

Versus

State of Uttar Pradesh, and others... Opp. parties.

S.No.	Particulars of documents.	Pages.
1. Annexure-I	Copy of order dt. 12.5.88. issued by Respondent No.1 accepted the judgment dt. 9.2.88.	1-5
2. Annexure - II	Copy of order dt. 11.6.87 issued by Respondent No.2 for allotting Selection Grade 1970.	6-16
3. Annexure - III	Copy of representation dt. 10.3.88	17-20
4. Annexure - IV	Copy of representation dt. 7.4.88	21-25
5. Annexure - V.	Copy of representation dt. 7.5.88.	26-32

Ghanshyam Krishan Shukla

Dt. 2.6.89.

Sudhir Agarwal  
(Sudhir Agarwal)  
Counsel for the applicant.

Before Central Administrative Tribunal

at Allahabad.

.....

Annexure No. (I)

In

O.A. 590 No. of 1989

Dr. Ghanshyam Krishan Shukla.....Applicant

Versus

State of U.P. & others ..... Respondents.

.....

GOVERNMENT OF UTTAR PRADESH

MEMO(OFFICE SERVICE) SECTION-II

No. 1580/VIII-PS-2-545(11)/87

LUCKNOW:DATED: 12 May, 1988.

ORDER

WEREAS the State Government instituted departmental proceedings against Sri Ghanshyam Krishna Shukla, IPS(SPS-1970) and placed him under suspension vide order no. 2410/VIII-PS-2-84 dated June, 6, 1984 w.e.f June 7, 1984 and thereafter, served on him a

Ghanshyam Shukla

- 2 -

Charge Sheet on July 20, 1984 vide order No. 2989/VIII-PS-2-820/57, dated July 19, 1984 and Shri Shukla submitted his written reply vide his letter dated August 6, 1984.

WHEREAS pending departmental proceedings the State Govt. decided to re-instate the said Sri Shukla vide order no. 3786/VIII-PS-2-820/57 dated December 26, 1984 w.e.f the date of his taking over charge as Superintendent of Police under the U.P.State Electricity Board on foreign service and he took over as such on December 27, 1984, it was also ordered that orders for regulating the period of his suspension shall issue after the departmental proceedings are finally concluded.

WHEREAS the State Government vide their order No. 5500/VIII-PS-820/57 appointed Shri Som Prakash IPS, the then Inspector General of Police, Kanpur Zone to inquire into the Charge of imputations of misconduct and submit his report who after completing his report submitted the same to Government on June 3, 1986.

L. Shukla

- 3 -

WHEREAS the State Government after examining the report of the Inquiring Officer, referred the matter to the Union Public Service Commission, New Delhi, for their advice in terms of rule 9(3) of the All India Service (Discipline Rules) 1969 and the Commission, tendered their advice vide their letter No. F.3/239/86-SI, dated March 31, 1987.

WHEREAS the State Government decided to accept the advice tendered by the Union Public Service Commission and accordingly imposed the penalty of withholding promotion (including grant of Selection Grade) till the date of Superannuation of Sri Shukla, vide their order no. 2236/VIII-PS-2-820/57 dated July, 24, 1987.

WHEREAS aggrieved by the aforesaid order of the State Government Sri Shukla preferred an Original Application 822 of 87 before the Central Administrative Tribunal, Additional Bench, Allahabad and the Honourable Court vide their order dated February, 9, 1988 allowed the petition and set aside the impugned order dated July 25, 1987 as also the reference made by the State Government to the Union Public Service Commission and the advice of the Commission referred to above,

*Shukla*

*[Signature]*

ANDWHEREAS the State Government have decided to honour the judgement of the Honourable Central Administrative Tribunal, Additional Bench, Allahabad.

NOW THEREFORE the Governor of Uttar Pradesh is pleased to order cancellation of the earlier order No. 2236/VIII-PS-2-820/57, dated July 24, 1987 and is further pleased to order that the period from June 7, 1984 to December 26, 1984 during which Sri Shukla remained under suspension shall be treated as period spent on duty for all purposes with full pay and allowances admissible to him. The payment of pay and allowances to Shri Shukla will however, be subject to the conditions laid down in clause (3) of rule 5B of the All India Service (Discipline and Appeal) Rules, 1969.

BY Order and in the name of the Governor of U.P.

( Kalyan Kumar Bakshi)

Secretary to Governor U.P.

Home Department.

No. 1580/(i)/VIII-PS-2-820/57

*[Handwritten signature]*

Copy forwarded to following for information and necessary action:-

*[Handwritten signature]*

- 5 -

1. Secretary, to the Government of India, Ministry of Home Affairs, New Delhi.
2. Secretary to the Union Public Service Commission, Dhaulpur House, Shahjahan Road, New Delhi, A photocopy of the said judgment in enclosed herewith.
3. Inspector General of Police, Police Headquarter, U.P. Allahabad with the request that necessary action for payment of pay and allowances to Sri Shukla be taken expeditiously.
4. Shri Ghanshyam Krishan Shukla, Suptd. of Police U.P., SEB, LUCKNOW.
5. Director General and Inspector General of Police, U.P., Lucknow.
6. The C.R. Assistant for placing a copy of this order in the C.R. dossier of Shri Shukla.

By Order

(KESHAV DESIRAJU)

JOINT SECRETARY.

Shri Shukla

Attested  
True Copy

6/35

Before Central Administrative Tribunal

at Allahabad-

\* \* \* \* \*

Annexure No. (II)

IN

O.A. No. OF 1989

Dr. Ghanshyam Krishan Shukla.....Applicant

Versus

State of U.P.

& others . . . . . Respondents.

. . . . .

MOST IMMEDIATE

No. I-15016/15/86-IPS.I  
Government of India  
Ministry of Home Affairs

. . . . .

New Delhi, 11th June, 198

O R D E R

Whereas the following State Police

Ghanshyam

Service Officers Uttar Pradesh were appointed

7/24

:: 2 ::

to the Indian Police Service by promotion  
with effect from the dates shown against each.

Sl. No.	Name	Date of appointment to the IPS
1.	S/Shri Vijay Nath Singh	22.8.1977
2.	" Bhupendra Singh	22.8.1977
3.	" Harish Kumar	22.8.1977
4.	" Sheo Raj Singh	22.8.1977
5.	" I.P. Bhatnagar	22.8.1977
6.	" S.P. Mishra	22.8.1977
7.	" A.P. Sharma	22.8.1977
8.	" K.P. Rai	22.8.1977
9.	" R.B. Mishra	5.4.1978
10.	" N.C. Joshi	5.4.1978
11.	" J.M. Saxena	5.4.1978
12.	" B.K. Singh	5.4.1978
13.	" G.K. Shukla	

2. And whereas the Seniority of the  
Officers at Sl. Nos. 1 to 12 above was deter-  
mined by the Central Government vide M.H.A  
order No. I-15016/10/80-IPS dated 1.7.1986

*[Handwritten signature]*

8/39

:: 3 ::

in pursuance of the order dated 21.2.1986 of the Supreme Court of India in Writ Petition Nos. 4490-99 of 1980 and 5128-29 of 1980- titled Bhupendra Singh & Others versus Union of India & Others and the officers were assigned the years of allotment as shown against their names below :-

<u>Name</u>	<u>Year of allotment</u>
S/Shri	
Vijay Nath Singh	1968
Bhupendra Singh	1970
Harish Kumar	1970
Sheo Raj Singh	1972
I.P. Bhatnagar	1972
S.P. Mishra	1972
A.P. Sharma	1972
K.P. Rai	1972
R.B. Mishra	1972
N.C. Joshi	1972
J.M. Saxena	1972
B.K. Singh	1972

3. And whereas these 12 officers filed application No. 583 of 1986 in the Central

*[Handwritten signature]*

9/30

:: 4 ::

Administrative Tribunal, Allahabad Bench and the Hon. Bench of the Tribunal by its Order dated 22.4.1987 directed the Union of India as follows:-

"The opinion of the learned third member (Vice-charman) has been received and according to the majority opinion, the petitioners have to be assigned seniority from the respective dates of their officiation on the cadre posts.

According to the majority view, the impugned order dated 1.7.1986 passed by the Union of India determining the interse seniority of promotee and direct Indian Police Service officers is hereby quashed and the Union of India is directed to assign the seniority to the petitioners from the respective dates of their officiation on the cadre posts in the Indian Police Service within a period of one month from the date of the receipt of the order. The parties are directed to bear their own costs."

4.

And whereas on a separate application No.660

:: 5 ::

of 1986 filed by Dr. G.K. Shukla, the Hon. Tribunal by its order dated 3.2.1987 had directed that seniority of Dr. Shukla should also be fixed in accordance with the direction dated 21.2.1986 and 11.8.1986 of the Hon. Supreme Court issued in W.P. Nos. 4490\_99 of 1980- Shri Bhupindra Singh Vs. Union of India as may be decided by the Tribunal.

5. And whereas it is now proposed to determine the seniority of the 13 officers mentioned in para 1 above as ordered by the Hon. Tribunal.

6. And whereas the following officers started officiating continuously in cadre posts from the dates shown against their names below :-

Sl. No.	Name	Date of continuous officiation in cadre posts
	S/Shri	
1.	Vijay Nath Singh	24.5.1970
2.	Bhupendra Singh	3.7.1970
3.	Harish Kumar	21.5.1970
4.	I.P. Bhatnagar	1.6.1970
5.	S.P. Mishra	21.5.1970

G. Shukla

11/40

:: 6 ::

<u>Sl.No.</u>	<u>Name</u>	<u>Date of continuous officiation in cadre posts</u>
6.	A.P. Sharma	5.9.1970
7.	K.P. Rai	10.9.1970
8.	R.B. Mishra	25.9.1970
9.	N.C. Joshi	25.9.1970
10.	J.L. Saxena	17.1.1977
11.	B.K. Singh	20.8.1971
12.	G.K. Shukla	27.7.1974

7. And whereas Shri Sheo Raj Singh was sent on deputation to the Government of India on 17.5.1973 and he continued to be on deputation till his appointment to the I.P.S.. The State Government had certified that had he not been on deputation to Government of India, he would have officiated in senior post under the State Government. All the conditions laid down under Explanation 4 below rule 3 (3) (b) of the IPS (Regulation of Seniority) Rules, 1954 were fulfilled for the period from 27.5.1977 to 21.8.1977 except that the certificate was not issued within 3 months from his being eligible for a certificate under the Explanation

G. Shukla

12/41

:: 7 ::

4 ibid, the service rendered by Shri Sheo Raj Singh from 27.5.1977 shall qualify for purpose of fixation of the seniority in terms of Rule 3 (3) (b) of the IPS (Regulation of Seniority) Rules, 1954.

Now, according to the information furnished by the Government of Uttar Pradesh, the following directly recruited IPS Officers started officiation in senior posts from the dates shown against their names below :

Sl.No.	Name of the officer and his year of allotment	Date of continuous officiation in senior post
1.	S/Shri Manzoor Ahmed(RR:1966)	20.5.1970
2.	Yogesh Kumar Misra(RR:1966)	1.7.1970
3.	Ram Swarup Pushkar(RR:1966)	29.8.1970
4.	Mahendra Lalka(RR:1967)	9.3.1971
5.	Chhote Lal(RR:1970)	22.5.1974
6.	Durgesh Prasad Sinha(RR:1972)	12.1.1977

8. Therefore, in accordance with the orders of the Tribunal referred to above, these 13 promotee officers mentioned in para 1 are assigned

L. S. Khanna

13 42

:: 8 ::

the year of allotment shown against their names  
below :

.....  
Sl. No.      Name of the officer      Year of allotment  
.....

S/ Shri

1.	Vijay Nath Singh	1966
2.	Bhupendra Singh	1966
3.	Harish Kumar	1966
4.	Sheo Raj Singh	1972
5.	I.P. Bhatnagar	1966
6.	S.P. Mishra	1966
7.	A.P. Sharma	1966
8.	K.P. Rai	1966
9.	R.B. Mishra	1966
10.	N.C. Joshi	1966
11.	J.M. Saxena	1972
12.	B.K. Singh	1967
13.	G.K. Shukla	1970

9. Accordingly, under rule 4 (4) of the IPS  
(Regulation of Seniority) Rules, 1954, these  
officers are placed in the Gradation List of IPS

G.K. Shukla

1443

:: 9 ::

officers of Uttar Pradesh Cadre as follows:-

Name

S/Shri

Manzoor Ahmed	(RR:1966)
Harish Kumar	(SPS:1966)
S.P. Mishra	(SPS:1966)
Vijay <del>Kumar</del> Nath Singh	(SPS:1966)
I.P. Bhatnagar	(SPS:1966)
S.C. Chaube	(RR:1966)
Y.K. Misra	(RR:1966)
Bhupendra Singh	(SPS:1966)
Sunder Lal	(RR:1966)
Ram Swarup Pushkar	(RR:1966)
A.P. Sharma	(SPS:1966)
K.P. Rai	(SPS:1966)
R.B. Mishra	(SPS:1966)
M.C. Joshi	(SPS:1966)

xxx

xxx

xxx

Mahendra Lalika	(RR:1967)
B.K. Singh	(SPS:1967)
Zainuddin Ahmed	(SPS:1967),
S.B. Dube	(SPS:1967)
A.N. Tewari	(SPS:1967)

g. Shukla

1544

:: 10 ::

Name

S/Shri

P.M. Srivastava (SPS:1967)

Radhey Shyam (RR:1967)

xxx

xxx

xxx

Chhote Lal (RR:1970)

Hari Singh (SPS:1970)

G.K. Shukla (SPS:1970)

J.S. Bhandari (SPS:1970)

Sushil Kumar (SPS:1970)

V.N. Rai (SPS:1970)

Devendra Prasad (SPS:1970)

xxx

xxx

xxx

D.P. Singh (RR:1972)

J.M. Saxena (SPS:1972)

P.N. Tripathi (SPS:1972)

K.B. Singhal (SPS:1972)

Shoe Raj Singh (SPS:1972)

Ram Lal (SPS:1972)

10. The seniority of the 13 officers in para 1 above as determined above shall be subject to the decision of the Special Leave Petition No. 6066 of 1987 filed by Union of India Vs.

*[Handwritten signature]*

16/45

:: 11 ::

Bhupendra Singh & Others in the Supreme Court of India against judgement and order dated 22.4.1987 of the Central Administrative Tribunal, Allahabad Bench . The concerned officers may kindly be informed accordingly.

11. Hindi version will follow.

( N.S. Sharma )

Under Secy. to the Govt. of India

No. I. 15016/15/86/IPS.I Dated : 11 th June 1987

copy forwarded for information and necessary action to :

1. The secretary to the Govt of Uttar Pradesh Home (Police) Department, Lucknow with 20 spare copies.

2. The Accountant General, Uttar Pradesh, Allahabad.

3. Shri K.C. Sinha, Advocate and Central Government standing Counsel, Flat No. 9, Block No.12. Alkapuri, Hastings Road, Allahabad.

(N.S. SHARMA)

Under Secy. to the Govt of India

For internal distribution:

Copy each to D.O.Pers. III, Pers. IV, S.O. (IPS.I).  
20 Spare copies for use in Section.

*Handwritten signature/initials*

Attested  
TRUE COPY.  
*Handwritten signature*

47 46

Before Central Administrative Tribunal  
at Allahabad.

.....

Annexure No. (3)

In

O.A. NO. of 1989

Dr. Ghanshyam Krishan Shukla.....Applicant

Versus

State of U.P. & others..... Respondents.

.....

To,

The Chief Secretary,  
Government of Uttar Pradesh,  
Lucknow.

Through:- Proper Channel.

Sir,

I beg to submit that after I had proceeded  
on Earned Leave from posting of SSP ETAWAH  
because of an unfortunate incident that occurred  
in May 1984 in Village Asta, District Etawah,

*G. Shukla*

18/47

Government initiated departmental proceedings against me. Although the Enquiring Officer had in his report exonerated me for the charge, but the Government in consultation with the Union Public Service Commission inflicted the punishment of withholding my promotion till the date of my superannuation vide Govt. order dated 24.7.1987.

2. Aggrieved by the above decision of the State-Government, I preferred a Claim application No.822 of 1987 before the Central Administrative Tribunal Allahabad Bench, Allahabad. After hearing me and also the State of U.P., the Central Administrative Tribunal, Allahabad, reserved their judgement on 28.1.1988. The Allahabad Bench of the Central Administrative Tribunal Pronounced their judgement on 9.2.1988. It will be seen that the Central Administrative Tribunal:-

(i) have set aside the order dated 24.7.87 imposing the penalty of withholding promotion including the Selection-Grade on me.

Attitude

19/4/83

- 3 -

(ii) have also set aside the reference made by the State Government to the Union Public Service Commission,

(iii) have further set aside the advise tendered by the Union Public Service Commission to the State of Uttar Pradesh.

I, enclosed, herewith, the photostat copy of the judgement of the Central Administrative Tribunal, Allahabad, for your kind perusal and order for immediate further action.

3. As the Central Administrative Tribunal have allowed my application, it is requested that in view of the judgement of the Central Administrative Tribunal, Allahabad Government may kindly:-

(a) grant me my due promotion to the Selection-grade of I.P.S. with effect from 1.1.1983 as the Govt. of India have assigned me 1970 as my Year of Allotment in Indian Police Service.

R. K. Singh

20/49

(b) kindly consider my case in D.P.C. for my empanement as Dy. Inspector Genl. of Police and kindly promote me as Dy. Inspr. General of Police as I have now only less than five months to superannuate.

4. I have full hope and belief that you will kindly protect my interest and initiate speedy action on my request as any delay whatsoever will incur irreparable financial loss as well as loss of carrier to me.

With respect.

Yours faithfully,

(Dr. G.K. Shukla)

Suptd. of Police (Security),

U.P. State Electricity Board,

Encl. As above.

Lucknow.

No. CO-Pers.-3/88

Dt/-March 10, 1988

Copy forwarded to the Director General of Police, Uttar Pradesh, Lucknow, alongwith a photostate copy of the judgement for kindly recommending my case to the State Gove nment favourably immediately.

(Dr. G.K. Shukla)

Supdt. of Police (Security),

U.P. State Electricity Board,

12th Floor, Shanki Bhawan Ext.,

Lucknow.

G. Shukla

Encl:- as above.

Attested  
True Copy  
*Sudhir Kumar*

21 50

Before Central Administrative Tribunal  
at Allahabad.

.....

Annexure No. (74)

In

O.A. No. of 1989

Dr. Ghanshyam Krishan Shukla..... Applicant

Versus

State of U.P. & others..... Respondents.

.....

Advance copy

From:- Dr. G.K. Shukla IPS,  
Suptd. of Police (Security),  
UPSEB, Lucknow.

To,

The Secretary,  
Government of Uttar Pradesh,  
Home Department, Lucknow.

Through:- Proper Channel.

G.K. Shukla

2251

Ref:- GO No. 2236/VIII-PS-2-820/57 Home(Police-  
Service) Section 2, dated July, 24, 1987.

Sir,

In the above reference due to unfortunate incident that occurred in May 1984 in Village Asta, District Etawah, Govt. had initiated disciplinary proceedings against me in which Enquiring Officer had exonerated me from the charge in his report. Never, the less the Govt. had inflicted the punishment as mentioned in the above G.O. for withholding the promotion. Aggrieved by the above decision I preferred a claim Application No. 822 of 1987 before the Central Administrative Tribunal Allahabad, Bench, Allahabad.

2. After the full hearing, the Central Administrative Tribunal Allahabad pronounced the judgement on 9.2.1988, according to which the Central Administrative Tribunal :-

(i) have set aside the above mentioned punishment order dt. 24.7.87.

(ii) have also set aside the reference made by the State Govt. to the Union Public Service Commission.



925 B

(iii) have further set aside the advice  
tendered by the Union Public Service  
Commission to the State of Uttar Pradesh.

3. The original certified copy of the  
judgement of the Central Administrative Tribunal  
Allahabad has already been submitted vide my  
application of even dated Feb. 22, 1988.

4. Since my claim petition has been allowed  
by Central Administrative Tribunal Allahabad, it is  
requested that in view of the judge Govt. may kindly:-

a) grant me my due promotion to the selection  
grade of IPS with effect from 1.1.83 as the  
Govt. of India have assigned 1970 as my  
year of allotment.

(b) my case may kindly be put up before next  
DPC for my empanelment as Dy. Insp. Genl.  
of Police at the earliest and promote as  
DIG of Police at the considering compassio-  
nately as I have now only less than 4 months  
to superannuate and have already been put to  
financial loss in persuing the claim petition

In Shukla

24 53

- 4 -

before Central Administrative Tribunal Allahabad for fixation of my seniority and getting the punishment set aside as mentioned above.

(c) Kindly pass order regarding the pay and allowances to be paid to me for the period of suspension and the said period may kindly be treated on duty about which a mentioned was made in the above mentioned G.O.

5. I have most respectfully full faith and hope that my interest shall be kindly protected which also deserve a compassionate consideration as indicated above and speedy shall be initiated. Any delay in kindly granting me the above mentioned redress will incur irreparable financial loss to me and as set back in carrier for which there is no reason to suffer now.

Yours faithfully

G. K. Shukla

(Dr. G.K. Shukla)

7. 4. 88

28 54

- 5 -

No. CO-Pers.-4/88

Dt. April, 7, 1988

Copy forwarded to Director General of Police  
Uttar Pradesh, Lucknow with a request for kindly  
recommendation my case to the State Govt. favourably  
by way of early redress.

to handle

Attested  
True Copy  
Sudhir Aggarwal

26 55

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

AT ALLAHABAD

ANNEXURE (V)

IN

O. A. NO. OF 1989.

.....

Dr. Ghanshyam Krishan Shukla . . . Applicant

Versus

State of U.P. and

others . . . . . Respondents.

.....

From:

Advance copy

Dr. G.K. Shukla, I.P.S.

Superintendent of Police (Security) ..

U.P. State Electricity Board,

Lucknow.

To,

The Secretary,

Home Department,

Government of Uttar Pradesh

Lucknow.

G.K. Shukla

Through: Proper Channel.



28 57

- 3 -

(ii) Have also set aside the reference made by the State Government to the Union Public Service Commission.

(iii) and also have further set aside the advice tendered by the union Public service Commission to the State of Uttar Pradesh .

3. The original certified copy of the judgement has already been submitted vide my application of even no. dated February 22, 1988. I had also prayed for, in view of the judgement from Central Administrative Tribunal, Allahabad to grant me my due promotion to the selection grade of I.P.S. with effect from 1.1.1983, as Government of India had assigned 1970, as my year of allotment, and to kindly put up my case before D.P.C. at the earliest and promote as D.I.G. of police as I have now little time to serve giving a compassionate consideration, as a renderes to the injustice caused to me.

4. Now vide order No. DG-I-18(5)-88 dated 4.5.88 from DG. Police, it has been learnt that Sri Devendra Prasad I.P.S. and Sri Gosh Singh Bhandari

*24/5/88*

29/58

I.P.S. have been promoted as D.I.G. Thus further causes a grivance to me as they are juniors to me in the list of seniority of 1970 of I.P.S. batch as declared vide Government of India Order No. I-15016/15/86-I.S.I dated 11th June, 1987.

5- Now it is relevant to mention that during the pendency of Trial of my cliam application before Central Administrative Tribunal an interim order was made and served on Government of U.P. ~~that~~ since I was to retire in the near future the petition was admitted, and in the meantime if any selection for the post of D.I. G. are held; the petitioner be consider ~~be~~ and instead of publishing his result it may be kept in sealed cover. A photostat copy is enclosed for kind perusal. A copy of this order has already been served on Government of U.P.

6. After the service of this interim order my name should have been considered for emplement and after receipt of the judgement from Central Administrative Tribunal Allahabad should have been &

Handwritten signature

30/59

duly brought on the panel of names for promotion of D.I.G. of Police. By the promotion orders of juniors to me in 1970 batch it seems that the interim order and the final judgement of Central Administrative Tribunal in ~~my~~ my favour were not properly honoured, else such situation, should not have taken place particularly in view of the interim orders and I should have been promoted before the promotions of my juniors viz Shri Jodh Singh Bhandari I.P.S. and Sri Devendra Prasad I.P.S. It is also relevant to mention that in the counter-affidavit file on behalf of U.P. Government no fact or circumstances were mentioned debarring my promotion on the basis of service records and in such circumstances when the punishment was set aside and an interim order was also made by Central Administration Tribunal, my name should have been brought on the panel above the names of my juniors and consequently I shall have been promoted before them following the directions and judgement of Central Administrative Tribunal correctly in true letter and spirit.

*Handwritten signature*

31 60

- 6 -

7. In view of the above I am confident that justice shall be done to my case who has less than 2 months now to retire, and, therefore, I pray to kindly immediately review my case with a view to promote as D.I.G. of Police as injustice has been done in promoting Officers Juniors to me in the list of year of allotment of 1970 of I.P.S.

8. I have full faith and hope and submit most respectfully that my interest shall be kindly protested which also deserves a compassionate consideration deserving speedy action. Any delay in kindly granting me the above requested redress will incur irreparable financial loss to me and a definite set back in my career for which there is no reason to suffer now.

Yours faithfully,

sd/-

( Dr. G.K. Shukla)

7.5.88.

No. Co-pers-4/88

dated 7th May, 1988.

*Shukla*

32 (61)

- 7 -

Copy forwarded to the Director General of Police ,  
U.P. Lucknow with a respectful request for kindly  
considering the above prayer recommending my case  
to the State Government favourably by way of  
early redress.

Asst. Secy.

Attested  
TRUE COPY  
Sudhir Aggarwal

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNE ALLAHABAD.

COUNTER AFFIDAVIT

IN  
OF 1989

O.A.NO. 520

Dr.G.K. Shukla

Applicant.

Versus

State of U.P. and others.

Respondents.

Affidavit of Yogendra Dev Singh  
a/o 42 years S/o Kamleshwar Singh,  
Uppur Division Assistant (Home  
Police Services) Section-2, U.P.,  
Secretariate Lucknow.

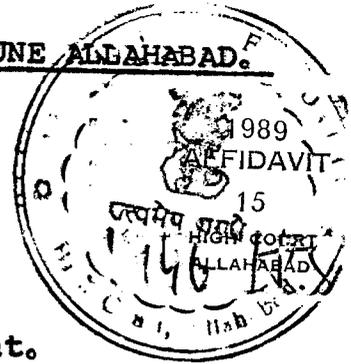
(Deponent)

I, the deponent named above do here by most solemnly  
affirm and state as follows:-

1. That the deponent has been authorised by Home Secretary Govt. of Uttar Pradesh, Lucknow to file this Counter Affidavit on behalf of respdt. No.1 and 3. He is the dealing assistant of the service records of the petitioner and as such is well conversant with the facts deposed below.
2. That the deponent has been read over and explained the original application of the petitioner here in after referred to as "the application". He has understood the same. and is in a position to reply the contents of the application.
3. That before giving the para wise reply of the application the circumstantial back ground of the case giving rise to the afore-said application is as follows:

*Dough*

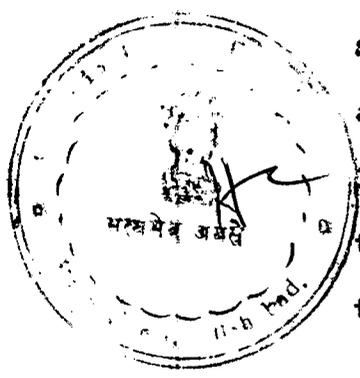
2/-



*Sl-62*  
*CA filed today*

*Received copy for S.C. Bhatnagar Adv.*

*[Signature]*  
*Adv*  
*9.2.90*



- (b) That the petitioner was posted as S.S.P. in Etawah in the year 1983-84. Some complaints, containing the allegations of corruption were received against him which were got inquired into by the C.I.D. The C.I.D. in its enquiry reports found some charges proved against him and recommended that the integrity certificate of the petitioner for the years of 1983 be with-held. After careful consideration of the enquiry report, the State Govt. took a decision to institute departmental proceedings against the petitioner Under Rule 8 of All India Services (Discipline and Appeal) Rules 1969 and a charge sheet was issued to the petitioner on 20.6.88 vide G.O.NO. 2415/8 PS-2-820/57 dated 20th June 1988. A Copy of which is enclosed as Annexure C.A. I to this affidavit.
- (b) That on the report of the CID, the decision to initiate disciplinary proceeding against the petitioner under rule 8 of All India Services (Discipline And Appeal) Rules, 1969 was taken by the respondent no. 1 on 3rd May 1988 and in pursuance thereof the said charge-sheet was issued to the petitioner.
- (c) That the afore-said chargesheet was sent to IG. UPSEB, Lucknow to serve upon the petitioner with a covering letter dated 20.6.88 a true copy of which is being filed here with as Annexure CA-II to this affidavit.
- (d) That the IG. UPSEB, Lucknow gave the service report that the charge sheet was sent to the petitioner on all the addresses given by him and when he was not found at any place, it was sent by the registered post to his residential address at Lucknow, which was returned undelivered. Besides the dispatch by registered post, the charge-sheet was also issued for personal service to Shri S.R. Singh Deputy S.P. who along with two witnesses went to the local residence of the petitioner where his adult son Sri Gopi Krishna Shukla met Shri S.R. Singh and refused to accept the charge-sheet as his father had instructed him not to



*Singh*

to receive any documents from the Govt. So the charge sheet was pasted on the front door of his house. This service of the charge-sheet was held to be sufficient and the departmental proceedings against the petitioner are pending. True copy of service report of IG, UPSEB along with the report of Shri S.R.Singh is being filed here-with as Annexure CA.III to this affidavit.

- (e) That after the orders of the this hon(ble Tribunal dated 9.2.88 in O.A.No. 822/87 the petitioner was considered for selection grade in I.P.S. and for promotion to the post of Deputy IG. of Police and the departmental promotion Committee passed the following order:-

केन्द्रीय प्रशासनाधिकरण के आदेश को ध्यान में रखकर चयन समिति ने डाक्टर शुक्ला के प्रसंग में उनको आईपीएस सेलेक्शन ग्रेड तथा पुलिस उपमहानिरीक्षक के पद पर प्रोन्नति किये जाने के प्रसंग में भारत सरकार के नवीनतम मार्गदर्शी सिद्धांतों के अनुसार विचार किया क्योंकि दोनों स्तर पर प्रोन्नति का मापदण्ड एक ही है। चूंकि डाक्टर शुक्ला के विरुद्ध राज्य सरकार ने उनके इटावा कार्यालय से सम्बन्धित कतिपय आरोपों पर विभागीय कार्यवाही करने का निर्णय ले लिया है। अतः चयन समिति ने डाक्टर धनचाम कृष्ण शुक्ला के सम्बन्ध में अपनी संस्तुति बन्द लिफाफे में रखी है।

- (f) That the departmental promotion committee has kept it's decision and assesment about the fitness of Dr.Shukla for Selection grade in IPS and for his promotion as Deputy Inspector General of Police under the sealed cover. True copy of the guide lines of the Government of India regarding promotion in All India Government Services against whom deciplinary proceedings are pending is being filed here-with as Annexure C.A. IV to this affidavit.

Singh



4. That the contents of para 1,2, and 3 are regarding the orders against which the petition has been filed and the jurisdiction and limitation and as such need no comments.
5. That the contents of para 4 (a) need no reply.
6. That in reply to para 4 (b) of the application it is stated that the petitioner was awarded adverse remarks in his character roll for the period 1.4.72 to 8.7.72 duly communicated to him on 27.7.73. He was also warned by the State Government vide order No.1348/VIII PUSE-26/1(39)/77 dated 15.5.1980. The contention made otherwise is denied being unfounded.
7. That in reply to para 4(c) of the application it is stated that the petitioner was promoted as S.P. Moradabad on adhoc basis where he took over on 8.7.72 There after he was posted as Supdt. of Police Etah where he Joined on 1.11.72. Rest of the contention are misconceived and as such is denied.
8. That the contents of para 4 (d) (e) (g) (k) (l) (m) (n) of the application and para 6,7 and 9 to 12 are not disputed and need no reply.
9. That in reply to para 4 (f) of the application it is stated that 15 days leave was granted to him with effect from 16.5.84 vide DIG administration Lucknow order dated 17.5.84 with permission to avail holiday of 15.5.84 or from the date of departure. Whereafter the petitioner proceeded on leave with effect from 25.5.84 after handing over charge to Sri Ram Adhar Joint S.P. Etawah. Rest of the contention are denied.
10. That the contents of para 4(h) are admitted to the extent that the petitioner was placed under suspension by respondent no.1 with effect from 6.6.84 and he was reinstated on 26.12.84 and posted as Supdt. of Police UP, SEB Lucknow where he joined on ~~28.12.84~~ 28.12.84. Rest of the contentions are denied.

*Pr Singh*



11. That the contents of para 4 (i) of the application are admitted to the extent that a charge-sheet was issued to the respondent no. 1 on 19.1.84 and was served on him on 20.7.84. Rest of the contents need no reply.
12. That in reply to para 4 (j) of the application it is stated that the enquiry Officer recommended by his report dated 2.6.86 to the respondent no. 1 that the petitioner be warned to be more vigilant in future.
13. That the contents of para 4(m) are not disputed except the fact that the judgment was delivered on 9.2.88 and not on 9.2.87.
14. That in reply to para 4(o) it is stated that the order dated 9.2.1988 passed by this hon'ble Tribunal was fully implemented and the petitioner was allowed all the benefits for which he was entitled under the rules.
15. That in reply to para 4(p) and (q) (r) and (s) it is stated that the allegations are misconceived and as such denied. His juniors Sri Tilak Kak and Sri D.K.Panda were not promoted as DIG in the State. In fact the services of these two officers were placed at the disposal of Government of India with effect from 29.3.88 and 1.4.88 respectively. On being posted on deputation they were allowed promotion to the rank of DIG by Government of India. There is no violation of the rules as none of his juniors was promoted to the rank of DIG in the state till the dated of his superannuation. The contention made otherwise is denied. In view of the fact stated above, no action was needed on the representation of the petitioner.
16. That the contents of para 4(t) and (u) are argumentative. The order dated 24.7.87 was set aside in compliance of the order of this hon'ble Tribunal dated 9.2.88 and full benefits were allowed to the petitioner. There is no violation of the article 16 of the Constitution of India.



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- 17. That the grounds taken in para 5 of the petition are misconceived and suitable reply shall be given to it at the time of hearing with the leave of the Court.
- 18. That in reply to para 8 of the application it is stated that the petitioner is not entitled to any relief prayed for and the petition deserved to be dismissed with costs.

I, the deponent named above do hereby swear that the contents of paras. <sup>h</sup> 1, 2, 4, 5, 8 & 14 <sup>h</sup> of this affidavit are true to my personal knowledge while those of paras <sup>h</sup> 3(a) to 3(f), 6, 7, 9 to 13 & 15 <sup>h</sup> are based on perusal of record and that ~~th~~ of paras <sup>h</sup> 16 to 18 <sup>h</sup> are based on legal advice which all I believe to be true. No part of it is false and nothing material has been concealed.

So help me God.

*P Singh*

Deponent

I <sup>h</sup> Chandra Prakash, Advocate <sup>h</sup> hereby declare that the person making this affidavit and alleging himself to be Yogendra Dev Singh is known to me on the basis of the perusal of the papers produced by him in connection with the case.

Solemnly affirm before me on <sup>h</sup> 8<sup>th</sup> <sup>h</sup> day of February 1990 at <sup>h</sup> 8 a.m./p.m. by the deponent identified by the affor- esaid Advocate.

I am satisfied that the deponent has understood the contents of the counter affidavit which has been read over and explained before him.

OATH COMMISSIONER.

*Hansu Chandra*  
 OATH COMMISSIONER  
 High. Court Allahabad  
 S. No. 1446/15  
 Date 8/2/90

*1/2  
 27/11-1990*

*P Singh*

G.I. Shukla . . . . . APPLICANT  
VERSUS . . . . .  
STATE OF U.P. & OTHERS. . . . . RESPONDENTS

विभाग SEC.HOME (POLICE SERVICES) SEC.2

सं. NO. 2415/VIII-PS-2-020/57

LUCKNOW: DATED: 20 JUNE, 1988.

MEMORANDUM

The State Government propose to hold an inquiry against Dr. Ghanshyam Krishna Shukla, I.P.S. (SPS-1970) under Rule-0 of All India Services (Discipline and Appeal) Rules, 1969. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

2.. Dr. Ghanshyam Krishna Shukla is directed to submit within 10 (ten) days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

3.. He is informed that an inquiry will be held only in respect of those article of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4.. Dr. Ghanshyam Krishna Shukla is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 8 of All India Services (Discipline and Appeal) Rules, 1969 or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him ex-parte.

5.. Attention of Dr. Ghanshyam Krishna Shukla is invited to Rule-1B of AIS (Conduct) Rules, 1968, under which

पी०ए०स०य०पी०-ए०पी० २० सा० प्रसासन-२५०-८१(१९९९)-१९८६-५,००,००० हिंदी। Contd...2/

*Prigb*

*Am...*

Hair Choudhary  
OATH COMMISSIONER  
High Court Allahabad  
S. No. 144/15  
Date 8/2/90

# उत्तर प्रदेश सरकार

विभाग

संख्या

सं. २२७

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//2//

no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Dr. Shukla is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-18 of AIS (Conduct) Rules, 1968.

6.. The receipt of the Memorandum may be acknowledged.

By order and in the name  
of Governor.

(KALYAN KUMAR BAKSI)  
Home Secretary,  
Government of U.P.

DR. GHANSHYAM KRISHNA  
SHUKLA, IPS  
SUPDT. OF POLICE,  
U.P. STATE ELECTRICITY BOARD  
SHAKTI BHAWAN,  
LUCKNOW.

Enclosure - 14 pages.



Handwritten check  
S. No. 1446/15  
Date 8/2/90

पी०ए०स०यू०पी०-ए०पी० २७ सा० प्रसासन-२५-७-८१(१२९९)-१९८६-५,००,००० हिन्दी ।



मी जिया हारा ज्वाहार पर्ये ता मिश्रणी पर मी जिया डे पिउड  
उपयोगी पर्ये म्पु-सिपेट जिया जन्तु प्राप्ते मी समरको जिया डे  
पिउड तों उपयोगी नही जी। तिसरे यह तृतीय डोडा डे मी प्राप्ती  
मी समरको जिया जाया प्रया डे त्वा परने डे बरिठ बरिठ जी।

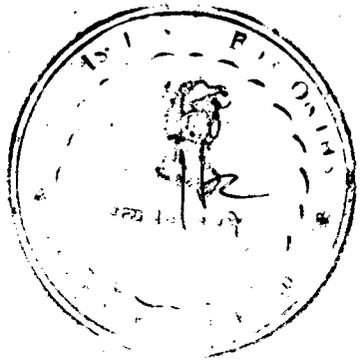
मी उपकार सिंद, मूल्य पुस्तिका मी-० जी उपरोक्त ज्वाहार  
डे संबंध डे उन्नी सिपेट जी वरिष्ठ प्राप्ता पुस्तिका च्वा निरी-०, प्राप्ता चीन  
डे प्राप्ता-प्रकार मी पर्ये प्राप्ता त्वां परे मी तिनू प्राप्ते उक्त प्राप्ते डे  
पापचूह तों वरिष्ठ त्वां नही जी ।

प्रशिक्षण डे प्रकाश पर्ये 1981-82 डे कर के मी ह्या म्दसा  
पिनुस पन्ड ता त्वांति एम प्राप्ति डे रा मी प्रशिक्षण प्री-पुत च्वां ह्या  
क्वति प्राप्ते उपयोगी पर्ये 1980 डे 76 प्रशिक्षण प दिनो 1-1-85 डे  
31-5-85 डे 20 प्रशिक्षण म्दसा डे प्री-पुत ह्ये । ह्ये स्पष्ट डे मी  
प्राप्ती प्रन्तली म्दसा-मि डे म्दसे ता त्वां वीर्ये डे ए रहा ता त्वा  
मी पुत्रता सिंद प्रधारी निरी-० प्राप्ता त्वां-प्राप्ती डे ए ह्या/म्दसा  
परने प्राप्ती डे पिउड म्दसा उपयोगी जी मी प्राप्ते मी पुत्रता सिंद तों  
परेशान परने जी निवत डे उन्ना स्पष्टीकरण प्राप्ता तिसरे परेशान डोड  
पह 'ह्येडी केर प्राप्ता स्थानान्तरण त्वां करह तों परा ए ए मी मी। पुस्तिका  
च्वा निरी-०, प्राप्ता चीन प्राप्ता डे प्राप्ती सिपेट ता मी मी समरको  
म्यां, ज्वा-प्राप्ती नगर तों के डे स्थानान्तरित पर 'जिया चाये त्वांति  
उन्ने हारा ह्या म्दसा पराया या रहा जी। तिनू ए स्पष्ट प्राप्ते डे  
पापचूह मी मी म्यां तों स्थानान्तरित नही जिया। तिसरे मी ए प्राप्ता  
तों ए म्दसा डे मी ह्या ए म्दसा परने डे प्राप्ती मी समरको म्यां  
तों म्दसा-मि जी।

प्राप्ते संख्या-९

यह मी प्राप्ता डोडा वी-०-० ह्ये म्दसा म्दसा-मि च्वा-पुस्तिका  
म्यां-० हटाया डे ए डे यह म्दसा ह्ये डे मी उन्ना-प्राप्ता म्यां तों न ह्ये  
जिया चाये परन्तु ए मी पुत्रता सिंद प्रधारी निरी-० त्वां-प्राप्ती हटाया  
डे उन्ना-प्राप्ता म्यां तों म्दसा मी प्राप्ते मी पुत्रता सिंद निरी-० ता  
स्पष्टीकरण प्राप्ता। ए प्रकार प्राप्ता त्वां उन्ना-प्राप्ता ए भारतीय पुस्तिका  
सेवा डे महत्त्व डे प्रमुख नही रहा डे ।

P Singh



1 ज्वा-प्राप्ता म्यां ।  
पुत्रता सिंद  
उत्तर प्रकाश प्री-पुत ।

H. Chandra  
S. No. 1446/13  
Date 8/2/90



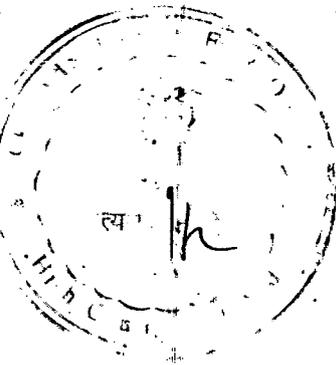
द्वितीय यह पाना पोखरी, जहाप में द्वितीय उत्तर के बह पर नियुक्त है। जनाज्य यह भी नियुक्त जग में ही पुलिस थप स्टेशनरी, ठानुर परिन है जलि द्वितीय 27-3-89 हारा की तरनाय सिंह ठा पानान्तरप जहाप कनह के ठानुर कनह हुआ जा। जलजग ठप-निरि के जने पानान्तरप ठो ज्जानि के निर एठ प्रार्था एम तत्तानीन ज्जठ बुझि ज्जि, जहाप ठाठ चीठेठ गुजा ठी प्रार्था थिा, जिसे ठाठ गुजा के जने एमठि डी-191/89 दिने 5-9-89 हारा प्रार्था एम ज्जगन एरते ह्ये बुझि थप स्टेशनरी ठो ठोपानान्तरप द्वितीय 31-9-89 का ज्जानि के निर नियुक्ति ठी थी। ज्जि ज्जपार एर उनठा पानान्तरप थपनिठ थिा थया। पुनः ज्जठ बुझि ज्जि, जहाप के जने एम द्वितीय 14-5-85 हारा थप निरीठठ की तरनाय सिंह ठा पानान्तरप द्वितीय 31-5-85 का ज्जानि के निर नियुक्ति ठी थी।

ज्जकी नियुक्ति के ज्जग की तरनाय सिंह ठप-निरि ठो ठी दिने 19-12-89 ठी पाना ज्जिवापुर में जनाज्य के बह पर नियुक्त थिा ठा ज्जठि ज्जठे पिछे ज्जिथीप ज्जराप संख्या-17/82 पारा 352/218 थ्ठठठठठ पाना पोखरी में प्रचीण थ, थिठी थिथना ठी थ थि ठी। ठी तरनाय सिंह ठप-निरिठठ ठी पानाज्य के बह पर नियुक्ति के ठी डाठ गुजा ठा ज्जरप ज्जिठठ ठीत ठीत है।

प्रारोष संख्या-3

द्वितीय 10-11-89 ठी एम ठीया सुंआरठठठठ-2721 एगारठी ठीठ हारा राष्ट्रीय थप-एर ठीठ में जने के ठारप ज्जिठर ज्जिठर ऐठठ के ज्जन्त ज्जानन एरठे थया ज्जिठठठ में पन्ठ ठी थई थी। एम थानिठ ठी दिने ज्जठ गुजा एम ठी ज्जदीठ वराथन गुजा, थिाठी बुझी हुडाम, थिरिया ठी प्रार्था एम तत्तानीन ज्जठ बुझि ज्जिठठ ठाठठर चीठेठठठठ ठी ज्जदीठ वराथन गुजा ठी थीठुठी में थाना ज्जिठठठ ठी ठपठ एम ठी एम थानिठ ठी ज्जानन एर रिठ एरठे ठा ज्जिठ थिा थिथन एम है थिा ठा। एम ज्जिठ के ठपरान्त डी एम ठीठिठि 20-11-89 ठा एम थानिठ ठी दिने बन्ठ गुजा ठी ज्जानन एर पाना ज्जिठठठ हारा ठीठठ थया ठा ज्जठि थिथठठठठ ठपठ एम ठी ज्जानन एर ठीठठे के जिसे पानाज्य ज्जिठ ठीठे ज्जठ ठच्च बुझि ज्जिठठठि ज्जिठठ वई थ। ठी दिने बन्ठ गुजा थ डेठ थोठ एरठिठ सिंह के ठेठठ के स्पठठ है ठि ठपठ एम ठी ठीठठे के निर डाठ गुजा हारा थानाज्जिठठठ ठी-थायर ज्जि थिा थया थ।

द्वितीय 18-11-89 ठी एम ठीया सुंआरठठठठ-2721 एगारठ ठीठठ हारा ज्जिठठठ में पन्ठ-ठी थई थी। ठपठ एम ठी डाठ गुजा के थाना ज्जिठठठ ठी थायरठठठठठठ ज्जिठ ठेठर ज्जानन एर ठीठठे ठा ज्जिठ थिा थठि थानाज्य ज्जिठठ ज्जठ ठीठे ठच्च बुझि ज्जिठठठि एम ठी ज्जानन एर ठीठठे के जिसे ज्जिठठ वई थ। डाठ गुजा के ज्जिठठे ठे ठपठ एम ज्जानन एरठीठी थई, थो ज्जिठठठ थ थव उनठे ज्जरप ठी ज्जिठठ एरठठ है।



*Pr Singh*

*mark*



ने पुलिस स्टेशनरी, गायरा चौक के स्पष्ट आदेशों के उपरान्त भी  
 स्पष्ट चर्चा न करे परन्तु प्रमुख पुलिस अधीक्षक जी चर्चा को प्रसारित  
 कर दिया। पुलिस स्टेशनरी, गायरा चौक के अपने दिवसीय  
 दिनांक 17-9-89 में ज्येष्ठ पुलिस अधीक्षक द्वारा स्पष्ट चर्चा न करे  
 चर्चा पर शासित करने पर पुलिस अधीक्षक प्रमुख, क्षेत्रीय  
 कार्यालय को नगर के स्थानान्तरित करने पर पानाध्यक्ष लिखित कार्यालय  
 वाक्य की संशय का हटाया जाये और वाक्य हटाकर करने को भिजा। यह भी  
 उचित ठिया कि प्रमुख पुलिस अधीक्षक जी रिपोर्ट के स्पष्ट है कि चर्चा  
 बुद्धि/सद्वृत्त पुलिस अधीक्षक के संकेत से नहीं हो रहा है, जो उनकी  
 निष्पक्षता का बोलचाल प्रत्यक्ष है एवं प्रमुखता स्पष्ट की कि ज्येष्ठ पुलिस  
 अधीक्षक, हटाया के प्रमुख पुलिस अधीक्षक जी रिपोर्ट पर स्पष्ट: कार्यवाही  
 नहीं नहीं की। इस संबंध में ज्येष्ठ पुलिस अधीक्षक, हटाया के दिनांक 26-9-  
 89 को भिजा कि उनके द्वारा सत्ताधीन प्रमुख पुलिस अधीक्षक की उपाधीकर  
 सिद्ध के स्पष्ट कार्यवाही निष्पक्ष के दौरान एक एक हटाया हो गया था,  
 एक कार्यवाही करने यह चर्चा किसी अन्य अधिकारी के पराधी। ज्येष्ठ पुलिस  
 अधीक्षक, हटाया के अनुसार उन्होंने इस संबंध में सत्ताधीन पुलिस अधीक्षक  
 गायरा चौक की चौकिस को अपने पत्र दिनांक 17-8-89 द्वारा प्रमुख  
 करा दिया था। जिस पर उन्होंने कोई शासित नहीं की थी। उल्लेखनीय  
 है कि पुलिस स्टेशनरी, गायरा चौक के पत्र दिनांक 22-8-89 के  
 ज्येष्ठ पुलिस अधीक्षक, हटाया का यह एक पिनपुन प्रमुख प्रमाणित होता  
 है कि पुलिस स्टेशनरी, गायरा चौक के अपने पत्र द्वारा ज्येष्ठ पुलिस  
 अधीक्षक, हटाया को स्पष्ट चर्चा करने का आदेश भिजा गया है। इस  
 प्रमाणित होता है कि ज्येष्ठ पुलिस अधीक्षक, हटाया का को भी प्रमुख  
 के चानकूल पर पुलिस स्टेशनरी, गायरा चौक के स्पष्ट आदेशों की अवहेलना  
 की, जिससे कि उन्हें चर्चा करे पानाध्यक्ष लिखित वाक्य व पुलिस अधीक्षक  
 की संशय का हटाया के बिना कार्यवाही न करनी है। उल्लेखनीय है कि पुलिस  
 स्टेशनरी, गायरा चौक के पार-पार लिखे के पाह की पुलिस अधीक्षक  
 की संशय का हटाया के ज्येष्ठ पुलिस अधीक्षक, हटाया के नगर के स्थानान्तरित  
 नहीं भिजा पत्र की कार्यवाही न करे, जब उपाधी स्थानान्तरण  
 पुलिस स्टेशनरी, उपाधी द्वारा हटाया के हटाया को दिनांक  
 22-9-89 को भिजा गया। यद्यपि यह भी उचित करना आवश्यक है कि  
 प्रमुख पुलिस अधीक्षक द्वारा प्रेषित हैं व्यापक बुद्धि/सद्वृत्त के सम्बन्ध में जो  
 प्रारोप गया है चर्चा के एवं किसी चर्चा की चौकिस शर्मा, पुलिस अधीक्षक  
 को ही नहीं की, जो रिपोर्ट प्राप्त नहीं हुई और न ही ज्येष्ठ पुलिस  
 अधीक्षक, हटाया के उनके लिखित रिपोर्ट न देने के सम्बन्ध में कोई कार्यवाही की  
 पुलिस स्टेशनरी, गायरा चौक के भी प्रमुख को भिजा  
 था कि प्रमुख शर्मा, क्षेत्रीय कार्यालय को नगर के स्थानान्तरित  
 कर दिया जाय कि उनके द्वारा सद्वृत्त व बुद्धि उपाधी का रहा है।  
 पुलिस स्टेशनरी के स्पष्ट आदेशों के पाबंद भी प्रमुख शर्मा को



*Boigh*

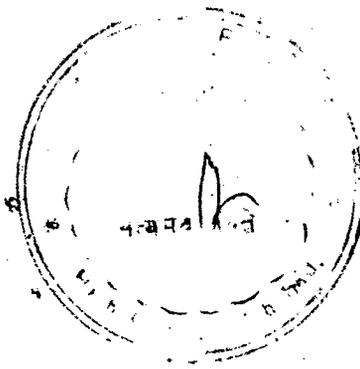
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क्षेत्र से नहीं हटाया गया। इससे इस संस्थापना को कम खिलता है कि प्री एस 0 एन 0 इसी जेष्ठ पुलिस अधीक्षक, इटावा द्वारा हुआ सट्टा करने की गैरमंजूरि प्राप्त की। यह भी उल्लेखनीय है कि डा 0 शुक्ला के अने उच्चाधिकारियों के स्पष्ट आदेशों का अनुसरण किया है।

सत्ताधीन संयुक्त पुलिस अधीक्षक प्री उमाशंकर सिंह द्वारा अरिषा व इटावा नगर में हुआ व सट्टा में पश्चि चरित्तियों को निरस्तार किया गया था और उनके विरुद्ध अभियोग पंजीकृत कराये गये थे। अभियोग पत्र पंजीकृत कराते समय संबंधित प्री एस 0 एन 0 मिया, थानाध्यक्ष सिद्धि साहू, इटावा ने प्री उमाशंकर सिंह व प्री किरन पास सिंह वृत्तियार निरीक्षक के साथ हार्बरधार किया। इस सम्बन्ध में प्री उमाशंकर सिंह के द्वारा थानाध्यक्ष के विरुद्ध कार्यवाही करने के लिये रिपोर्ट की गई थी लेकिन जेष्ठ पुलिस अधीक्षक डा 0 वी 0 0 0 शुक्ला द्वारा थानाध्यक्ष के विरुद्ध कोई कार्यवाही नहीं की गई। डा 0 शुक्ला के द्वारा उच्च-निरीक्षक प्री एस 0 एन 0 मिया के विरुद्ध कार्यवाही न किया जाना भी उनके आचरण को संदिग्ध करता है कि डा 0 वी 0 0 0 शुक्ला सत्ताधीन जेष्ठ पुलिस अधीक्षक इटावा व थानाध्यक्ष प्री एस 0 एन 0 मिया को आपत्त में रखा करने की सोच गांठ थी। यहाँ यह भी उल्लेखनीय है कि डा 0 शुक्ला ने संयुक्त पुलिस अधीक्षक प्री उमाशंकर सिंह की रिपोर्ट पर उनके स्थानान्तरण पर उसे जाने के बाद प्री रामाधर सिंह, संयुक्त पुलिस अधीक्षक से चर्चा कराकर आठ्या पुलिस स्टेशन निरीक्षक, आगरा जौन को प्रेषित की थी, जिस पर पुलिस स्टेशन निरीक्षक, आगरा जौन ने प्री रामाधर सिंह की आठ्या पर आपत्ति करते यह आदेश दिया था कि इसी चर्चा स्पष्ट करते हैं, लेकिन प्री शुक्ला ने न तो कोई चर्चा स्पष्ट की और न किसी अन्य अधिकारी से कराई। डा 0 शुक्ला के इस कार्य से भी उनका आचरण संदिग्ध प्रतीत होता है।

वर्ष 1981 व 82 में नगर क्षेत्र में सट्टा विलुप्त पंड था, जो पौतवाली के अभियोगों से प्रमाणित है क्योंकि वर्ष 1981 व 82 में एठ भी अभियोग सट्टे का पंजीकृत नहीं हुआ है और वर्ष 1983 में 76 अभियोग तथा दिनांक 1-1-84 से 31-3-84 तक 20 अभियोग सट्टा के पंजीकृत हुये हैं। सट्टे के अभियोग डा 0 वी 0 0 0 शुक्ला की नियुक्ति के समय में प्री पंजीकृत हुये हैं। इससे इस संस्थापना को कम खिलता है कि प्री एस 0 एन 0 मिया के अन्दर डा 0 शुक्ला की गैरमंजूरि से सट्टे का धन्धा चोरों से चल रहा था। डा 0 शुक्ला के इस कार्य से भी उनका आचरण संदिग्ध प्रतीत होता है।

इटावा नगर क्षेत्र जनपद के अन्य स्थानों पर जेष्ठ पुलिस अधीक्षक, इटावा के समय से हुआ सट्टा अंग्रेज, 1984 के अन्तिम सप्ताह तक चोरों से चलता रहा है। इसी पृष्ठ पुलिस स्टेशन निरीक्षक, आगरा जौन के पत्रों से तथा जेष्ठ पुलिस अधीक्षक, इटावा के पत्र व्यवहार से परीक्ष/अपरोक्ष रूप से होती है। हुआ सट्टा होने का प्रमाण संयुक्त पुलिस अधीक्षक प्री उमाशंकर सिंह की दक्षिण आठ्या एवं क्षेत्राधिकारी नगर की आठ्या से मिलता है। पुलिस स्टेशन निरीक्षक आगरा जौन के स्पष्ट आदेशों के बावजूद भी जेष्ठ पुलिस अधीक्षक इटावा द्वारा इस अपराध को रोकने के लिये कोई ठोस कदम उठाया जाना जात नहीं होता है। कोई कार्यवाही इस संबंध में न करना डा 0 शुक्ला के चरित्रको संदिग्ध करता है।



*Pr Singh*

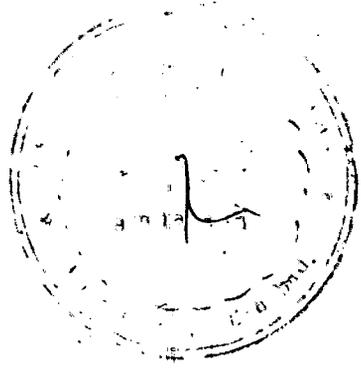
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चक्र में चुआ व चट्टा लोके रहने की स्वीकारोक्ति च्येठ पुलिस  
 यकीन, हटाया है पुलिस स्टेशन, शांति चौक व पुलिस उप  
 स्टेशन, पानपुर परिसर, पानपुर को भिरे कबे पत्रों के भी लोकी  
 है। इन चुआ की पुलिस स्टेशन, शांति चौक व प्रतिरिक्त  
 प्रशासिकी नगर व विरीके स्थानीय अधिकृता हटाई है पत्रों के  
 भी लोकी है। इन सभी सत्यापन पुलिस के पत्रवात भी च्येठ पुलिस  
 यकीन हटाया है पानाध्यक्षों के विरुद्ध कोई कार्यवाही नहीं की तथा  
 अधिकृतों को रोपने के लिये कोई ठोस पदम नहीं उठाया। इसके  
 भी उनका आचरण संदिग्ध प्रतीत होता है।

शारीर संख्या-5

डा० सुजा ने हटाया है अपनी नियुक्ति के समय पानाध्यक्षों  
 व प्रभारी निरीक्षकों को यह आदेश देते हैं कि इन्वेंचर पत्रों को न  
 रखने दिया जाय और सट्टा व चुआ करने पत्रों के विरुद्ध भी सज्ज  
 कार्यवाही की जाय। वय प्री सुजात सिंह, प्रभारी निरीक्षक कोसबाही  
 ने इन्वेंचर पत्रों को खाने पत्रों के विरुद्ध सज्ज कार्यवाही की लो  
 डा० सुजा ने प्री सुजात सिंह को परेशानकरना शुरू कर लिया और  
 छोटे छोटे क्लर्कों पर भी उसे परेशान करने मरच से उसका स्पष्टीकरण  
 मांगते थे। इनकी इस कार्यवाही से परेशान होकर प्रभारी निरीक्षक  
 हुट्टी को कबे और पापत्र नहीं श्राये तथा अपना स्थानान्तरण करके  
 दिसा की जरा शिया। डा० सुजा द्वारा यह कार्यवाही प्रभारी निरीक्षक  
 के इन्वेंचर पत्रों को खाने पत्रों के विरुद्ध सज्ज कार्यवाही करने के  
 कारण की गयी थी। डा० सुजा की इस कार्यवाही से भी उनके आचरण  
 को संदिग्ध करता है।

मात  
 । ज्ञापन सुधार पत्रों ।  
 सुद संस्थि,  
 उत्तर प्रदेश शासन।



Hair Chedie

1441/15

8/290



पुस्तकें संक्षिप्त अभिलेखजीन सिद्ध रंजिज्या सिद्ध रंजि

2. रेडियोप्राय दिनांकित 17-7-83 द्वारा पुलिस महानिरीक्षक आगरा जोन। श्री चन्द्र प्रकाश ठाकुर तत्कालीन स्टेशन, ज्येष्ठ पुलिस अधीक्षक, इटावा। उपरोक्त रेडियोप्राय को सापित करेंगे।
3. प्रथम सूचना रिपोर्ट सं० 107/83 दि० 3-7-83 द्वारा 3/4 चुआ एक्ट थाना सिविल साइल इटावा। श्री उमाशंकर सिंह, तत्कालीन संयुक्त पुलिस अधीक्षक, इटावा। प्रथम सूचना रिपोर्ट तथा चुआ एक्ट को सापित करेंगे।
4. प्रथम रिपोर्ट सं० 208/83 द्वारा 3/4 चुआ एक्ट दिनांकित 4-7-83 थाना सिविल साइल इटावा। . . . . .
5. प्रथम रिपोर्ट सं० 202/83 द्वारा 3/4 चुआ एक्ट थाना अरिया इटावा दि० 5-7-87 . . . . .
6. श्री एस०एन० मिश्रा, तत्कालीन थानाध्यक्ष सिविल साइल के संबंध में श्री उमाशंकर सिंह संयुक्त पुलिस अधीक्षक द्वारा ज्येष्ठ पुलिस अधीक्षक को पत्र दिनांकित 5-7-83। श्री उमाशंकर सिंह, तत्कालीन संयुक्त पुलिस अधीक्षक, इटावा। पत्र में अंकित पढ़ेंगे नये चुआ अभियुक्तों के पारे में तथा श्री एस०एन० मिश्रा उपनिरीक्षक द्वारा उनके अनौपचारिक व्यवहार करने को सापित करेंगे।
7. अज्ञात दि० 7-8-83 संख्या: एस० टी०/एसएखाई-154/83 द्वारा ज्येष्ठ पुलिस अधीक्षक, इटावा जिसमें श्री रामाधार सिंह, संयुक्त पुलिस अधीक्षक इटावा को चांचि करने के अज्ञात हैं। श्री चन्द्र प्रकाश ठाकुर तत्कालीन स्टेशन, ज्येष्ठ पुलिस अधीक्षक, इटावा। ज्येष्ठ पुलिस अधीक्षक, इटावा के उपरोक्त अज्ञात जिसमें चुआ संयुक्त पुलिस अधीक्षक श्री उमाशंकर सिंह द्वारा अभियुक्तों के पढ़ेंगे जाने एवं थानाध्यक्ष सिविल साइल श्री मिश्रा द्वारा दुर्व्यवहार किया जाना अज्ञात है।
8. चांचि रिपोर्ट एवं संयुक्त पुलिस अधीक्षक श्री रामाधार सिंह दिनांकित 9.9.83। श्री रामाधार सिंह तत्कालीन संयुक्त पुलिस अधीक्षक, इटावा। चांचि रिपोर्ट सापित करेंगे।
9. पुलिस महानिरीक्षक, आगरा जोन का पत्र दि० 22-8-83 संख्या: सीओपी/एकेड-15/1983। 13759। ज्येष्ठ पुलिस अधीक्षक, इटावा को। श्री चन्द्र प्रकाश ठाकुर तत्कालीन स्टेशन ज्येष्ठ पुलिस अधीक्षक, इटावा। पुलिस महानिरीक्षक आगरा जोन के इस पत्र को सापित करेंगे जिसमें चुआ/एक्ट के बारे में अज्ञात है तथा चांचि एस०एस०पी० द्वारा स्वयं करने हेतु लिखा गया है।



प्रमाणित गवाही

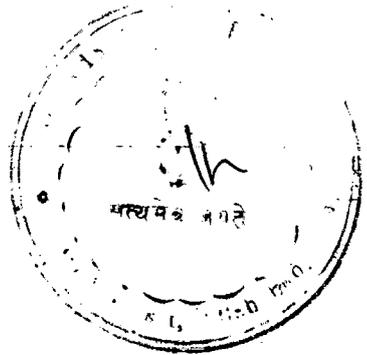
जैन विधि विधि

ज्या विधि विधि

- 10. वर्ष 1981-82 में धाना पुलिस थाना इटावा में घटा के विवरण का उल्लेख ।  
 10000 शिवपुरा विधि देड घंटा सीओओ सिटी इटावा ।  
 नज़्मे में दिने कये विवरण को सापित करें ।
- 11. धाना ठोसवाली इटावा का वर्ष 1983 का विवरण पत्र दिनांक 76 चुआ सट्टा के अभियोग पंजीकृत होने का उल्लेख है ।  
 श्री देवीश्याम, प्रभारी निरीक्षक ठोसवाली इटावा।  
 वर्ष 1983 का नज़्मा दिनांक 76 अभियोय चुआ सट्टा आदि में पंजीकृत ह्ये, साबित करें ।
- 12. धाना ठोसवाली इटावा का दिनांक 1-4-84 से 31-3-84 तक का चुआ सट्टा का विवरण जिसमें 20 अभियोग पंजीकृत होने का उल्लेख है ।  
 . . .  
 दिनांक 1-1-84 से दिनांक 31-3-84 तक का अमराध से संपंथित स्टेटमेंट को सापित करें ।
- 13. रिपोर्ट दिनांकित 5-7-83 एवं 8-8-83 द्वारा निरीक्षक शनोआईओ  
 श्री प्रेम्नाथ सिंह सत्ता-लीन निरीक्षक शनोआईओ यू० इटावा ।  
 अपनी होनों रिपोटी की को उन्ही ने सत्तालीन ज्येष्ठ पुलिस अधीक्षक इटावा को भेजे जिसमें जनपद में चुआ सट्टा होने के बारे में लिखा है ।
- 14. ज्येष्ठ पुलिस अधीक्षक, इटावा श्री शुक्ला द्वारा पुलिस स्टेशन निरीक्षक आगरा बोन को भेजे गया पत्र दिनांक 1-5-84 डी० ओ० नं० एसटी/3/84  
 श्री चन्द्रकाश ठाकुर सत्तालीन स्टेशन ज्येष्ठ पुलिस अधीक्षक, इटावा।  
 चुआ/सट्टा के बारे में ज्येष्ठ पुलिस अधीक्षक श्री शुक्ला के पत्र संपोषित आइंजी० आगरा बोन को साबित करेंगे ।
- 15. क्षेत्र में चुआ/सट्टा न होने के संबंध में सख्त धानाध्यक्षी को ज्येष्ठ पुलिस अधीक्षक, इटावा को आदेश एसटी/एम-2/83 दिनांक 6-8-83  
 . . .  
 ज्येष्ठ पुलिस अधीक्षक, इटावा को बी०डी० शुक्ला के उक्त आदेश जिसमें उन्होंने आख्यारी टाइम सीटिंग में सट्टा का ह्ये के बारे में धानाध्यक्षी को निर्देश दिये ।
- 16. पुलिस स्टेशन निरीक्षक, आगरा बोन का पत्र-सीओपी/एसडि-15/1984/12935 ज्येष्ठ पुलिस अधीक्षक श्री बी०डी० शुक्ला को संपोषित।  
 . . .  
 पुलिस स्टेशन निरीक्षक, आगरा बोन के इस पत्र को सापित करेंगे जिसमें चुआ/सट्टेड के रोजने हेतु उड़े उपायों को सखती से करने के आदेश श्री बी०डी० शुक्ला तत्कालीन ज्येष्ठ पुलिस अधीक्षक को दिये गये हैं।

*Handwritten signature*  
 OATH COMMISSIONER ON  
 High Court  
 S. No. 1440/15  
 Date 8/2/90

। अत्याय कमार पत्नी ।  
 नूड सचिव,  
 उत्तर प्रदेश सरकार।



LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE  
FRAMED AGAINST SRI G.K. SHUKLA I.P.S. THE THEN  
S.S.P. ETAMAH ARE PROPOSED TO BE SUSTAINED  
\*\*\*\*\*

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प्रमाण बयाह का नाम

साक्षी की तिथि लेखा ।

10. श्री विरम पास सिंह  
सत्ताधीन पुलिसार  
निरीक्षक, इटावा।

कि वह 30.4.83 से 27.10.83 तक इटावा में पुलिसार निरीक्षक के पद पर नियुक्त था। अधिसूचित रिपोर्ट संख्या:आर-184/83 में लिखे तथ्यों को पुष्कालि परम तथा इन तथ्य की साक्ष्य हैं कि एचओपीओ नं० 736 दि० 24-10-83 के द्वारा एचओपीओ स्वीराम जीवार, एच 134 स्पी नन्दू प्रसाद, एच 44 एवी विद्याराम टीपीओ से एपीओ में नियुक्त थिये मये एवं इकी एचओपीओ के द्वारा पुनः एपीओ से टीपीओ में थिये मये। बयाह का यह भी उल्लेख है कि वह संयुक्त पुलिस अधीक्षक श्री उमर शंकर सिंह के साथ जुड़े के अड्डे पर दक्षिण दिने दि० 3/4/83 की रात गया था तथा इटावा नगर में 26 नुआरिषों को 3500/- खर्चों के साथ गिरफ्तार थिया था। थाना सिविल साइन्स इटावा में अभियोग पुंजीकृत जराथे । उस तथ्य थानाध्यक्ष सिविल साइन्स श्री एचओएनओकिया ने उनसे तथा संयुक्त पुलिस अधीक्षक श्री उमरशंकर सिंह से हर्षविवहार थिया।

आरोप सं०:2

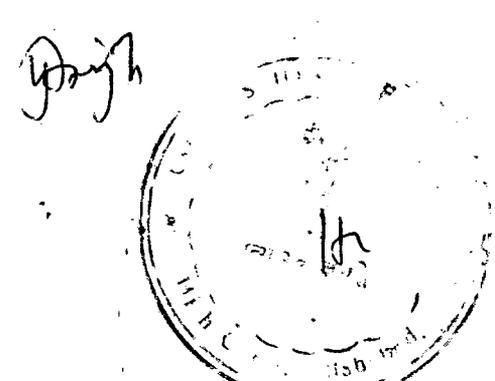
20. श्री सतीश चन्द्र/पुलिस  
अधीक्षक, आगरा परिक्षेत्र  
भ्रष्टाचार निवारण  
संमठन आगरा, परिक्षेत्र  
आगरा ।

बयाहका उल्लेख है कि उन्होंने उपरोक्त संख्या:911/80 धारा 25 अधिसूचित के अंतर्गत पनाम राम सेवक बाहव थाना ठोतवाली इटावा की विवेचना की। विवेचना के उपरान्त दिनांक 26-8-82 को अन्तिम रिपोर्ट न्यायालय में प्रेषित की जो न्यायालय द्वारा दिनांक 8-9-82 को स्वीकृत की गयी। तथा चुर्म आरिवा की रिपोर्ट ही। तदुपरान्त एचओ सं०:17/82 धारा 342/218 भ्रष्टाचि थाना ठोतवाली इटावा पनाम उपनिरीक्षक श्री सरचक्र सिंह का अभियोग पुंजीकृत जराथे थिये विवेचना हो रही है ।

आरोप संख्या:3

10. श्री दिनेश चन्द्र शुक्ला  
पुत्र श्री रंगदीश नरायन  
शुक्ल, नि०-गुमटी मोहाल  
अरिया जगद-इटावा।

कि वह एस नं० नुआरद्यू 7721 का थाथिक है। दिनांक 18-11-83 को उसकी उपरोक्त एस को एचओपीओओओ द्वारा चालान करने के उपरान्त थाना अजीतमल में वन्द कर दी गयी। कि वह एस को छुडाने हेतु सत्ताधीन एसओएपीओ इटावा श्री जीओओ शुक्ला के पास गया था दिनांक 20-11-83 को श्री जीओओ शुक्ला, एसओएपीओ ने उसकी उपरोक्त एस को जमानत पर छोडने हेतु एंड्रोस लम को अपने अधिकां का वापरलेस थाना अजीतमल को कपिने को छहा कि एस को उसकी जमानत पर छोड दिया जाया। तदुपरान्त उसकी एस थाना अजीतमल द्वारा जमानत छोडी गयी।



गवाह का नाम

गवाह को सिंह प्रयाग

2. श्री रामजी चौधरी  
निवासी 00000  
दिल्ली

गवाह का उक्त है कि वह जनवरी 1983 के 22  
दुपार 03 पर नियुक्त रहा। कि वर्ष 1983 में पत्र नं० यूआरएनू 7721  
की राष्ट्रीय कृषि मंत्रालय गिरिया इलाका पर अतिरिक्त संवाहन का  
मोटर घड़ी का रफ्ट के अंतर्गत अनियमितताओं के होने के कारण  
धाना अतीतक में उसके द्वारा पत्र की गयी थी। उक्त पत्र की धाना  
अतीतक में उसके द्वारा पत्र पर छोड़ दिया गया। उस पत्र की  
उसके अथवा वरिष्ठ के अतिरिक्त के पिना छोड़ा नहीं जा सकता था।  
यह कार्य पुलिस का अर्थानिर्णय है।

3. श्री 0000 चौधरी सिंह  
तत्कालीन धाना  
अतीतक-जनवरी  
इलाका।

गवाह का उक्त है कि वह दिनांक 18-11-83 को धाना अतीतक  
जनवरी इलाका में हेमोमी के बाद पर नियुक्त था। दिनांक 10-11-83  
को पत्र नं० यूआरएनू 7721 एगारदीगो द्वारा राष्ट्रीय कृषि मंत्रालय पर  
अर्थ स्व से जाने के संबंध में वातान करते धाना अतीतक में हाजि  
रिया। गवाह ने कृष्ण इन्डिया की 000 रिपोर्ट नं० 18 तथ्य 10  
पके दिन धाना अतीतक में रिया। दिनांक 20-11-83 को गवाह  
की मीचूदनी में नियंत्रण एक से धाना अतीतक को अतिरिक्त ने  
वायरलेस रिया कि पत्र नं० यूआरएनू 7721 को जाने में पत्र है,  
को चयानत पर सुरत छोड़ है। डाक्टर, जी 000 शुक्ला, एत 000वी 0  
महोदय का अतिरिक्त है, गवाह ने उक्त पत्र को दिनांक 20-11-83  
को पत्र के अतिरिक्त के दिनेश पत्र की सुपुर्दी में चयानत पर छोड़  
दिया। कृष्ण इन्डिया गवाह की मीचूदनी में री 000 का रफ्ट  
संख्या 25 तथ्य 15/30 पके दिन दिनांक 20-11-83 को 000  
द्वारा रिया गया था।

आरोप सं०: 4 व 5

1. श्री उमाशंकर सिंह  
तत्कालीन संयुक्त पुलिस  
अधीक्षक, इलाका।

गवाह का उक्त है कि वह वर्ष 1983 में जनवरी इलाका में संयुक्त  
पुलिस अधीक्षक के बाद पर नियुक्त था कि उन्होंने एक गोपनीय पत्र  
दिनांक 5-7-83 को तत्कालीन ज्येष्ठ पुलिस अधीक्षक इलाका  
श्री जी 000 शुक्ला को जनवरी इलाका के एतया अतीतक तथ्य  
भरना, दिव्यापुर गिरिया आदि तथा इलाका नगर में दुर्घटनाएँ  
के अतिरिक्त जाने के बारे में लिखा था। कि उन्होंने दिनांक 3/4-7-83  
की रात रेलवे स्टेशन के पास हाथा मारकर 26 बुआरियों को  
पकड़ा एवं अन्य अधीक्षकों में बुआरियों को पकड़ा तथा अधीक्षक  
पंजीकृत कराये। धाना सिविल लाइन के धानाध्यक्ष श्री एत 000  
मिश्रा ने अधीक्षक पंजीकृत कराते समय उनसे हथियार रिया।

2. श्री रामाशर सिंह  
तत्कालीन संयुक्त पुलिस  
अधीक्षक, इलाका।

गवाह का उक्त है कि तत्कालीन ज्येष्ठ पुलिस अधीक्षक श्री जी 000  
शुक्ला ने संयुक्त पुलिस अधीक्षक श्री उमाशंकर सिंह की रिपोर्ट  
वरउनके स्थानान्तरण के बाद उनसे जांच कराई। उनकी जांच रिपोर्ट  
पर पुलिस महानिरीक्षक आगरा जोन ने यह आपत्ति करते अतिरिक्त  
दिया कि जांच ज्येष्ठ पुलिस अधीक्षक स्वर्ण के परन्तु श्री शुक्ला ने  
जांच स्वर्ण नहीं की।

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*(Handwritten initials)*

नवाह का नाम

बाकी की तिथि लिया

3. श्री सुधास सिंघ  
सत्तालीन पुसारी  
निरिहण कावा  
गोवाली हटावा।

नवाह का नाम है कि वह 12.3.83 से 22.2.85 तक कावा  
गोवाली निरिहण निरीहण के वह पर नियुक्त रहे। पुआ, सटटा  
ब अर्थ पत्रों के करने का पन्हा करने के काकी प्रयास किये। ह्य  
कार्यवाही के श्री सुजना ज्येष्ठ पुलिसअधीष्ठ उममे वाराच ही  
यमे तथा उममे हीटे मोटे कसर्तों पर क्रांथ ससप करने लगे तथा  
सुताक्षि करने लगे जिससे वह मानसिठ लल के तनाच धं रटा तथा  
हुट्टी केर का मया एवं अना स्थानान्तरण करिया ।

4. श्री बन्धु प्रताप ठाथिब  
सत्तालीन आशुविषिठ  
ज्येष्ठ पुलिस अधीष्ठ,  
हटावा।

नवाह का नाम है कि वह 110वी000 शुद्धा तत्तालीन ज्येष्ठ  
पुलिस अधीष्ठ हटावा का आशुविषिठ के वह पर नियुक्त था।  
नवाहन निम्नलिखितों को सापित करेगा ।

11। श्री सत0रन0वार्मा, सत्तालीन क्षेत्राधिकारी का स्थानान्तरण  
आदेश दिनांकित 34-8-83 पुलिस स्टानिरीहण आगरा चीन  
हारा ज्येष्ठ पुलिस अधीष्ठ, हटावा को लिया गया।

12। रेडियोग्राम दिनांकित 17-9-83

13। श्रीहा0 की000 सुजना सत्तालीन ज्येष्ठ पुलिस अधीष्ठ का  
आदेश सट्टी/टी-1/83 दिनांकित 16-12-83 जिसके द्वारा  
उपनिरीहण श्री सरवसम सिंघ का स्थानान्तरण थावा अरिया  
के पानाध्यक्ष दिविषापुर लिया गया ।

14। पुलिसअनिरीहण आगरा चीन का पत्र डी0ओ0नं0सी गोषी  
/स्येड-15/1983 11/3981 दिनांकित 31-8-83

15। आदेश दिनांकित 70B=83, सट्टी/ससससार्ड-154/83 हारा  
ज्येष्ठ पुलिस अधीष्ठ हटावा जिसमें श्री रामाधार सिंघ संयुक्त  
पुलिस अधीष्ठ को बाच करने के आदेश दिये गये थे ।

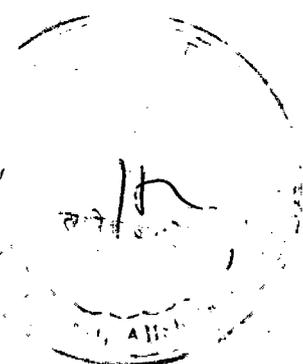
16। ज्येष्ठ पुलिस अधीष्ठ हटावा श्री सुजना हारा पुलिस  
स्टानिरीहण आगरा चीन को भेजे गये पत्र दिनांकित 1-5-84  
डी0ओ0 सट्टी/3/84

17। पुलिस स्टानिरीहण, आगरा चीन का पत्र दिनांकित 22-8-83  
डी0ओ0नं0 सी0ओषी-स्येड 15/1983 11/3759 का 110 की000  
शुद्धा तत्तालीन ज्येष्ठ पुलिसअधीष्ठ को संबोधित है ।

5. श्री प्रेम पास सिंघ  
सत्तालीन निरीहण,  
सस0आई0यू0, हटावा।

अपनी रिपोर्ट दिनांकित 5-7-83 एवं 8-8-83 को सापित  
करने जिसमें हन्टने सत्तालीन ज्येष्ठ पुलिस अधीष्ठ डा0वी000  
शुद्धा को संबोधित किया का कि जनपद हटावा में पुआ सटटा  
का रहे है ।

*Prayh*



*hand*  
॥ लयाण पुसर पल्ली ॥  
गुड सिंघ,  
उत्तर प्रदेश शासन।

*Heitzched*  
OATH COMM. ON  
High. Court Allahabad  
S. No. 1446/15  
Date 8/2/90

G.K.SHEKHA

VISSER

APPLICANT

STATE OF U.P. & OTHERS. . . . . RESPONDENTS

पुस्तक  
सं. जा० एच० सी० जी०  
D. O. No. D. G. 1-14/70

अनुरोध



पुलिस महानिरीक्षक (फाफिक),

उत्तर प्रदेश।

I. G. Police (Karnik)  
Uttar Pradesh

977

संभवतः, दिनांक 20. 1980

प्रिय मित्र,

निम्नांकित उल्लेखित लेख के द्वारा गान्धिका

दिनांक: 25/5/70-30/5/70-2-30/57 दिनांक 20.

1980 मूल्य में प्रेषित करने हेतु अनुरोध है कि कृपया

उक्त गान्धिका उक्त संख्या में प्रेषित की जाय

पुस्तक, पुलिस महानिरीक्षक (फाफिक) उल्लेखित

विद्युत परिशिष्ट, संख्या पर केवल प्रथम में प्रेषित करायें

पर है और अन्वयार्थ पावनी प्रेषण एवं प्रेषणकारी

की प्रेषण कार्य पर है ताकि उक्त गान्धिका के दिनांक

30-5-70 के पूर्व उपलब्धता प्राप्त हो सके।

दिनांक - 30/5/70

- 1. पावनी प्रेषण पत्र
- 2. Memoandum
- 3. Statement of Article of charge
- 4. Statement of Suppression of Misconduct
- 5. List of accounts
- 6. List of witnesses

जायगी,  
2/6/88

अधिकारी  
2/6/88

उल्लेखित विद्युत परिशिष्ट,  
संख्या 1

Prigh



Hand checked  
OATH COMMISSIONER  
High Court Allahabad  
S. No. 1446/15  
Date 8/2/98

G.K. Shukla . . . . . APPLICANT  
VERSUS . . . . .  
STATE OF U.P. & OTHERS. . . . . RESPONDENTS

गोपनीय

3/88-1492

राज्य विद्युत परिषद्

उत्तर प्रदेश, लखनऊ

दिनांक: जून 30, 1988.

प्रिय श्री लक्ष्मणा,

कृपया अपने गोपनीय अर्थ शा0 घत्र सं0 डीजी-1-सी-84/30, दिनांक जून 20, 1988, जो मुझे उसी दिन सायं करीब 6 बजे आपके कार्यालय में प्राप्त हुआ तथा जो उत्तर प्रदेश शासन के शासनादेश संख्या 2415/आठ-पुलिस सेवायें-2-820/57, दिनांक 20 जून, 1988, डा0 जी0के0 शुक्ला, पुलिस अधीक्षक, सुरक्षा, उ0प्र0 राज्य विद्युत परिषद् पर तामील के विषय में है, का अवलोकन करें।

2- डा0 धनश्याम कृष्ण शुक्ला, पुलिस अधीक्षक, सुरक्षा, पर उक्त शासनादेश तामील करने के विषय में श्री आर0 के0 त्रिवेदी, पुलिस अधीक्षक, सर्तकता/प्रवर्तन, उ0प्र0 राज्य विद्युत परिषद्, लखनऊ के गोपनीय अर्थ शा0घत्र दिनांक जून 30, 1988 मय संलग्नकों के प्रेषित है।

3- डा0 धनश्याम कृष्ण शुक्ला जो अपनी माताजी की कथित गम्भीर बीमारी के सम्बन्ध में एक प्रार्थना पत्र दिनांक 18.6.88 को अपने निवास स्थान से प्रेषित कर 10 दिन के उषार्जित अवकाश पर प्रस्थान कर गये हैं, पर उक्त आदेश की तामील के लिए श्री एस0आर0सिंह, पुलिस उपाधीक्षक, के नेतृत्व में एक टीम दिल्ली, गोन्डा व लखनऊ उनके द्वारा दिये गये पत्रों पर भेजी गई। उनके इन सभी स्थानों पर उपलब्ध न होने की दशा में रजिस्टर्ड ए/डी द्वारा भी संदर्भित शासनादेश तामील हेतु उनके इंदिरानगर स्थित सरकारी आवास के पते पर दिनांक 27.6.88 को भेजा गया। संदर्भित शासनादेश को पुलिस अधीक्षक, डा0 धनश्याम कृष्ण शुक्ला के उक्त आवास पर नियमानुसार चत्पा भी कर दिया गया है।

संलग्नक- यथोपरि।  
15 पृष्ठ।

भवदीय,

एस0एन0सी0सिंह 30.6.88

श्री बाई0एन0लक्ष्मणा,  
पुलिस महानिरीक्षक, कार्यालय,  
उत्तर प्रदेश, लखनऊ।



आर०के० त्रिवेदी,  
 पुलिस अधीक्षक/सदर/प्रव०



प्र० शा० पत्र सं०  
 D.O. Letter No. मिस/.../1988  
 दिनांक/Date... लखनऊ जून 20, 1988

प्रिय श्री सिन्हा,  
 आपके अर्ध शताब्दी पत्रांक- सी०ए०-मिस/88 दिनांक 20-6-1988 में  
 लिखित निर्देशानुसार मेरे 30प्र० शासन के शासनादेश संख्या- 2415/आ०-पीएस-2/  
 820/57 दिनांक 20-6-88 जो कि मुझे 20 बज कर 25 मिनट पर दिनांक 20-6-88  
 को प्राप्त हुआ था, को श्री एस०आर० सिंह, पुलिस उपाधीक्षक, 30प्र०, रा०वि०प०  
 लखनऊ जोब को दिनांक 21-6-1988 को प्रातःकाल 8 बज कर 30 मिनट पर डा० जी०  
 के० शुक्ला, पुलिस अधीक्षक पर तामील करने के लिये प्राप्त कराया था। प्राप्ति  
 रसीद मूल रूप में संलग्न है।

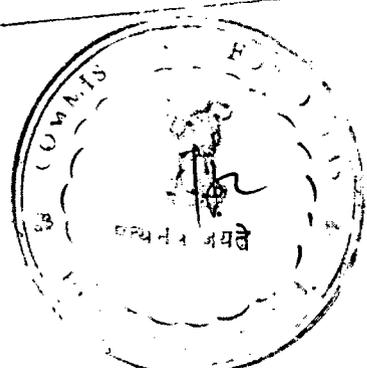
श्री एस०आर० सिंह, पुलिस उपाधीक्षक ने डा० जी०के० शुक्ला के  
 इन्दिरानगर स्थित आवास पर सन्दर्भित शासनादेश को उसी दिन serve करने  
 का प्रयास किया परन्तु उन्हें विदित हुआ कि डा० शुक्ला अपनी मां तथा छोटे  
 भाई की पत्नी के इलाज के सिलसिले में दिल्ली चले गये हैं। डा० जी०के० शुक्ला,  
 पुलिस अधीक्षक के 10 दिवसीय अवकाश प्रार्थना पत्र दिनांक 18-6-88 में भी  
 दिल्ली में यू०पी० निवास में तथा वहाँ स्थान उपलब्ध न होने पर किसी होटल में  
 रुकने का संकेत अंकित था। फलस्वरूप श्री एस०आर० सिंह, पुलिस उपाधीक्षक, दिल्ली  
 सन्दर्भित शासनादेश को डा० जी०के० शुक्ला पुलिस अधीक्षक पर तामील करने  
 के लिये 22-6-88 को गये। दिल्ली में उनके सम्बन्धियों, सरकारी व अन्य अस्पतालों  
 यू०पी० निवास एवं यू०पी० भावन तथा अन्य होटलों में भी उनकी तलाश की परन्तु  
 डा० जी०के० शुक्ला दिल्ली में भी उपलब्ध नहीं हुये। इस सम्बन्ध में श्री एस०  
 आर० सिंह, पुलिस उपाधीक्षक, 30प्र०, रा०वि०प० लखनऊ एवं श्री एस०ए०के० हारे,  
 निरीक्षक, प्रवर्तन दल, 30प्र० रा०वि०प० गाजियाबाद की संयुक्त आख्या दिनांकित  
 26-6-88 जो कि दिनांक 27-6-88 को 10 बज कर 35 मिनट पर मुझे प्राप्त हुई,  
 मूल रूप में अवलोकनार्थ संलग्न है।

दिनांक 27-6-88 को ही पूर्वान्ह में उपर्युक्त सन्दर्भित शासनादेश  
 को मूल रूप में रजिस्टर्ड/ ए०डी० पत्र। रसीद संख्या- 386 मूल रूप में संलग्न है। क्वा  
 डा० दामश्याम कृष्ण शुक्ला, पुलिस अधीक्षक को उनके इन्दिरानगर स्थित  
 भावन सं० बी-2/63 पर इन्दिरानगर डाकघर से भेजा गया।

आज दिनांक 29-6-88 को इन्दिरानगर पोस्ट आफिस से यह विधि  
 होके पर कि पोस्ट भेज से उक्त रजिस्टर्ड पत्र की डिलीवरी डा० जी०के० शुक्ला,  
 पुलिस अधीक्षक के आवास पर यह कह कर नहीं ली गई कि वे बाहर हैं। फलस्वरूप

पति पवन, 14 एच०ए० मार्ग, पवनक विन-226001  
 BHAKTI BHAWAN, 14 ACHOK MARG, LUCKNOW PIN-226001

कार - ( मुख्यालय - इलेक्ट्रो - टेलिफोन - 093/253  
 सेवा प्राप्ति - उप सेवा - TELEX - 093/253  
 TELEGRAM - HEADQUARTERS - ELECBOARD  
 ACCOUNTS - UPSBBA



Handwritten signature or initials.

श्री एम० ए० सिंह, पुलिस उपाधीक्षक, राठौषोप० की सन्दर्भित गानसनादेश की समन्वित प्रतिलिपि देकर निर्दिष्ट किया गया कि वे एक प्रतिलिपि डा० सी० ए० शर्मा, ६ आवासीय आवास पर जाकर उनके द्वारा की गयी चयन सूची पर तामीन कर दें तथा अगले पर उसे नियमावली पर चला कर दें। फलस्वरूप अतः पुलिस उपाधीक्षक के निर्देशों से श्री विष्णु स्वरूप श्री वारतव तथा एम० ए० शाब व स्थानीय पुलिस की सहायता लेकर डा० एन० एम० कृष्ण शर्मा, पुलिस उपाधीक्षक के द्वारा पर अतः गानसनादेश की तामीन उनके बड़े पुत्र श्री श्री श्री कृष्ण शर्मा पर करके का प्रयास किया परन्तु उनके द्वारा यह कहने पर कि अपने माता पिता के निर्देशों के अन्तर्गत वे कोई भी सरकारी कार्य नहीं करेंगे। उनकी सौपुत्री से ही उनके आवासीय आवास के मुख्य द्वार की तामीन पर चला करके गानसनादेश की तामीन की गई। यह तामीनी दिनांक 29-6-88 मूल प्रति एवं श्री एम० ए० सिंह, पुलिस उपाधीक्षक की आस्था दिनांक 29-6-88 की मू० प्र० मूल रूप में अवलोकनाधी संलग्न है।

दिनांक 29-6-88 को श्री एम० ए० सिंह, पुलिस उपाधीक्षक, उ० प्र०, राठौषोप० लखनऊ, निर्देशों श्री विष्णु स्वरूप श्री वारतव, एम० ए० शाब व श्री सी० बसीर शां, उप निर्देशक को साधा लेकर गोंडा नगर के मोहल्ला पटेलनगर कोतवाली के पीछे स्थित उनके स्थायी आवास पर श्री सन्दर्भित गानसनादेश की तामीन डा० शर्मा पर करके हेतु मीना शर्मा। यह टीम आय दिनांक 30-6-88 को गोंडा से वापस आई। विदित हुआ कि डा० एन० एम० कृष्ण शर्मा, पुलिस उपाधीक्षक गोंडा में अपने स्थायी आवास पर मीना उपाधीक्षक नहीं मिले। उनके छोटे भाई की गोपना कृष्ण शर्मा से बताया कि वे यहाँ पर नहीं जाये। पुलिस उपाधीक्षक एवं उनके सहायकी अधिकारियों की रिपोर्ट दिनांक 29-6-88 मूल रूप में अवलोकनाधी संलग्न है।

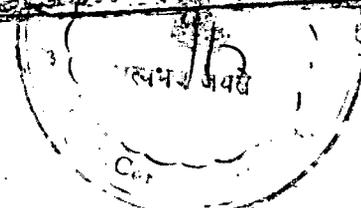
संतुष्टक यद्योषरि - 15 परका

सादर

जाबदीव  
 29/6/88  
 श्री एम० ए० सिंह

श्री एम० ए० सिंह  
 पुलिस उपाधीक्षक  
 राठौषोप० लखनऊ  
 उ० प्र०

Drish

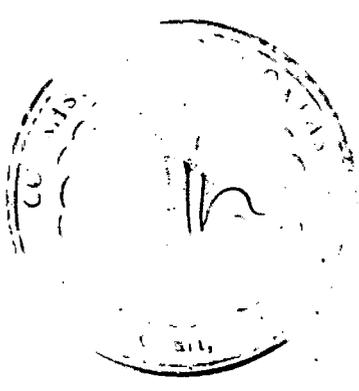


Received into no. 2415/VIII - P.S. - 2-820/57 dated 20th June 1988 from the Home Secretary to Govt. of U.P. in a sealed closed cover for services to B.K. Shukla I.P.S. S.P., V.P.S. Lucknow

Delivered  
21-6-88  
D.P.S. Lucknow  
8:30 AM.

Doyle

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V.M.  
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पुलिस अधीक्षक प्रवर्तन / सतलुजा शि.वि.पं. लखनऊ

गृह सचिव ड० प्र० शासन लखनऊ क०  
आदेश संख्या 2415/शा - PS - 2 - 020/57  
दिनांक 20.6.88 जो कि डा० चमशाम कृष्ण शुक्ला  
पुलिस अधीक्षक ड० प्र० शि.वि.पं. लखनऊ से सम्बन्धित  
सील लिखाफा No उपरोक्त डा० शुक्ला पु० अ०  
पर नामीत किए जाने से सम्बन्धित है मुक्त पु०  
उपाधीक्षक को दिनांक 21.6.88 को डापके. भा० रिक  
आदेश से दिल्ली को प्राप्त हुआ था।

आदेशानुसार दिनांक 22.6.88 को  
लखनऊ से परवान कर दिनांक 23.6.88 को मैं  
श्री एस० एन० खेर गिरीशक प्रवर्तन इत गा० वा०  
को गाठियावाद से लखनऊ केर दिल्ली गया और  
वहाँ पर डा० ए.क. शुक्ला पु० अ० के द्वारा श्री  
ए.ए. डिवेदी सहायक पुलिस अधीक्षक (गैर सिविल)  
से दिल्ली पुलिस मुख्यालय भवन में उपरोक्त  
की कि मैं डा० शुक्ला पु० अ० से मिलना चाहता  
हूँ क्या वे अपनी मां के इलाज के लिए दिल्ली  
में दिल्ली कार्य उपे है इस पर श्री डिवेदी  
ने बताया कि यह खबर की उठे जातवारी नहीं  
है अन्य ही डा० शुक्ला पु० अ० उन्ही जातवारी  
में दिल्ली कार्य उपे है।

इसके उपरान्त हम लोग ड० प्र० भवन  
व ड० प्र० निवास तथा ड० प्र० शि.वि.पं. गैर  
हाउस रिंगरोड लाजपतनगर फता लोको गये  
परन्तु वहाँ से प्राप्त सूचना एवं कथितरों के  
अनुसार डा० शुक्ला का वहाँ आना नहीं

पुलिस

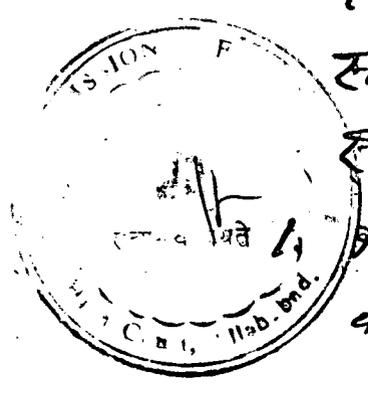
गया। तदुपरान्त लखनऊ पुलिसालय जाकर इस सम्बन्ध में कोई ख़बर, अधिकारियों की जाचकारी में लाकर लंगर दिया।

दि. 24.6.88<sup>के</sup> शुक्रवार पु. म. के का. इ. एवं कदली विभागद्वारा त्रिपाठी से यह ख़बर मिली कि डा. शुक्ला के दोहरे भाई श्री गोपाल लुहरा शुक्ला की पत्नी ज्योता बीमार थी उसी के इलाज के लिए इ. लाहौर दिल्ली गए हुए हैं। इसकी पुष्टि टेलीफोन पर बात करने पर मुझे डा. शुक्ला के पुत्र के कपड़े घर से भी तदुपरान्त यह का. इ. के साथ डा. पारिषा E.N.T. विशेषज्ञ के निवास निराला गार लखनऊ गये और डा. पारिषा से ख़बर करने पर उद्योग मुझे पु. म. का बताया कि शुक्ला लाहौर एवं E.N.T. महिला का क्लिनिक लेकर आये थे जेने जांच किया था और सलाह दिया था कि A.I.I.M.S. नर दिल्ली में रिखा दें। उक्त उपरान्त की जाचकारी उक्त नहीं है।

उपर्युक्त ख़बरों के आधार पर मैं पुनः दिनांक 25.6.88 को गान्धि वावा के घुंटे कर श्री खरे निरीक्षण प्रवर्तने दल को साथ लेकर दिल्ली गया और निम्न लिखित स्थानों पर डा. शुक्ला पु. म. की तलाश की श्री ए. सी. डिवेदी सहायक पुलिस आयुक्त (महिला) के निवास No 7 कश्मीर विहार पुलिस थानों की धारा कश्मीर विहार के पीई कांपाउंड में -

दाया 78 पाया गया।

D Singh



इस स्थान पर एक प्रथम दरवाजा कइलिया जावरी ने  
 रनेला उल्लेख यह इहेन पर कि क्या लखनऊ कि  
 डी. हाथ ड० शुक्ला काये दुपे ई तो उल्लेख वलाया  
 कि वह नही काय ई। इतने उपरान्त कइल ह  
 श्री दिवदी काय कइल उल्लेख ईन एहा कि क्या  
 ड० शुक्ला काय ई इयार काय ई तो उल्लेख वलाया  
 कि उहे कमी तक दिलावत कते श्री हुन कोये  
 रिगत नही ई कि दिलावत ई कते मर श्री वद  
 या माला जी का इलाक बरते काय ई और  
 प्रायः पछे होला ई कि एही तबलीक ही खबर  
 वह काय कइलकरते ई। यह इहेन पर क्या 17.6.80  
 से आज तक ड० शुक्ला कायवती जावरी ई  
 दिलावत काय ई तो श्री दिवदी ई वलाया कि  
 वह साहय के लिखे हाथ काय निकोषार मये ई  
 कइल दिनांक 20.6.80 का जौनपुर से कते  
 वलाया को लेल दुपे दिलावत कते ई इहेन  
 20.6.80 से पहिले के वर ई उहे वारे जावरी  
 नही ई।

② Allms की दिलावत एवं डा० राममोहर कोशिया  
अस्पताल की दिलावत तथा सफरजा अस्पताल  
 नई दिला - उपरोक्त तीनों अस्पताल दिलावत  
 के लिये मुझे डारेवत करलीय रवाते ई कायक  
 ई, इन अस्पतालों के O.P.D. एवं under के ENT  
 शिजिस्टर चैक लिखे मये फलतु श्री मारे शुक्ला के  
 नाम से दिनांक 17.6.80 से 25-6.80 तक विला  
 श्री मरीन का इलाक एव मरी के लिखे काय  
 होन नही पाया गया।

Singh



3. सफरजां एवं Allms अस्पताल के निकट होल  
 व पत्र शाखा की चेंबरिंग - बंद सचप के सरल  
 होल, लतकार होल, जय श्री श्याम चर्चाला  
 गीत पार्क निकट प्रसुफ तराफ तथा राज गरीबा विद्या  
 सदन के अति लेखों की चेंबरिंग को पर डा. K  
 शुक्ला कोषवा की करि सुचना का जाना नहीं पाया गया

4. 30.5.08 प्रवन एवं उत्पन्न निवास - दिनांक 24.6.08  
 से 25.6.08 को डा. K. शुक्ला पुत्र डा. का वहाँ  
 के अति लेखों के अन्दर रुकना नहीं पाया गया

5. दिनांक 26.6.08 :- उपरोक्त अस्पतालों के अति लेखों  
 निम्न लिखित नर्सिंग होम जो दिल्ली में चिकित्सा  
 के लिए अच्छे ख्याती प्राप्त हैं वे भी जहाँ शुक्ला  
 कोषवा उनके साथ डा. शुक्ला का जाना 08D व  
 Indoor काड में चेंबरिंग किया गया और अति लेख  
 देखे गए कि उनका जाना नहीं पाया गया। -

- क (दोली के निजी नर्सिंग होम, कोखवा लेट दिल्ली)
- ख (सुलचन्द्र नर्सिंग होम) डिफरेंट काप्येन्सी सिज के पाठ
- ग (जीवन नर्सिंग होम (पुष्प) जीवन का नर्सिंग
- घ (जीवन नर्सिंग होम (दिलीप) जीवन का

6. इनके करि रिक डा. राम प्रसाद कोषिया अस्पताल  
 के निकट के निम्न लिखित होल / लॉज के अति लेखों  
 चेंबरिंग में परन्तु डा. K. शुक्ला पुत्र डा. का  
 इन स्थानों पर रुकना नहीं पाया गया। -  
 सिटीजन्स गेस्ट हाउस गोल कोर्ट गेट दिल्ली)

Pr Singh

5

ख ( वायु कोडिंग लाक गोल कार्टे गरी दिल्ली )

ग ( कनाट फेलस होल कार फेलस गरी दिल्ली )

इस प्रकार सभी सम्बन्धित स्थानों पर  
प्रता लगाने एवं चक्र वगैरे पर डा. ६-१८ शुक्ला  
पुलिस इन्सपेक्टर गरी दिल्ली में नहीं मिले इसी  
स्थिति में उपरोक्त वरिष्ठ शिवालय कोडिंग पर  
डा. ६-१८ शुक्ला पु. डा. रा. वि. प्र. में लगाने  
गरी गये या जा सका। शीघ्र वद लिफाफा  
मूल रूप में कारवा के साथ प्रस्तुत है

बुध्या प्राप्ति स्वीकार करें।

संक्रमांक. २७४१५/१११ - प.स. - २-८२०/५७  
दि. २०-६-६८

दिनांक २६/६/६८

*(Signature)*  
26.6.68  
(एस प्रो रेवे)  
निरीक्षण  
प्रधानि इल गांवद  
स्थान दिल्ली

(एस डारु सिंह)  
पुलिस इन्सपेक्टर  
शांतिपुर मरवाक  
स्थान - दिल्ली

Received by  
27888  
at 10.35 AM  
in my office  
27888  
S.P.(E.V.)

am 9 k ayd gup 015 E

pl send it by Regd AD Post

at the Indira Nagar residence.

Attested please  
bearing

27/6  
D.S.

*(Signature)*  
27888  
S.P.(E.V.)

N.B. Also received Home Dept. letter no. 2415/111-P.S.-  
2-820/57 dt. 20.6.68 with enclosure in reference - 16.68  
res. to distribute to the Regd. Post. to Dr. G.R. Shukla

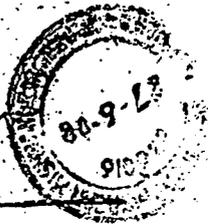
Pr Singh

No. **386** Stamps affixed except in case of uninsu-Rs. P. and letters of not more than the initial Date-Stamp weight prescribed in the Post and Telegraph Guide on which no acknowledgment is due.

Received a V. P. Registered

addressed to **Dr. G.K. Sukla**  
**B-2/63 Indranagar**

Signature of Receiving Office **Dukrou**



Insured for Rs. (in figures)

(in words)

Insurance fee Rs.

weight rates  
(in words) grams

R. P.-51 (a)

SP(EIV)

In compliance of your kind order dt. 27.6.88 on my enquiry report dt. 26.6.88, I have dispatched the Home Reg. V.P. letter no. 2415/VII-P.S. - 2-820/57 dt. 20.6.88 to Dr. G.K. Shukla SP, VPSEB, Uaw at his home address local - B-2/63 Indranagar, Uaw, by Regd. A.D. letter no. 386 dt. 27.6.88 at 1.30 P.M. from P.O. Indranagar Uaw.

*[Signature]*  
27-6-88  
(S.R. Singh)  
By SP, SEB  
Uaw.

*[Signature]*



फर्द बाबत करने चर्चा आदेश संख्या.

2415/VII-PS-2-820/57 दिनांकित 20.6.88 जो

गृह संचयन उपग्रह आगमन की ओर है

आज दिनांक 29.6.88 को डॉ. सुलोक उपाध्याय-  
 शरद सुख आरंभिक विनायक करने लगी ल  
 आदेश उपरोक्त बहाराही की श्री. सुख की मानव  
 व श्री सुख एकां निरीक्षण प्रवर्तन दल, बरेल  
 एवं निरीक्षण प्रवर्तन दल लखनऊ जिन प्रकाश,  
 कोचम कार्यालय निकाली व श्री. इश्वर  
 केवल विद्यार्थी व स. इ. की विचारनाम त्रिपठी  
 व श्री. 809 सी.पी. सुरेन्द्र सिंह मुनीना आगरा-  
 गजौपुर, लखनऊ, के बचक करीब 2.45 मजे  
 दिन की अन्वेषण प्रयास सुखक सुलोक कर्मा-  
 शरद, उग्रु 10 मिनट पीरकद विनायक सभान  
 नं. B-2163, अतनाय सैर, इन्दिरा नगर,  
 लखनऊ के उपरोक्त आवास पर पहुँच। यहाँ  
 बजान पर डा० जी.के. सुखक के सुख की  
 गोपनीयता सुखक जीने उतरकर नीचे आये  
 सुखक पर उन्होंने बताया कि डा० जी.के. सुखक  
 मजदूर नहीं है, दिवंगत आये है। आगे नहीं  
 उनके बहरेन कत पता नहीं चलूक है। श्री. गोपनी  
 सुखक सुलोक, जोकि डा० सुखक के सौकर पुत्र  
 है, से उपरोक्त आदेश जो डा० जी.के. सुखक  
 सुलोक सुखक के हाथकेपता है, (P. 7.01)

*[Handwritten signature]*  
 श्री.

20.6.88

2415/VII-PS-2-820/57

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आर्य समाज के जैष्ठ शुद्ध की गोपनीयता को  
 सुरक्षा के लिये कि बात सादेसा की एक  
 प्रति आर्य समाज की ओर से प्रकाशित, तो  
 उन्होंने बताया कि पिता जी नहीं, बल्कि पिताजी  
 जी हैं, और उनके विचारों के अनुसरण को  
 कोई भी नहीं मानना चाहता है।

उनका मेरे द्वारा यह बताया गया कि यदि  
 काय बात आर्य समाज पर को प्रकाशित की जा  
 तो निश्चय ही कि समाज के लिये यह  
 यह पर चर्चा कर देंगे। फिर  
 भी पर प्रकाशित कि मूल रूप पर  
 आर्य समाज के उद्देश्य के लिये निश्चय  
 पर, उक्त आर्य समाज पर - 164 नों की लक्ष्यित  
 फोटो फिलिमों की लक्ष्यित चर्चा, कलकत्ता  
 गवर्नमेंट, कागजों के लिये फोटो लक्ष्यित,  
 जो मूल रूप के लिये लक्ष्यित हेतु प्रकाशित  
 है।

की गोपनीयता के लिये बातचीत  
 यह बताया कि उनके पिता जी ने दिल्ली  
 में अपने ब्रह्मचर्य पर उनसे नहीं देखा  
 है, इसलिए वहाँ का पता वे नहीं बता  
 सकते।

आपका अक्षय कुमार (आर्य समाज)  
 दिल्ली, 29/6/18.  
 (पता नंबर 206/18)  
 मुंबई 400 1000

पूज्य





G.K. SHUKLA ..... APPLICANT  
VERSUS  
UNION OF INDIA & OTHERS... .. RESPONDENTS

No. 22011/2/86-Estt. (A)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel & Training

New Delhi dated, the 12th Jan. 1988

OFFICE MEMORANDUM

Subject:-Promotion of Government servants against whom disciplinary/court proceedings are pending or whose Conduct is under investigation- Procedure and guidelines to be followed.

The undersigned is directed to refer to the Ministry of Home Affairs O.M. No. 39/4/56-Estt. (A) dated the 3rd November, 1958 and subsequent instructions issued from time to time on the above subject and to say that the procedure and guidelines to be followed in the matter of promotion of Government servants against whom disciplinary/court proceedings are pending or whose conduct is under investigation have been reviewed carefully. Government have also noticed the judgement of the Supreme Court in Civil Appeal No. 2964 of 1986. Union of India and another Vs. Tajinder Singh decided on 26.9.1986. As a result of the review, and in supersession of all the earlier instructions on the subject, the procedure to be followed in this regard by the authorities concerned is laid down in the subsequent paras of this O.M. for their guidance.

Cases of Government servants to be sealed under Procedure will be applicable.

2. At the time of consideration of the cases of Government servants for promotion, details of Government servants in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Department Promotion Committee:-

- i) Government servants under suspension;
- ii) Government servants in respect of whom disciplinary proceedings are pending or a decision has been taken to initiate disciplinary proceedings;
- iii) Government servants in respect of whom prosecution for a criminal charge is pending or sanction for prosecution has been issued or a decision has been taken to accord sanction for prosecution.



*J. Singh*

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iv) Government servants against whom an investigation on serious allegations of corruption, bribery or similar grave misconduct is in progress either by the CBI or any other agency, departmental or otherwise.

procedure to be followed by DPC in respect of Government servants under cloud.

2.1 The Departmental Promotion Committee shall assess the suitability of the Government servants coming within the purview of the circumstances mentioned above alongwith other eligible candidates without taking into consideration the disciplinary case/criminal prosecution pending or contemplated against them or where the investigation in progress. The assessment of the DPC, including 'Unfit for Promotion', and the grading awarded by it will be kept in a sealed cover. The cover will be superscribed 'Findings regarding suitability for promotion to the grade/post of .....in respect of Shri ..... (name of the Government servant). Not to be opened till the termination of the disciplinary case/criminal prosecution/investigation against Shri ..... The proceedings of the DPC need only contain the note 'The findings are contained in the attached sealed cover'. The authority competent to fill the vacancy should be separately advised to fill the vacancy in the higher grade only in an officiating capacity when the findings of the DPC in respect of the suitability of a Government servant for his promotion are kept in a sealed cover.

cedure by subsequent s.

2.2 The same procedure outlined in para 2.1 above will be followed by the subsequent Departmental Promotion Committees convened till the disciplinary case/criminal prosecution/investigation pending or contemplated against the Government servant concerned is concluded.

3. On the conclusion of the disciplinary case/criminal prosecution, or an investigation which results in dropping of allegation or complaints against the Govt. servant, the sealed cover or covers shall be opened. In case the Government servant is completely exonerated, the due date of his promotion will be determined with reference to the position assigned to him in the findings kept in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position. The Government servant may be promoted, if necessary, by reverting the junior-most officiating person. He may be promoted notionally with reference to the date of promotion of his junior but he will not be allowed any arrears of pay for the period preceding the date of actual promotion.

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3.1 If any penalty is imposed on the Government servant as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/ covers shall not be acted upon. His case for promotion may be considered by the next DPC in the normal course and having regard to the penalty imposed on him.

3.2 It is also clarified that in a case where disciplinary proceedings have been held under the relevant disciplinary rules, 'warning' should not be issued as a result of such proceedings. If it is found, as a result of the proceedings, that some blame attaches to the Government servant, at least the penalty of censure should be imposed.

Six Monthly review of "Sealed Cover" cases.

4. It is necessary to ensure that the disciplinary case/criminal prosecution/investigation instituted against any Government servant is not unduly prolonged and all efforts to finalise expeditiously the proceedings should be taken so that the need for keeping the case of a Government servant in a sealed cover is limited to the barest minimum. It has, therefore, been decided that the appointing authorities concerned should review comprehensively the cases of Government servants, whose suitability for promotion to a higher grade has been kept in a sealed cover on the expiry of 6 months from the date of convening the first Departmental Promotion Committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also every six months. The review should, inter alia, cover the following aspects:-

- i) The progress made in the disciplinary proceedings/criminal prosecution and the further measures to be taken to expedite their completion;
- ii) Scrutiny of the material/evidence collected in the investigation to take a decision as to whether there is a prima facie case for initiating disciplinary action or sanctioning prosecution against the officer.

If, as a result of the review, the appointing authority comes to a conclusion in respect of cases covered by item (ii) above that there is no case for taking action against the Government servant concerned, the sealed cover may be opened and he may be given his due promotion with reference to the position assigned to him by the DPC.

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5. The procedure outlined in the preceding paragraphs should also be followed in considering the claim for confirmation of an officer under suspension, etc. A permanent vacancy should be reserved for such an officer when his case is placed in a sealed cover by the DPC.

Procedure for adhoc promotion.

6. In spite of the six monthly review referred to in para 4 above, there may be some cases, where the disciplinary case/investigation/criminal prosecution against the Government servant are not concluded even after the expiry of two years from the date of the meeting of the first DPC, which kept its findings in respect of the Government servant in a sealed cover. In such a situation the appointing authority may review the case of the Government servant, provided he is not under suspension, to consider the desirability of giving him ad-hoc promotion keeping in view the following aspects:-

- a) Whether the promotion of the officer will be against public interest;
- b) Whether the charges are grave enough to warrant continued denial of promotion;
- c) Whether there is no likelihood of the case coming to a conclusion in the near future;
- d) Whether the delay in the finalisation of proceedings, departmental or in a court of law or the investigation is not directly or indirectly attributable to the Government servant concerned;
- e) Whether there is any likelihood of misuse of official position which the Government servant may occupy after ad-hoc promotion, which may adversely affect the conduct of the departmental case/criminal prosecution.

The appointing authority should also consult the Central Bureau of Investigation and take their views into account where the departmental proceedings or criminal prosecution arose out of the investigations conducted by the Bureau. Where the investigation as contemplated in para 2(iv) above is still pending, the CBI or the other authorities concerned should be consulted.

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6.1 In case the appointing authority comes to a conclusion that it would not be against the public interest to allow ad-hoc promotion to the Government servant, his case should be placed before the next DPC held in the normal course after the expiry of the two year period to decide whether the officer is suitable for promotion on ad-hoc basis. Where the Government servant is considered for ad-hoc promotion, the Departmental Promotion Committee should make its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary case/criminal prosecution/investigation against him.

6.2 After a decision is taken to promote a Government servant on an ad-hoc basis, an order of promotion may be issued making it clear in the order itself that:-

- i) the promotion is being made on purely ad-hoc basis and the ad-hoc promotion will not confer any right for regular promotion; and
- ii) the promotion shall be "until further orders". It should also be indicated in the orders that the Government reserve the right to cancel the ad-hoc promotion and revert at any time the Government servant to the post from which he was promoted.

6.3 If the Government servant concerned is acquitted in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings or the investigation did not lead to criminal prosecution/disciplinary proceeding the ad-hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad-hoc promotion with all attendant benefits. In case the Government servant could have normally got his regular promotion from a date prior to the date of his ad-hoc promotion with reference to his placement in the DPC proceedings kept in the sealed cover(s) and the actual date of promotion of the person ranked immediately junior to him by the same DPC, he would also be allowed his due seniority and benefit of notional promotion as envisaged in para 3 above.

6.4 If the Government servant is not acquitted on merits in the criminal prosecution but purely on technical grounds and Government either proposes to take up the matter to a higher court or to proceed against him departmentally or if the Government servant is not exonerated in the departmental proceedings, the ad/hoc promotion granted to him should be brought to an end.

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Sealed cover applicable to officers coming under cloud before promotion.

7. A Government servant, who is recommended for promotion by the Departmental Promotion Committee but in whose case any of the circumstances mentioned in para 2 above arise after the recommendations of the DPC are received but before he is actually promoted, will be considered as if his case had been placed in a sealed cover by the DPC. He shall not be promoted until he is completely exonerated of the charges against him and the provisions contained in this OM will be applicable in his case also.

8. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these instructions have been issued after consultation with the Comptroller and Auditor General of India.

9. Hindi version will follow.

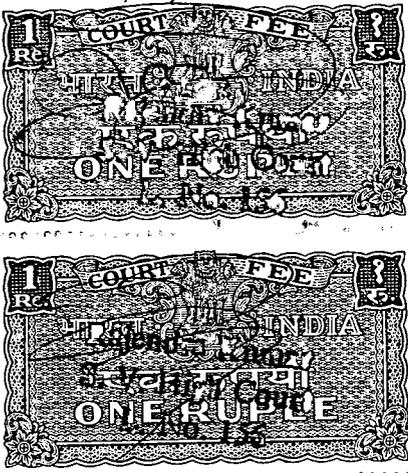
Sd/-  
(A. JAYARAMAN)  
DIRECTOR

To

All Ministries and Departments of the Government of India with usual number of spare copies.

Huzur chudh	
File No.	1446/15
Date	8/2/90





1990  
AFFIDAVIT  
66/125  
HIGH COURT  
ALLAHABAD

2.4.90

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

AFFIDAVIT  
Affidavit filed on  
dependents no.1,3)

क्रमांक/No. 474

नगये गये डाक टिकटों का मूल्य रु. 6-40  
Amount of Stamps attached  
एक रजिस्ट्री बीमा पत्र प्राप्त किया  
Received a Registered Insurance Policy  
पानेवाले का नाम  
Addressed to  
बीमा की रकम (अंकों में) (शब्दों में)  
Insured for Rs. [in figures] [in words] 17 lacs  
बीमा शुल्क रु. 10000/- वजन (शब्दों में)  
Insurance fee Rs. P. Weight [in words]  
भेजनेवाले का नाम व पता  
Name and address of sender  
उत्तर प्रदेश निर्देशिका में दी गई  
शर्तों के अधीन जारी की गई  
Issued subject to terms and  
conditions in P.O. guide



of 1989

.....Potitioner

पानेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer

Union of India and others.....Respondents

Affidavit of G.K.Shukla aged  
about 60 years Son of Sri Patey  
S.P.Shukla Resident of  
Moh. Duffhazan nath  
Bardai  
(deponent)

I, the deponent abovenamed do hereby  
solemnly affirm and state as under:

1. That the deponent is the applicant  
in the abovenoted case and as such he is fully  
conversant with the facts of the case deposed  
to below.

G. Shukla

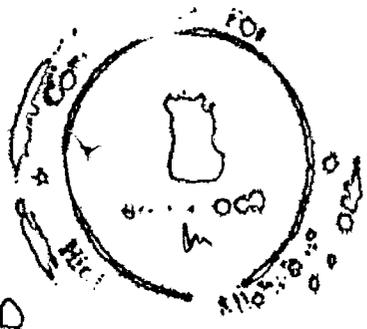
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2. That the deponent has read the contents of paras of the counter affidavit filed on behalf of respondents no.1 and 3 and as such he is fully conversant with the facts of the case deposed to below.

3. That the contents of paras 1 and 2 of the counter affidavit need no reply.

4. That in reply to the contents of para 3(a) to (d) of the counter affidavit it is stated that the allegation with respect to chargesheet dated 20th June 1988 and its service upon the petitioner are patently false, concocted and hence are denied. In reply thereto it is submitted that the petitioner proceeded on leave after due handing over of charge and giving information to his superior officers, under whom he was working Thereafter on completion of age of super annuation when the petitioner was permitted to retire without any further communication to him he sent a representation dated 22.8.1988 requesting the respondents to make him payment of post retirement benefits like gratuity and pension etc. A true copy of the representation dated 22.8.1988 is being filed as Annexure-RA1 to this affidavit. In pursuance of the application's representation the Director General of Police, U.P., sent a letter dated 7th Oct 1988 to the respondent no.1 requesting them to

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issue sanction for payment of pension and the gratuity to the petitioner at the earliest. A true copy of the letter dated 7th Oct. 1988 and 8th Oct. 1988 sent by the respondent no.3 to respondent no.1 are being filed as Annexure-RA2 and RA3 to this affidavit. It may be noted that in the letter dated 7th Oct. 1988 there is no mention of any chargesheet or inquiry pending or contemplated against the petitioner.

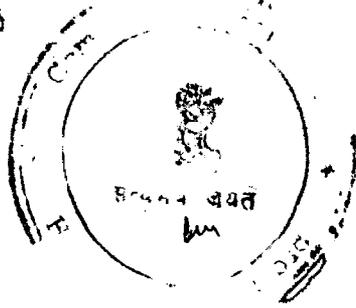
5. That as nothing was done by the respondents even thereafter the applicant sent further reminder and representation to the respondents on 27.12.1988 and 16.1.1989 requesting them to release the petitioner's pension at the earliest. A true copy of the representations dated 27.12.1988 and 16.1.1989 are being filed herewith and marked as Annexure-RA4 and RA5 to this affidavit.



6 That the respondent no.3 vide its letter dated 20.1.1989 informed the petitioner that the matter with respect to sanction of his pension and gratuity is pending for consideration before the respondent no.1. It is further stated that even in this letter there is no mention of any chargesheet at all. A true copy of the letter dated 20.1.1989 is being filed herewith and marked as Annexure-RA6 to this affidavit.

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7- That thereafter the respondent no.1 issued order dated 24.1.1989 sanctioning only provisional pension <sup>to</sup> for the applicant and stating that as the Government has decided for departmental inquiry against the applicant and hence only provisional pension is being sanctioned. Even in this letter dated 24.1.1989 there is no mention of any alleged chargesheet and the letter dated 24.1.1989 is absolutely clear in stating that till 24.1.1989 no departmental inquiry was pending against the applicant in which any chargesheet was ever issued to the applicant. It is inconceivable that the respondent no.1 who alleged to <sup>have</sup> issued chargesheet on 20.6.1988 and the respondent no.3 who is the highest authority of the Police department in U.P. were unaware of the chargesheet alleged to in para under reply. A true copy of the letter dated 24.1.1989 is being filed herewith and marked as Annexure-'R/7' to this affidavit.



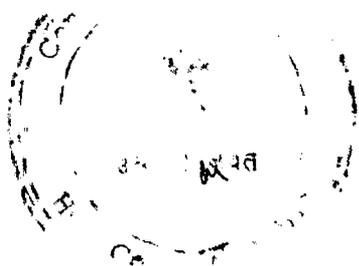
8. That in the circumstances and <sup>as the</sup> expressed documentary evidence shows the above entire story set up in para under reply with respect to the alleged chargesheet appears to be wholly concocted and fabricated and after thought <sup>no reality and hence</sup> having no sanction of law at all.

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9- That in reply to the contents of para 3(e)(f) of the counter affidavit the applicant is advised to state that from a bare perusal of the decision of the selection committee as quoted in para 3(e) of the counter affidavit under reply shows that on the date the selection committee considered the <sup>applicant's</sup> application for promotion to the post of Dy. Inspector General of Police and selections grade in Indian Police Service no chargesheet at all was issued to the petitioner and meeting of the selection committee is evidently prior to the date of issuance of the chargesheet. Hence the selection committee has no jurisdiction to keep the recommendation in sealed cover as it is contrary to law laid down by a Full bench of this Hon'ble court wherein validity of the sealed cover procedure was considered at length. While taking into consideration the Govt. of India instruction dated 30.1.1982 a Full bench in the case of K.Ch. Venkottareddy Vs. Union of India observed as under:

"In the instructions in cases of officers against whom a decision has been taken by the disciplinary authority to initiate proceeding and those against whom sanction for prosecution is issued, sealed cover procedure is contemplated. Between decision and the actual initiation of proceeding, there may be time lag which may not be uniform and specific. To ensure uniformity and

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certainty the date of initiation of proceeding should be taken as the basis for complying the sealed cover procedure and it will establish that the date of initiation of proceeding is the date when the charge memo is served on the officials or chargesheet is filed before the court. "

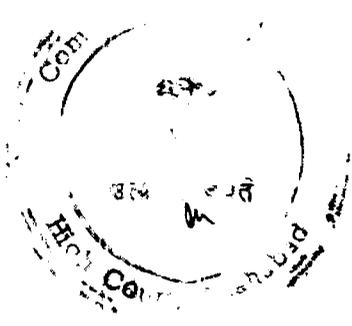
Further while giving conclusion the Full bench in para 39 observed as under:

"39- Thus our conclusions are .....

(4)sealed cover procedure could be resorted to only after the charge memo is served on the concerned official or the chargesheet filed before the criminal court and not before. "

10- That in view of the aforesaid categorical judgment pronounced by Full bench of this Hon'ble Tribunal on 2.3.1987 the decision taken obviously subsequent to such declaration of law is patently arbitrary and contrary to that and hence is liable to be ignored and the Respondent is directed to open the sealed cover envelop and to act upon the recommendations of the selection committee according to law. In view of the facts stated above the contents

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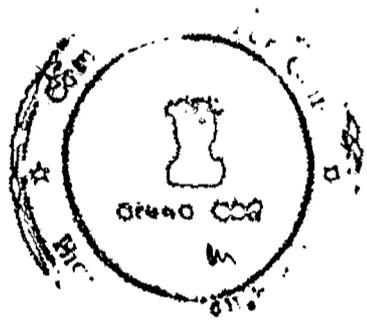
of para 3(e)(f) of the counter affidavit are mis-conceived, contrary to law and denied.

11- That the contents of paras 4 and 5 of the counter affidavit do not call for any reply.

12- That the contents of para 6 of the counter affidavit are wholly incorrect and denied inasmuch as the petitioner was given officiating promotion on senior post of IPS in July 1972 and he was included in the select list of 1974 and was given appointment in IPS consequently .In the circumstances the assertions that there was any adverse AOS entry in the year 1972-73 is incorrect and hence denied.

13- That in reply to the content of para 7 of the counter affidavit the averments made in para 4(c) of the application are reiterated as correct and assertions to the contrary contained in para under reply are denied.

14- That the contents of para 8 of the counter affidavit does not call for any reply.



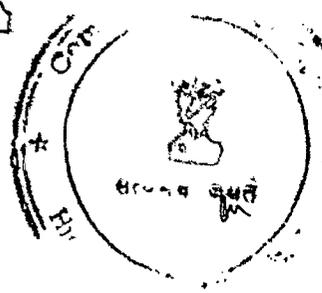
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15- <sup>in reply to</sup> That/the contents of paragraphs 9 to 12 of the counter affidavit the contents of paragraphs 4(f) to 4(j) of the application are hereby reiterated as correct. The avowments to the contrary contained in para under reply are denied.

16. That the contents of para 13 of the counter affidavit does not call for any reply.

17 That the contents of para 14 of the counter affidavit are denied and those of para 4(e) of the application are reiterated as correct.

18 That the contents of para 15 of the counter affidavit are incorrect and denied. It is stated that there is no question of giving promotion to ~~the~~ Sri Tilak Kak and Sri D.K.Panda, juniors to the petitioner alleging that they were ~~also~~ given promotion while sending them on deputation inasmuch as it is stated that the senior post of IPS Cadre of U.P. consists of the posts ~~of~~ within State of U.P. and also various senior posts under Central deputation and State deputation i.e. Item no. 2 and 5 of the Cadre Schedule. Hence when the senior post under the Central government are also part and parcel of IPS Cadre of U.P. the mention of the word 'promotion on deputation' is wholly misnomer and misconceived inasmuch as the Cadre controlling authority of IPS cadre is the Central government and the senior post under it are also



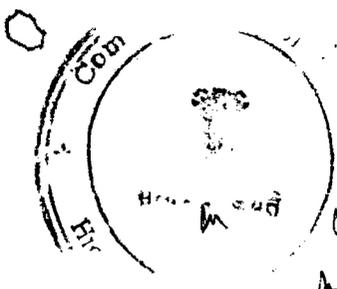
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part of IPS Cadre of U.P. and hence even while giving such promotion all the eligible incumbents are entitled to be considered. It is not a case of the respondent that the petitioner was offered such promotion but he declined and in the circumstances while giving promotion in one and the same cadre i.e. U.P. omission of the applicant in the matter of promotion is wholly arbitrary and violative of Article 14 and 16 of the Constitution. Hence the averments contained in para 4(p) to (s) of the application are reiterated as correct and the contents of para under reply are incorrect and denied.

12- That the contents of paras 16, 17 and 18 of the counter affidavit are denied and those of paras 4(t) and (u) of the application are reiterated as correct.

I, the deponent abovesigned do hereby declare that the contents of paras <sup>in</sup> 2, 3, 4, 8, 11, 12, 17, <sup>in</sup> 18, and 19 of this affidavit are true to my personal knowledge and those of paras <sup>in</sup> 4, 5, 6, 7, 9, ~~18~~ are based on the perusal of record and those of paras <sup>in</sup> 10, 18, are based on legal advice which all I believe to be true and nothing material has been concealed and no part of it is false. So help me God.

*A. K. Gupta*  
Deponent

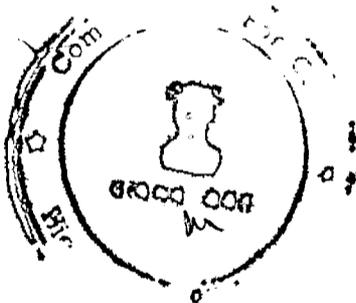


I, Lalleo Singh clerk to Sri SUDHER AGARWAL ADVOCATE HIGH COURT ALLAHABAD do hereby declare that the person making this affidavit and alleging himself to be Sri G.K.Shukla is the same person who is known to me from the perusal of record.

*Lalleo Singh*  
2.4.90

Solemnly affirmed before me on the 2<sup>nd</sup> day of <sup>April</sup> ~~March~~ 1990 at 5.00 p.m who has been identified by the aforesaid.

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



OATH COMMISSIONER  
*Anand*  
Rajesh Kumar Kato  
Advocate  
OATH COMMISSIONER  
High Court Allahabad  
Date 2.4.90  
S. No. 66/125

*Rajesh*

Before the Central Administrative Tribunal  
at Allahabad.

.....

Annexure No. (R.A.1)

In

O.A. 520/89

Dr. G.K. Shukla.....Petitioner

Versus

State of U.P. and others.....Respondents.

.....

From:-

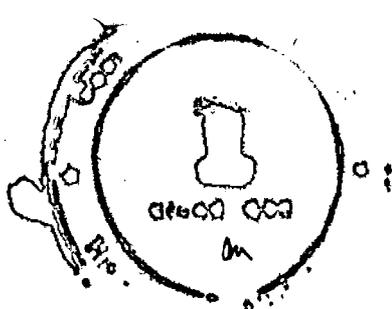
Dr. G.K. Shukla, IPS,  
Supdt. of Police U.P.S.E.B.  
Lucknow ( Retired)

To,

The Secretary,  
Govt. of Uttar Pradesh,  
Home Department, Lucknow.

Sir,

I have to submit that I have retired on super-



119

annuation w.e.f. 30.6.1988. I have to submit now that I have not received order for payment of Gratuity so far.

It is, therefore, requested that orders for payment of Gratuity in my favour may kindly be issued early so that the same may be drawn to avoid financial hardship after retirement. A line in reply shall oblige.

Yours faithfully,

Sd/-Illegible

(G.K. Shukla)

B-2/63 Indira Nagar

Lucknow.

22.8.88

Co-Pers/9-88

12.8.88

Copy forwarded to:

- 1- Joint Secretary, Home(Police), U.P.Lucknow  
for favour of information and necessary action.
- 2. Director General of Police, U.P. Lucknow for  
information with the request that orders for  
payment of gratuity in my favour may kindly be  
got expedited.
- 3. Accountant General, U.P.(Pension Addit Section)  
Allahabad.

(G.K. Shukla)  
Indira Nagar,  
Lucknow.

True Copy



*Anwale*  
**Prof. K. K. Sharma**  
 ADVOCATE  
 O.C. COMMISSIONER  
 High Court, Allahabad  
 Date..... 24.9.88  
 Sr. No..... 66/125

*G.K. Shukla*

बीफोर सेण्ट्रल एडमिनिस्ट्रेटिव ट्रिब्युनल एट इलाहाबाद ।

एनेक्टर नं० आर.ए.-2१

इन

ओ० ए० सं० 520 आफ 1989

डा०जी०के० शेख्ला-----पिटीशनर

बनाम

स्टेट आफ यू०पी०

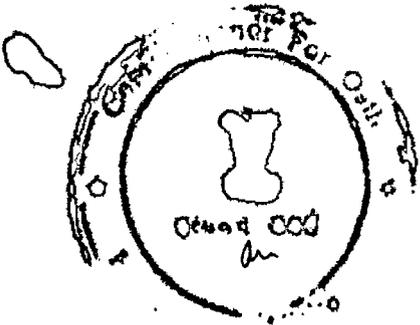
एण्ड अदर्स-----रेस्पों०

प्रेषक:-

पुलिस महानिदेशक,  
उत्तर प्रदेश ।

सेवा में,

संयुक्त सचिव, उ०प्र०शासन,  
ग्रह पुलिस सेवाये अनुभाग-2१,  
लखनऊ ।



*Signature*

पत्रांक:- डीजी-1-33१1१-88 दिनांक लखनऊ अक्टूबर 7, 1988

महोदय,

कृपया इस मुख्यालय के समसंख्यक पत्र दिनांक 29.2.88 एवं अनुस्मारक पत्र दिनांक 23-5-88 का संदर्भ लेने का कष्ट करें, जो डा० जी०के०शुक्ला, आई०पी०एस० सेवा निवृत्त को पेशन/उपादान एवं पेशन राशिकरण की स्वीकृति के विषय में है।

2- अनुरोध है कि डा०शुक्ला दिनांक 30-6-88 को सेवा निवृत्त हो गये है। कृपया पेशन/उपादान आदि के सम्बन्धित शासकीय स्वीकृति शीघ्र जारी कराने का कष्ट करें।

भवदीय

॥ एस० एस०नेगी॥

कृते पुलिस महानिदेशक एवं  
पुलिस महानिरीक्षक उ०प्र०

प्रतिलिपि निम्नांकित को सूचनार्थ प्रेषित:-



1- पुलिस महानिरीक्षक, राज्य विद्युत परिषद उ०प्र० लखनऊ

कृपया इस मुख्यालय के समसंख्यक पत्र दिनांक 12-9-88 द्वारा वांछित प्रमाण पत्र भिजवाने का कष्ट करें।

2- मुख्य लेखाधिकारी उ०प्र० पुलिस मुख्यालय, इलाहाबाद।

कृपया डा०जी०के०शुक्ला आई०पी०एस० सेवा निवृत्त को दिनांक

*La. Shukla*

122

30-6-88 तक देय कुल उपार्जित अवकाश ही देयता से इस  
मुख्यालय को अवगत कराने का कष्ट करें ताकि अग्रिम  
कार्यवाही की जाय ।

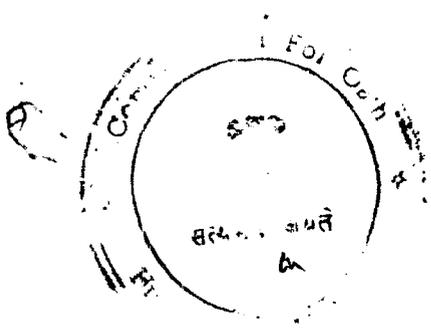
3- डा०जी०के०शुक्ला आई०पी०एस० सेवा निवृत्त० बी-2  
63, इन्दिरा नगर लखनऊ । कृपया भविष्य निर्वाह निधि/  
सामूहिक बीमा, योजनान्तर्गत देय धनराशियों के अन्तिम  
भुगतान हेतु निर्धारित स्लैम प्राप्ति में दावा तीन प्रतियों  
में इस मुख्यालय को शीघ्र भेजवाने का कष्ट करें ।

संलग्नक-उपरोक्तानुसार ।

ह०/-

॥ एस० एस०नेगी॥

कृते पुलिस महानिदेशक एवं  
पुलिस महानिरीक्षक उ०प० ।



*Handwritten signature*

सत्यप्रतिलिपि ।

*Handwritten signature*  
Rajesh Kumar Kaira  
Advocate  
OATH COMMISSIONER  
High Court Allahabad  
Date.....24.9.88.....  
S. No. 66/125

बीफोर सेन्दल एडमिनीस्ट्रेटिव ट्रिबुनल एट इलाहाबाद ।

एनेक्टर नं०॥आर.ए.-३॥

इन

सी० ए० नं० 520 आफ 1989

डा०जी०के०शुक्ला-----पिटीशनर

बनाम

स्टेट आफ यू०पी०

एण्ड अदर्स-----रेस्पों०

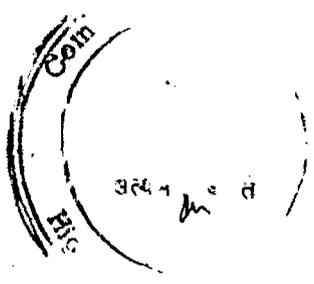
प्रेषक,

पुलिस महानिदेशक,  
उत्तर प्रदेश ।

सेवा में,

संयुक्त सचिव उ०प्र०,  
शासन गृह पुलिस सेवाये॥ अनुभाग-2॥

लखनऊ ।



*Handwritten signature*

सं० डीजी-1-33११-88 दिनांक लखनऊ अक्टूबर 8, 1988

महोदय,

कृपया इस मुख्यालय के संसंबन्धक पत्र दिनांक 29.2.88

का संदर्भ लेने का कष्ट करें जो डी०जी० के० शुक्ला, आई०पी०एस०

सेवा निवृत्त को पेंशन/उपादान एवं पेश राशिकरण की

स्वीकृति के विषय में है ।

2- उपरोक्त के सम्बन्ध में सम्बन्धित अधिकारी के पक्ष में

आपेक्षित शासकीय स्वीकृति जारी न होने के कारण अग्रिम

कार्यवाही लम्बित है। अतएव पेंशन/उपादान सम्बन्धी स्वीकृत

आदेश शीघ्र कराने का कष्ट करें ।

3- डा०जी०के०शुक्ला, आई०पी०एस० सेवा निवृत्त द्वारा

प्रेषित पत्र सं० सी०ओ०-पर्स/37/88 दिनांक 14-10-88 की

फोटो प्रति संलग्न है जिसमें उन्होंने अवकाश/पेंशन अभिदान

के भुगतान कराये जाने का अनुरोध किया है । कृपया संलग्न

पत्र के विषय में शासन के आदेश तत्काल जारी कराने का कष्ट

करें, ताकि अग्रिम कार्यवाही की जाय ।



*Signature*

125

4- डा०शुक्ला आई०पी०एस० को सेवानिवृत्त तक देय कुल  
उपार्जित अवकाश की देयता पुलिस मुख्यालय, इलाहाबाद से प्राप्त  
की जा रही है तथा शीघ्र ही शासन को अवगत करा दिया जायेगा।

भवदीय,

संलग्नक-उक्त-एक

ह०/-अपठनीय

श्रीत्रिनाथ मिश्र

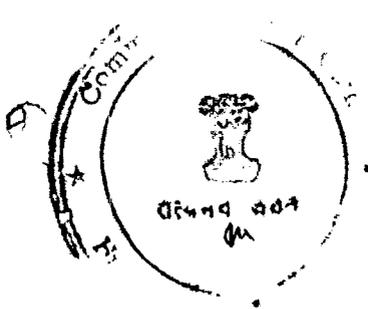
पुलिस महानिरीक्षक प्रशासन

उत्तर प्रदेश ।

प्रतिलिपि:- 1- मुख्य लेखाधिकारी उ०प्र० पुलिस मुख्यालय इलाहाबाद  
को इसमुख्यालय के समसंख्यक पत्र दिनांक 7.10.88 के संदर्भ में कृपया  
वांछित अवकाश देयत T लोटती डाक से उपलब्ध कराने का कष्ट करें।

2- डा०जी०के०शुक्ला आई०पी०एस० सेवानिवृत्त -बी-2/63

इन्दिरानगर, लखनऊ को सूचनार्थ प्रेषित ।



*[Handwritten signature]*

सत्यप्रतिलिपि ।

*Munali*  
Rajesh Kumar P...  
COMMISSIONER  
Alahabad  
Date... 2.10.90  
S. No... 6.6/125

128

Before the Central Administrative Tribunal  
at Allahabad.

.....

Annexure No. (R.A.4)

In

O.A. No. 520 of 1989

Dr. G.K.Shukla.....Petitioner

Versus

State of U.P. and others.....Respondents.

.....

From:-

Dr.G.K.Shukla,

I.P.S. (Retired)

Supdt. of Police, U.P.S.E.B.

Lucknow (Retd.)

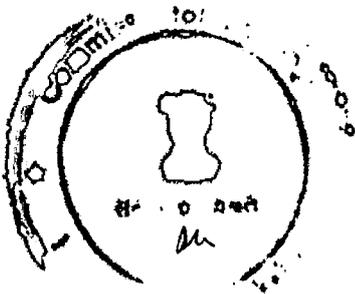
To,

The Secretary,

Home Department,

U.P.Govt. Annexe Bhawan,

Lucknow.



*G.K. Shukla*

No. Co-Pers/60-88

Dated 27.12.88

129

Sir,

I have retired on Super~~XXX~~ annuation with effect from 30.6.88. So far I have not received the following payment orders which are due to me by way of retirement benefits on superannuation.

- 1. Pension payment order with 1/3 amount for commutation and payment order for the commuted amount of pension.
- 2. Final withdrawal of G.P.F. No.36051 contributed by me on usual terms.
- 3. Enchashment of earned leave due to me as it stood on 30.6. 88 in my credit.



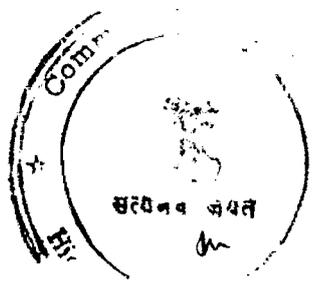
- 4. Payment order for gratuity.
- 5. I have been allotted the year 1970 as my year of allotment on I.P.S. Cadre and as such I am entitled for selection grade with effect from 1.1.83. This shall entitled me arrears accordingly.

*[Handwritten signature]*

128

It is, therefore, requested that the payment orders in the above respect may kindly be issued, as I am feeling great financial hardship which is also causing financial loss. In this connection, since my superannuation, I have made repeated requests but so far no response has been received. D.G. Police, U.P. has also proposed and moved the Govt. for issuing the payment orders for the above retirement benefits vide D.G.P. letter No. DG-1-33(1)-88 dated October, 8, 1988 followed by reminders dated 8.11.88 and 30.11.88.

In this connection a kind reference is invited towards my letter No. Co-pers/50-88 dt. 14.11.88 in which the above position was submitted for favour of issue of payment orders but so far no response has been received. Since now I am very hard pressed financially and about six months has been passed since I retired, yearly action is requested considering kindly the financial loss and hardship presently faced by me.



*[Handwritten signature]*

Yours faithfully,

sd/-

(Dr.G.K.Shukla)

1/9, Vikas Khand, Gomti Nagar,

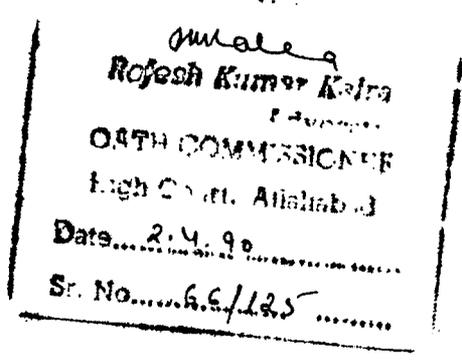
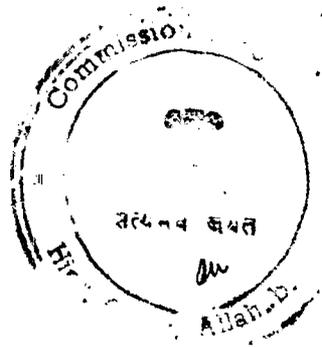
Lucknow. 27.12.88

Copy to D.G.P. U.P. for information and necessary action inreference to his office endorsement to me over his letter No. DG-1-33(1)-88 dated October, 8,1988. Norelief so far has been received by me.

*Inshukh*

.....

True Copy



130

Before Central Administrative Tribunal at Alld.

.....

Annexure No. (R.A. 5)

In

O. A. No. 520 of 1989

Dr. G.K. Shukla.....petitioner

Versus

State of U.P.

and others.....Respondents.

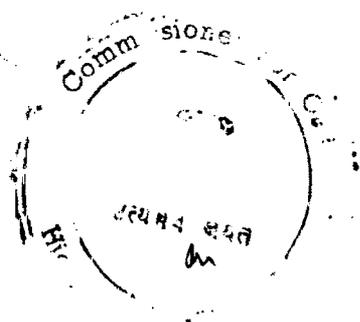
From:-

Dr. G.K. Shukla,  
I. P. S. (RETIRED)  
Supdt. Of Police UPSEB,  
Lucknow.

To,

The Secretary,  
Home Department,  
U.P. Govt., Annexe Bhawan,  
Lucknow.

*G.K. Shukla*



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- 2 -

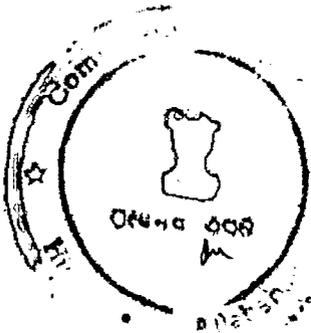
No. 60-pers(90-88)

Dated 16.1.89

Sir,

I have retired on superannuation with effect from 30.6.88. So far I have not received the following payment orders which are due to me by way of retirement benefits of super annuation.

1. Pension payment order with 1/3 amount for commutation and payment order for the commuted amount of pension.
2. Final withdrawal of G.P.G. No. 3605, contributed by me on usual terms.
3. Encashment of Earned Leave to me as it stood on 30.6.88 in my credit.
4. Payment order for gratuity.
5. I have been allotted the year 1970 as my year of allotment on IPS Cadre and as such



*Handwritten signature*

132

- 3 -

I am entitled for selection grade with effect from 1.1.83. This shall entitled me arrears accordingly.

It is, therefore, requested that the payment orders in the above respect may kindly be issued, as I am feeling great financial hardship which is also causing financial less. In this connection, since my superannuation, I have made repeated requests but so far no response has been received D.G. Police, U.P. has also proposed and moved the Govt. for issuing the payment orders for the above retirement benefits vide D.G.P. letter No. DG-33(1)-88 dated October, 8, 1988 followed by reminders dated 8.11.88 and 30.11.88.



In this connection a kind reference is invited towards my letter No. Co/-pers/60-88 dated 14.11.88 and Co-pers/GD-88 dated 27-12-88 in which the above position was submitted for

*Handwritten signature*

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- 4 -

favour of issue of payment orders but so far no response has been received. Since now I am very hard pressed financially and about six months have passed since I retire a very early action is requested considering kindly financial loss and hardship presently faced by me.

Yours faithfully,

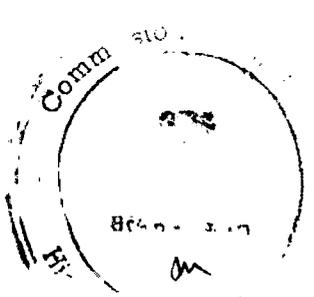
sd/-

(Dr. G.K. Shukla)

1/9, Vikas Khand Gonti Nagar,

Lucknow.

Copy to D.G.P., U.P. for information and necessary action in reference to his office endorsement to me over his letter No.DG-1-133(1) 88 dated October, 8,1988. No. relief as for has been received by me.



*Dr. G.K. Shukla*

True Copy

*Dr. G.K. Shukla*  
Pooja Kumaar Kalra  
Advocate  
OAS  
High Court Allahabad  
Date.....24.9.88.....  
S. No. 66/125

बीफोर सेण्डल एडमिनिस्ट्रेटिव ट्रिब्यूनल एट इलाहाबाद ।

अनेक्तर नं० आर.ए.-6१

इन

ओ० ए०

नं० 520

आफ 1989

डा० जी० के० शुक्ला ----- पिटीशनर

ब नाम

स्टेट आफ यू०पी०

एण्ड अदर्स ----- रेस्पों



डा० के० जी० शुक्ला,

आई०पी०एस० सेवा निवृत्त१

1/9-विकास खण्ड, गोमतीनगर ।

लखनऊ ।

कृपया अपने पत्र संख्या सी०ओ०-पर्स/6088 दिनांक

27-12-88 का संदर्भ लेने का कष्ट करें जो पेशत उपादान

आदि की स्वोक्ति के विषय में है ।

*16/1/89*

135

2- संदर्भित प्रसंगमें निर्देशानुसार अवगत कराना है कि आपको पेशना/उपादान आदि के स्वीकृति के आदेश शासन स्तर पर लम्बित है।

ह0/-अस्पष्ट

॥ एस0 एस0 नेगी ॥

कृते पुलिस महानिदेशक एव  
पुलिस महानिरीक्षक उ0प्र0

सं0 डी0जी0-1-33॥ 1॥88

दिनांक/ लखनऊ जनवरी 29, 1989

*Handwritten signature*

सत्यप्रतिलिपि ।

*Handwritten name*  
**Poolesh Kumar Kalia**  
 Advocate  
 Office No. 66/125  
 Feroz Road, Lucknow  
 Date... 2.4.90  
 Sr. No... 66/125



136

बीफोर सेण्ट्रल एडमिनिस्ट्रेटिव ट्रिब्यूनल एट इलाहाबाद ।

स्नेदचर नं० आर. ए. - 7१

इन

ओ०ए० नं० 520/89

डा०जी०के०गुप्ता-----पिटोशर

बनाम

स्टेट आफ यू०पी० एण्ड

अदर्स-----रेस्पों०

संख्या 3१2१/आठ-यु०से-2-524१6१/88

प्रेषक,

रजनी कान्त भुदगल

उप सचिव,

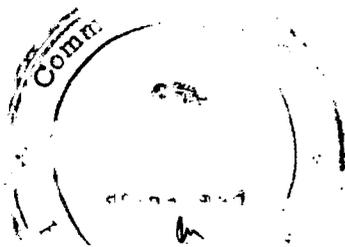
उत्तर प्रदेश शासन,

सेवा में,

महालेखकार १लेखा१-2

उत्तर प्रदेश, इलाहाबाद

गृह पुलिस सेवा में अनुभाग-2 लखनऊ दिनांक 24 जनवरी 89



*[Handwritten signature]*

137

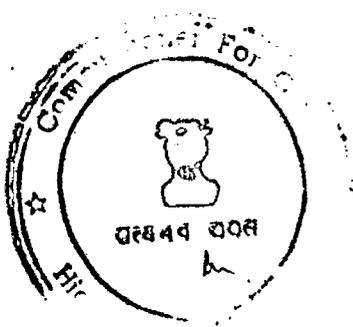
-2-

महोदय,

मुझे यह कहने का निदेश हुआ है कि श्री धनप्रियाम कृष्ण शुक्ल, आई० पी० एस्० १९७० १ जो २०.६.१९८० को सेवा निवृत्त हुए हैं, के विरुद्ध विभागीय कार्यवाही को निर्णय लिया गया है। इस मामले में अन्तिम निर्णय लिये जाने में अभी समय लगने की संभावना है। अतः श्री शुक्ल को अन्तिम रूप से पेंशन की अनुमन्य शक्त प्रतिशत धराराशि की स्वीकृति प्रदान की जाती है।

2. श्री शुक्ल को उपादान की धराराशि अगले आदेशों तक नहीं प्रदान की जायेगी।

3. कृपया तदनुसार श्री शुक्ल के पक्ष में प्राधिकार पत्र निर्गत करने का कष्ट करें और कृत कार्यवाही से शीघ्र की अवगत करायें।



*[Handwritten signature]*

भवदीय,

श्रीरजनी कान्त भुदगल १

उप सचिव।

138

- 3 -

संख्या 333/आई-पु0से0-2-52466/88

प्रतिलिपि निम्नलिखित को सूचना एवं आवश्यक कार्यवाही  
हेतु प्रेषित:-

- 1- महानिदेशक एवं पुलिस महानिरीक्षक, उ0प्र0 लखनऊ ।
- 2- श्री धनश्याम कृष्ण शुक्ल सेवानिवृत्त आई0पो0सी0 बो-2/6  
इंदिरा नगर लखनऊ ।

आज्ञा से

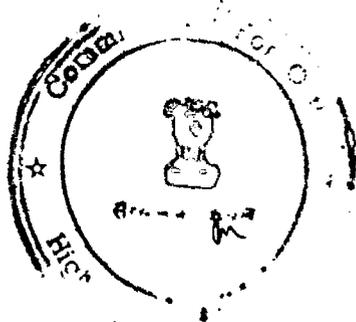
ह0/-अस्पष्ट

श्रीरजनी कान्त मृदुगल

उप सचिव ।

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सत्यप्रतिलिपि ।



*mmale*  
Rajesh Kumar Kato  
Advocate  
OATH COMMISSIONER  
High Court Allahabad  
Date... 2.4.90  
Sr. No... 66/125

39  
to ( ) of fees it will be  
and put up before Hon'ble  
Court for orders  
on the date fixed  
Pc 11/7  
D. R.  
Pc 11/7

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
A L L A H A B A D

\*\*\*

MISC. APPLICATION NO. 1150 OF 1991  
(For filing documents )

ON BEHALF OF

Dr. G. K. SHUKLA ..... APPLICANT

IN

O. A. CASE NUMBER 520 of 1989

Dr. G. K. Shukla ..... Applicant

Vs.

State of U.P. and others ..... Respondents

To,

The Hon'ble the Vice Chairman and his  
companion members of the aforesaid Tribunal

The humble application of the applicant  
abovesaid most respectfully sheweth as under:

1. That in view of the facts stated in  
the accompanying affidavit it is expedient in  
the interest of justice that for the purposes of  
proper adjudication of the case the documents  
being filed herewith as Annexure-1,2,3 to the  
accompanying affidavit may be taken on record.

*G. K. Shukla*

*[Signature]*

*अनुचित*  
*30/11/91*  
*file today*  
*Rest on the 02.11.91*  
*Jain*  
*11.7.91*

140

-2-

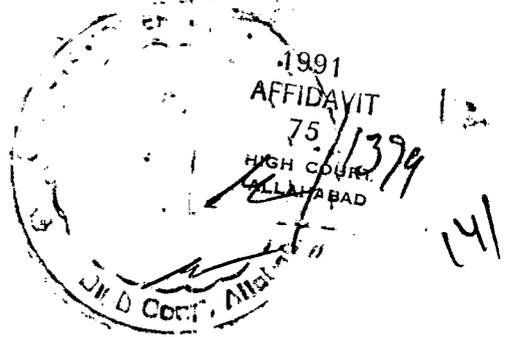
P R A Y E R

WHEREFORE on the facts stated in the accompanying affidavit it is most respectfully prayed that for the purposes of proper adjudication of the case the documents being filed as Annexures-1,2, and 3 to the accompanying affidavit may be taken on record.

Dt/ ~~10th~~ April, 1991

  
(SUDHIR AGARWAL )  
Counsel for the applicant

Subhash



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD

\*\*

A F F I D A V I T

IN

MISC. APPLICATION NO. \_\_\_\_\_ OF 1991  
(for filing documents )

IN

O.A. CASE NUMBER 520 of 1989

Dr.G.K.Shukla ..... Applicant

Vs.

State of U.P. and others ..... Respondents



Affidavit of Dr.G.K.Shukla  
aged about 60 years Son  
of Sri S.P.Shukla, Resident of  
Village Dukharan Nath, Gonda

(deponent)

I, the deponent abovenamed do hereby  
solemnly affirm and state as under:

1. That the deponent is the applicant in  
the instant case and as such he is fully conversant  
with the facts of the case deposed to below.

*G. Shukla*  
\_\_\_\_\_

2- That in para 4(q) of the application the applicant has stated that the respondents ignoring the applicant gave promotion to the junior of the applicant namely Sri Tilak <sup>Kak</sup> and Sri D.K.Panda, who were given promotion to the post of Dy. Inspector General of Police on 29.3.1988 and on 1.4.1988.

3. That the respondents in para 15 of the counter-affidavit have stated that Sri D.K.Panda and Sri Tilak <sup>Kak</sup> were not promoted as Dy. Inspector General of Police in the State of U.P. but they were given promotion by the Government of India after being placed on deputation w.e.f. 29.3.1988 and 1.4.1988. The respondents no.1 and 3 have further stated in para 15 that none of the junior to the applicant has been promoted to the rank of Deputy Inspector General of Police in the State of U.P. till the date of his super annuation i.e. 30th June 1988. The applicant in para 18 of the rejoinder affidavit has clarified the position that as the post under Central deputation are also within senior post, <sup>Under the schedule</sup> under U.P. State IPS Cadre and hence the assertions of respondents no.1 and 3 in respect to Sri Tilak <sup>Kak</sup> and Sri D.K.Panda is incorrect. However, the applicant has been able to lay his hands on the radiogram no. DG-1-18(5)-88 dated 4.5.1988 whereby Sri <sup>Kak</sup> Jodh Singh Bhandari and Sri Devendra Prasad, officers of 1970 year of allotment junior to the applicant were promoted to the post



*K. S. ...*

of Deputy Inspector General of Police and posted as Additional Commissioner, Food and Civil supplies cum Dy. Inspector General of Police, at Lucknow and Dy. Inspector General of Police, Police Training School, Gorakhpur Headquarter at Lucknow respectively. Photo copy of the above radiogram dated 4.5.1988 are being filed as Annexure-1 and 2 respectively which may kindly be taken on record <sup>as</sup> and the documents filed in contradiction to the averments made in para 15 of the counter affidavit filed by the respondents no.1 and 3.

4- That in order to show that Sri Tilak <sup>Kak</sup> ~~Cook~~ and Sri D.K.PANDA were officers of 1971 year of allotment and Sri Devendra Prasad and Sri Jodh <sup>Wase</sup> Singh <sup>h</sup> Dhandari are of 1970 year of allotment when they were given promotion to the post of Deputy Inspector General of Police, A photo copy of inter-se seniority of promotees IPS Officers, as determined vide letter dated 24.4.1987 showing the seniority of the applicant has not decided till that date, is being filed as Annexure-3 to this affidavit.

5. That it is expedient in the interest of justice that for the purpose of proper adjudication of the case the documents being filed herewith as annexure-1,2,3 may be taken on record.



*[Handwritten signature]*

I, the deponent abovenamed do hereby declare that the contents of paras <sup>1, 2, 5</sup> of this affidavit are true to my personal knowledge and those of paras <sup>3, 4</sup> are based on the perusal of record and those of paras <sup>6, 7</sup> are based on legal advice which all I believe to be true and nothing material has been concealed and no part of it is false. So help me God.

*G.K. Shukla*  
Deponent

I, Laloo Singh clerk to Sri SUDHIR AGARWAL ADVOCATE HIGH COURT ALLAHABAD do hereby declare that the person making this affidavit and alleging himself to be Sri Dr. G.K. Shukla is the same person who is known to me from the perusal of record.

L.T.D of  
*Scheenant*

*Laloo Singh*

*may* Solemnly affirmed before me on the *1st* day of ~~April~~ 1991 at *9.10* a.m. who has been identified by the aforesaid.

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



OATH COMMISSIONER  
25/1329  
11/5/91

*G.K. Shukla*

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Annexure '1'

in

A F F I D A V I T

IN

MISC. APPLICATION NO. OF 1991

IN

O.A. NUMBER 520 of 1989

Dr.G.K.Shukla -----Petitioner

Vs.

State of U.P. and others-----Respondents

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contd .2

*Shukla*

148  
Ann. 1

RADIOGRAM

TO : J.S. BHANDARI COMPAC XXXXI/ C.L. PRADYOT ADDL.  
COMMISSIONER FOOD & CIVIL SUPPLIES - CUM DIG AT LKW

INFO : IG PAC LKW/DIG PAC V/S LKW/COMMR, FOOD AND CIVIL  
SUPPLIES LKW/AG UP ALD/CHIEF ACCOUNTS OFFICER PHQ ALD/  
IG PHQ ALD/HOME UP LKW/DG PROSECUTION LKW  
(LOCAL P/H)

FROM : DGP UP LKW

NO. DG-I-1 (5)-89 4/5 - - - 11/C  
\*\*\*\*\*

JODH SINGH BHANDARI IPS (1970) COMPAC XXXXI GZB IS PROMOTED AS  
OFFG. DIG AND POSTED AS ADDL. COMMISSIONER, FOOD & CIVIL SUPPLIES  
CUM-DIG AT LKW VICE CHAMAN LAL PRADYOT IPS (1962) PROMOTED AS OFFG.  
IG AND POSTED AS DIRECTOR, PROSECUTION DIRECTORATE UP LKW/.)  
BOTH OFFICERS SHOULD HAND OVER CHARGE AND TAKE OVER THEIR NEW  
ASSIGNMENT IMMEDIATELY (.) ACK---

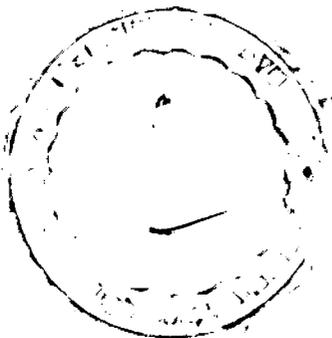
CRASH

*Yash Sanyal*  
(YASH SANYAL)  
IG (PER) UP

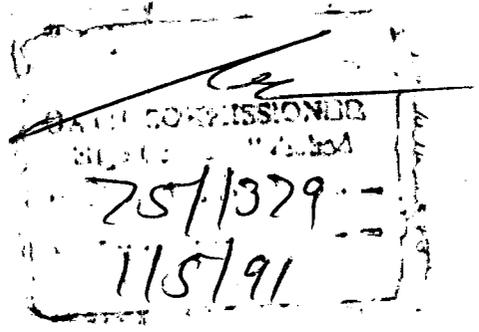
Copy forwarded for information to:

1. All DGs UP
2. Director Vigilance UP Lucknow.
3. All IsG UP
4. Section Officer, Home (P.S.)-2 Lucknow (3 copies)

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*Chakraborty*



747

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Annexure '2'

in

A F F I D A V I T

IN

MISC. APPLICATION NO. OF 1991

IN

O.A. no. 520 of 1989

Dr .G.K.Shukla ----- Applicant

Vs.

State of U.P. and others-----Respondent

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*G.K. Shukla*  
\_\_\_\_\_

Jun. 2

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RADIOGRAM

TO : DEVENDRA PRASAD  
SP VIGILANCE ESTT. LKW

INFO : DIRECTOR VIGILANCE UP LKW/DIG ITS GKR HQ AT LKW/  
DG TRG. UP LKW/AG UP ALD/CHIEF ACCOUNTS OFFICER, PHQ  
AID /IG PHQ ALD/HOME UP LKW/SP ITS GKR

(LOCAL BY HAND)

FROM : DGP UP LKW

NO. DG-I-18(5)-88

4/5

U/G

\*\*\*\*\*

DEVENDRA PRASAD ITS (1970) SP VIGILANCE ESTT. LKW IS PROMOTED  
AS OF.IG. DIG AND POSTED AS DIG POLICE TRG. SCHOOL GKR HQ AT  
LKW (.) SHOULD HAND OVER AND TAKE OVER HIS NEW ASSIGNMENT  
IMMEDIATELY----

CRASH

(Y.N. SAXENA)  
IG (PERS) UP

Copy forwarded for information to:-

- 1. All DGs UP
- 2. Director Vigilance UP Lucknow.
- 3. All IsG UP
- 4. Section Officer, Home (P.S.) -2 Lucknow (3. copies)



K. Shukla

75/1329  
115/91

150

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Annexure '2'

in

A F F I D A V I T

IN

MISC. APPLICATION NO. OF 1931

in

O.A. NUMBER 520 of 1939

Dr. G. K. Shukla ----- Applicant

Vs.

State of U.P. and others ..... Respondents

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*G. K. Shukla*



contd.2

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INTER-SER-SENIORITY OF IPS OFFICERS  
AS ON 1.1.1987  
AFTER FIXATION OF SENIORITY OF PROMOTED  
IPS OFFICERS BY THE GOVT. OF INDIA (MHA)  
VIDE THEIR LETTER NO.I-15011/5/86-IPS-I  
DATED 24.4.1987 ✓

Sl. No.	Name of officer	Year of allotment
	S/Sri	
1.	Balottan Varma	(RR 1952)
2.	Rajendra Prakash Govil	" "
3.	On Prakash Bhutani	" "
4.	Ram Kishan Khandelwal	(RR 1953)
5.	Tushar Dutt	" "
6.	Piyush Chandra Kulkarni	" "
7.	Satish Dutt Pandey	" "
8.	Raj Nath Gupta	(RR 1954)
9.	Som Prakash	" "
10.	Gauri Shankar Bajpai	" "
11.	Hari Mohan	" "
12.	Rameshwar Dayal Sharma	" "
13.	Daya Shankar Bhatnagar	" "
14.	Vas Dev Panjani	" "
15.	Bhaktendu Prakash Singhal	(RR 1955)
16.	Rajendra Prasad Joshi	" "
17.	Rajendra Narain Mathur	" "
18.	Ashok Kumar Benerji	" "

Sl. No.	Name of officer	Year of allotment
	S/Sri	
19.	Ishwar Chandra Dwivedi	(RR 1955)
20.	Tribhuvan Singh Bisht	(RR 1956)
21.	Kishori Lal Watts	" "
22.	Ravendra Prasad Mathur	" "
23.	Shyam Lal	" "
24.	Raj Kumar Saxena	(RR 1957)
25.	Satish Kumar Mukherjee	" "
26.	Sheshank Shekhar Misra	" "
27.	Pyare Chandra Prasad	" "
28.	Mahesh Shankar	" "
29.	Vinod Kumar Jain	(RR 1958)
30.	Adhya Prasad Mishra	" "
31.	Gadadhar Narain Sinha	" "
32.	Keki Nasserwanji Daruwalla	" "
33.	Indra Bhagat Negi	" "
34.	Jackson Jacob	(RR 1959)
35.	Prakash Singh	" "
36.	Yogendra Narain Saxena	" "
37.	Bikrama Jit Singh Sial	" "
38.	Ablash Prasad Varma	" "
39.	Samit Kumar Datta	" "
40.	Rajendra Kumar Wadehra	" "

*R. K. Kulkarni*

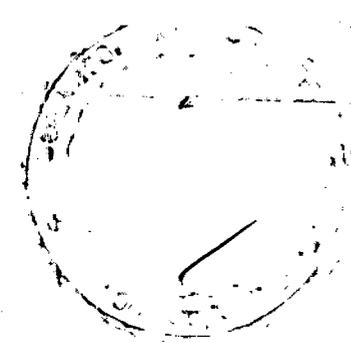


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Sl. No.	Name of officer	Year of allotment
	S/Sri	
41.	Satya Deo Trivedi	(RR 1960)
42.	Bal Krishna Chaudhary	" "
43.	Hari Deo Pillai	" "
44.	Ram Asray	" "
45.	Shri Vilas Mani Tripathi	(RR 1961)
46.	Ved Prakash Kapur	" "
47.	Girish Behari	" "
48.	Balbir Singh Bedi	" "
49.	Nathoo Lal	" "
50.	Om Prakash Sharma	(RR 1962)
51.	Chinta Mani Sharma	" "
52.	Tripuresh Tripathi	" "
53.	Vijay Shankar Mathur	" "
54.	Chunni Lal Wasan	" "
55.	Shyam Nandan Prasad Sinha	" "
56.	Chaman Lal Pradyot	" "
57.	Virendra Nath Misra	(RR 1963)
58.	Haridas Rao	" "
59.	Mahesh Chandra Dewedy	" "
60.	Baldev Raj Gupta	" "
61.	Chandra Kumar Mallick	" "
62.	Sri Ram Arun	" "
63.	Janna Lal Verma	" "
64.	Dharm Veer Mehta	(RR 1964)
65.	Gur Bakshish Singh Sidhu	" "
66.	Bharat Prasad Singh	" "

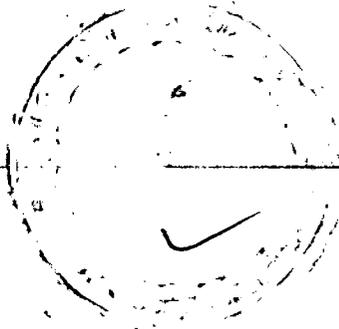
Sl. No.	Name of officer	Year of allotment
	S/Sri	
67.	Ramesh Chandra Dikshit	(RR 1964)
68.	Jaya Krishna Prasad Singh	" "
69.	Ram Prakash Saroj	" "
70.	Ram. Saran	(SPS 1964)
71.	Trinath Misra	(RR 1965)
72.	Kanhaiya Lal	" "
73.	Amir Chandra Sharma	" "
74.	Janardan Prasad Roy	" "
75.	Lakshman Prasad	" "
76.	Ashok Kant Sheeran	" "
77.	M. Krishnaraju	" "
78.	Ram Rakha	" "
79.	Kripa Kant Chaturvedi	" "
80.	Ajai Raj Sharma	(RR 1966)
81.	Manzoor Ahmad	" "
82.	Satish Chandra Chaube	" "
83.	Yogesh Kumar Misra	" "
84.	Sunder Lal	" "
85.	Ram Swarup Pushkar	" "
86.	Ravindra Krishna Pandit	(EC 1966)
87.	Mahendra Singh Yadava	(EC 1966)
88.	Charan Dass Kainth	(EC 1966)
89.	Radhey Mohan Shukla	(RR 1967)
90.	Kunwar Krishna Bansal	" "
91.	Ganeshwar Jha	" "
92.	Mahendra Lalika	" "
93.	Radhey Shyam	" "

*Handwritten signature*



Sl. No.	Name of officer	Year of allotment	Sl. No.	Name of officer	Year of allotment
	S/Sri			S/Sri	
94.	Ramesh Chandra Agarwal	(RR 1968)	120.	Sushil Kumar	(SPS 1970)
95.	Suresh Pal Singh	" "	121.	V.N. Roy	" "
96.	Rishpal Singh	" "	122.	Devendra Prasad	" "
97.	Parvataneni Sai Vara Prasad	" "	123.	Tilak Kak	(RR 1971)
98.	Sunderavaradan Raghunathan	" "	124.	D.K.Panda	" "
99.	Syed Mohammad Nasim	" "	125.	V.K.E.Nair	" "
100.	C.D.Premi	" "	126.	A.K.Singh	" "
101.	P.D.Raturi	(EC/SSC 1968)	127.	S.K.Tripathi	(RR 1972)
102.	Vijay Nath Singh	(SPS "	128.	Rajiv Mathur	" "
103.	Om Prakash	" "	129.	G.L.Sharma	" "
104.	B.N.Sharma	" "	130.	Yashpal Singh	" "
105.	R.N.Sharma	(RR 1969)	131.	J.S.Gungesh	" "
106.	Himanshu Kumar	" "	132.	C.B.Satpathy	" "
107.	Jangi S- Singh	" "	133.	Ajai Singh	" "
108.	A.Abraham Kurien	" "	134.	S.R.Darapuri	" "
109.	Vijay Shankar	(EC) " )	135.	Govind Vyas	" "
110.	Hakan Singh	" "	136.	Har Anol Singh	" "
111.	Ranjit Kumar Das	(RR 1970)	137.	S.S.Banerjee	" "
112.	Ram Chandra Sharam	" "	138.	D.P.Sinha	" "
113.	Ashish Kumar Mitra	" "	139.	Sheo Raj Singh	(SPS 1972)
114.	M.C.Rawat	(SPS " )	140.	S.N.Prasad	" "
115.	Bhupendra Singh	" "	141.	I.P.Bhatnagar	" "
116.	Harish Kumar	" "	142.	S.P.Mishra	" "
117.	V.K.Jha	(RR " )	143.	A.P.Sharma	" "
118.	Chhote Lal	" "	144.	K.P.Rai	" "
119.	Jodh Singh Bhandari	(SPS " )	145.	R.B.Misra	" "
			146.	N.C.Joshi	" "

*Lushikole*



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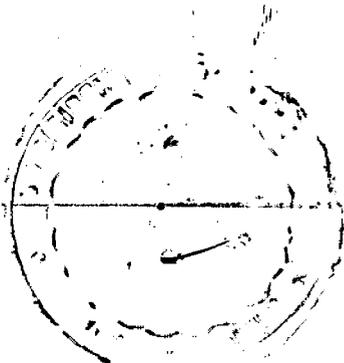
Sl. No. of officer	Year of allotment	Sl. No. of officer	Year of allotment
s/sri		s/sri	
147. J.M.Saxena	(SPS 1972)	173. Virendra Kumar	(SPS 1973)
148. P.K.Singh	" "	174. A.K.Pande	" "
149. D.K.Agarwal	" "	175. Uma Shankar Bajpai	" "
150. M.N.Bhatt	" "	176. Radhey Shyam	" "
151. Ahmad Hasan	" "	177. M.P.Dixit	" "
152. A.N.Singh	" "	178. Sudhir Kumar Awasthi	(RR 1974)
153. R.S.Narain	" "	179. Uthan Kumar Bansal	" "
154. R.C.Srivastava	" "	180. A.Palanivel	" "
155. Hori Lal	" "	181. C.M.Bhatt	" "
156. H.P.Tripathi	" "	182. Ranjit Kumar Bhatia	" "
157. T.K.Joshi	" "	183. Vikram Singh	" "
158. Rakesh Mittal	(RR 1973)	184. S.K.Chandra	(SPS 1974)
159. Sunil Krishna	" "	185. U.C.Ghildiyal	" "
160. Vikram Srivastava	" "	186. B.K.Bhola	(RR 1974)
161. S.K.Rizvi	" "	187. Jitendra Kumar	" "
162. Smt. Kanchan Chaudhary Bhattacharya	" "	188. U.S.Srivastava	(SPS 1974)
163. K.P.Tripathi	(SPS 1973)	189. I.S.Mehra	(RR 1974)
164. Yogendra Pal	" "	190. R.U.Ray	" "
165. Chaman Lal	(RR 1973)	191. S.N.Chak	" "
166. T.Gwite	" "	192. Smt. S.K.Mehra	" "
167. P.P.Srivastava	(SPS 1973)	193. M.D.Menon	" "
168. R.B.Singh	" "	194. Rajiv	(RR 1975)
169. Manager Pandey	" "	195. R.S.Dhillon	" "
170. H.P.Misra	" "	196. Karanvir Singh	" "
171. Uma Shanker	" "	197. A.B.Lal	" "
172. K.B.Srivastava	" "	198. P.P.S.Sidhu	" "
		199. B.L.Yadav	" "

*Asst. Secy*



Sl. No.	Name of officer	Year of allotment	Sl. No.	Name of officer	Year of allotment
	S/Sri			S/Sri	
200.	V.C.Soni	(RR 1975)	228.	R.L.Ram	(RR 1976)
201.	D.N.Samal	" "	229.	K.R.Negi	" "
202.	D.K.Sharma	" "	230.	Ramesh Sahgal	(RR 1977)
203.	B.F.Chakraborty	" "	231.	B.M.Saraswat	" "
204.	B.C.Nayak	" "	232.	Mumtaz Ahmad	" "
205.	V.K.Rai	" "	233.	O.P.Dikshit	" "
206.	O.P.S.Malick	" "	234.	A.C.Sharma	" "
207.	Pyare Lal	" "	235.	V.K.Singh	" "
208.	Subhash Joshi	(RR 1976)	236.	S.Balaji	" "
209.	J.S.Pandey	" "	237.	Arun Kumar Gupta	" "
210.	Manoj Kumar	" "	238.	V.R.Singh	" "
211.	S.Sagar	" "	239.	Brij Lal	" "
212.	M.S.Bali	" "	240.	Rameshwar Dayal	" "
213.	Mrs. Renuka Muttoo	" "	241.	Malkiat Ram	" "
214.	A.B.Shukla	(SPS 1976)	242.	L.M.Singh	(SPS 1977)
215.	S.V.Bensal	(RR 1976)	243.	Jagdish Chandra	" "
216.	P.C.Sabbarwal	" "	244.	R.B.Srivastava	" "
217.	S.P.Srivastava	" "	245.	P.N.Saxena	" "
218.	R.K.Tewari	" "	246.	S.K.Tripathi	" "
219.	Rudman Singh	" "	247.	G.R.Shah	" "
220.	Atul	" "	248.	K.N.Roy	" "
221.	D.R.Nagar	" "	249.	B.P.Gupta	" "
222.	Udayan Parmar	" "	250.	Basdeo Lal	" "
223.	A.Daniel	" "	251.	S.N.Singh	" "
224.	H.S.Balwaria	" "	252.	C.D.Sharma	" "
225.	Har Bhajan Singh	" "	253.	Bansi Lal	(RR 1977)
226.	Rati Ram	" "	254.	K.S.Rao	" "
227.	Prakash Singh(II)	" "	255.	Suvrat Tripathi	" "

*(Signature)*



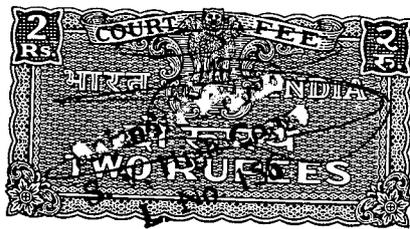
158

Sl. No.	Name of officer	Year of allotment	Sl. No.	Name of officer	Year of allotment	
	<b>S/Sri</b>			<b>S/Sri</b>		
256.	S.K.Misra	(RR 1977)	284.	Kamlendra Prasad	(RR 1981)	rs bur
257.	S.K.A.Rizvi	(SPS 1977)	285.	Vijay Singh	" "	
258.	P.N.Dwivedi	" "	286.	S.K.Bhagat	(RR 1982)	y Int Home
259.	R.S.Rana	" "	287.	Parween Singh	" "	sonnel fitments 110011
260.	H.P.Shukla	" "	288.	S.K.Shukla	" "	
261.	Shekhar Sinha	(RR 1978)	289.	V.K.Gupta	" "	ice, th Block
262.	Dilip Trivedi	" "	290.	Ram Deo	" "	
263.	V.R.Pant	" "	291.	J.M.Yadav	(RR 1983)	ectt, New
264.	Rajiv Kapoor	" "	292.	Gopal Gupta	" "	
265.	Rizwan Ahmad	" "	293.	R.N.Singh	" "	icor, Industry talla.
266.	Kashif Singh	" "	294.	R.R.Bhatnagar	" "	Road,
267.	Bijendra Singh	" "	295.	O.P.Singh	" "	
268.	A.L.Banerji	(RR 1979)	296.	Gurbachan Lal	" "	r, w.
269.	Ranjan Dwivedi	" "	297.	K.L.Meena	" "	
270.	B.S.Sidhu	" "	298.	H.C.Singh	(RR 1984)	te of ladras.
271.	V.Rajgopal	" "	299.	R.K.Misra	" "	eau
272.	Rajdeep Singh	" "	300.	Mrs. Sutapa Sanyal	" "	
273.	Gian Singh	" "	301.	Aloke Prasad	" "	O.k., 6
274.	A.K.Jain	" "	302.	S.Javeed Ahmad	" "	
275.	Shive Narain Singh	" "	303.	S.K.Singh	" "	
276.	M.D.Maurya	(SPS 1979)	304.	Gurdarshan Singh	" "	
277.	G.K.Shukla	" "	305.	A.P.Maheshwari	" "	tion.
278.	Himmat Singh	(RR 1980)	306.	Bhanu Pratap Singh	(RR 1985)	
279.	Sulkhan Singh	" "	307.	H.C.Awasthi	" "	
280.	Darshan Das	" "	308.	A.K.Dhar Dwivedi	" "	
281.	Y.P.Singh	(RR 1981)	309.	Sukhdev Singh	" "	
282.	Vipin Kumar	" "	310.	G.P.Sharma	" "	
283.	M.K.Sinha	" "	311.	Harish Chandra	" "	

*H. Shukla*







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S.O. 5  
Keep on record  
Dr 117  
DR 2  
11-7-91

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD

\*\*\*\*\*

SUPPLEMENTARY REJOINDER AFFIDAVIT  
IN

O.A. NUMBER 520 of 1989

Dr. G.K. Shukla ----- Applicant

Vs.

श्री ग. क. शुकल  
व. राज्य उत्तर प्रदेश  
State of U.P. and others ----- Respondents

Affidavit of Dr. G.K. Shukla  
aged about 69 years Son of  
Sri S.P. Shukla, Resident of  
Village Dukharon Nath, Gonda

(deponent)

I, the deponent abovenamed do  
hereby solemnly affirm and state as under:

1. That the deponent is the applicant  
in the instant case and as such he is fully  
conversant with the facts of the case deposed  
to below .



G.K. Shukla

G.K. Shukla

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2. That in para 15 of the counter the respondents no. 1 and 3 have stated that none of the officers in the State of U.P. junior to the applicant was given promotion on the post of Dy. Inspector General of Police. The above statement is absolutely wrong inasmuch as Sri Jodh Singh Dhandari and Sri Devendra Prasad, who were placed in the seniority below the applicant in the order dated 11.6.1987, annexure-2 to the application, on the basis of their 1970 year of allotment, were given promotion as Deputy Inspector General of Police and posted as Additional Commissioner, Food and Civil Supplies, cum Deputy Inspector General of Police at Lucknow and the Dy. Inspector General of Police, Training school, Gorakhpur, Headquarters at Lucknow. A true copy of the radiogram dated 4th May 1988 are being filed as Annexure-SRA1 and SRA2 to this affidavit.

I, the deponent abovenamed do hereby declare that the contents of paras 1 of this affidavit are true to my personal knowledge and those of paras 2 are based on perusal of record and those of paras 3 are based on legal advice which all I believe to be true and nothing material has been concealed and no part of it is false. So help me God.



*K. S. ...*  
Deponent

I, Laloo Singh clerk to Sri  
SUDEHIR AGARWAL ADVOCATE HIGH COURT ALLAHABAD do  
hereby declare that the person making this  
affidavit and alleging himself to be Sri Dr.  
G.K.Shukla is the same person who is known to  
me from the perusal of record

Laloo Singh

A.T.D of  
Deponent

Solemnly affirmed before me on the 11th  
day of May ~~April~~ 1991 at 9:15 am who has been  
identified by the aforesaid.

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

20TH COMMISSIONER  
N-74/1329-  
11/5/91

G.K.Shukla



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

ANNEXURE' SRA 1'

in

Supplementary Rejoinder Affidavit

in

O.A. no. 520 of 1989

Dr.G.K.Shukla .....Applicant

Vs.

State of U.P. and others.....Respondents

..

..

..

...



*Shukla*

contd.2

RADIOGRAM

Ann. 1 162

TO : J.S. BHANDARI COMFAC XXXXI/ C.L. PRADYOT ADDL. COMMISSIONER FOOD & CIVIL SUPPLIES - COM-DIG AT LKW

INFO : IG PAC LKW/DIG PAC V/S LKW/COMMR, FOOD AND CIVIL SUPPLIES LKW/AG UP ALD/CHIEF ACCOUNTS OFFICER ENQ ALD/ IG PHQ ALD/HOME UP LKW/DG PROSECUTION LKW (LOCAL B/H)

FROM : DGP UP LKW

NO. DI-I-13(5)-83

4/5

U/C

\*\*\*\*\*

JODH SINGH BHANDARI IPS (1970) COMFAC XXXXI GZB IS PROMOTED AS OFFG. DIG AND POSTED AS ADDL. COMMISSIONER, FOOD & CIVIL SUPPLIES COM-DIG AT LKW VICE CHAMAN LAL PRADYOT IPS (1962) PROMOTED AS OFFG. IG AND POSTED AS DIRECTOR, PROSECUTION DIRECTORATE UP LKW. BOTH OFFICERS SHOULD HAND OVER CHARGE AND TAKE OVER THEIR NEW ASSIGNMENT IMMEDIATELY (.) ACK---

CRASH

*Y.N. SAXENA*  
( Y.N. SAXENA )  
IG (PENT) UP

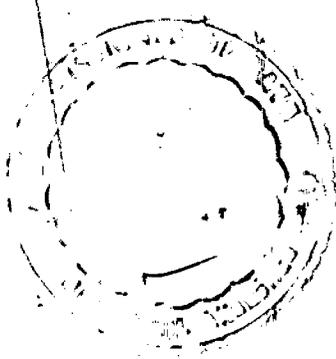
Copies forwarded for information to:

1. All DGs UP
2. Director Vigilance-UP Lucknow.
3. All IsG UP
4. Section Officer, Home (P.S.)-2 Lucknow (3 copies)

\*\*\*\*

*R. Shukla*

*Ca*  
74/139  
1/5/91



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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

Annexure 'SRA 2'

in

Supplementary Rejoinder Affidavit

in

O.A. no. 520 of 1989

Dr. G. K. Shukla ----- Applicant

Vs.

State of U.P. and others ----- Respondents

..

..

..

..

contd .2



*G. K. Shukla*

\_\_\_\_\_

Ann. 2

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RADIOGRAM

TO : DEVENDRA PRASAD  
 SP VIGILANCE ESTT. LKW

INFO : DIRECTOR VIGILANCE UP LKW/DIG PTC GKR HQ AT LKW/  
 DG TRG. UP LKW/AG UP ALD/CHIEF ACCOUNTS OFFICER PHQ  
 AID/IG PHQ ALD/HOME UP LKW/SP PTC GKR  
 (LOCAL BY HAND)

FROM : DCF UP LKW

NO. DG-I-18(5)-88

4/5

U/R

\*\*\*\*\*

DEVENDRA PRASAD IFS (1970) SP VIGILANCE ESTT. LKW IS PROMOTED  
 AS OFRG. DIG AND POSTED AS DIG POLICE TRG. SCHOOL GKR HQ AT  
 LKW (.) SHOULD HAND OVER AND TAKE OVER HIS NEW ASSIGNMENT  
 IMMEDIATELY----

GRASH

( Y.N. SAXENA )  
 IG (PERS) UP

Copy forwarded for information to:-

1. All DCS UP
2. Director Vigilance UP Lucknow.
3. All ISG UP
4. Section Officer, Home (P.S.) -2 Lucknow (3 copies)



Lucknow

74/1329  
 1/5/91

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

GA No 520 of 1989.

Dr. G.K. Shukla - - - - Applicant  
vs.

State of U.P. & others - - - Respondents.

To,  
Honble The Vice Chairman and The Honble  
Members of the aforesaid tribunal.

The humble application of  
the aforesaid respondents most  
respectfully sheweth;

- 1) that the respondents have to file a counter reply of the supplementary affidavit filed by the applicant showing that his juniors were promoted and he was ignored.
- 2) that yesterday an official of the Secretariat was deputed to reach Allahabad and to file counter affidavit but he has not reached as yet. He will also bring the relevant record.

It is, therefore, prayed  
that the aforesaid case be  
adjourned and a short time be  
allowed to file <sup>suppl.</sup> counter affidavit.

Dated  
23.10.91.

E. Roshan  
Advocate  
Council for State of  
U.P.

Chandra Prakash Srivastava

M. A., LL. B.

Advocate High Court

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10, Clive Road  
Civil Lines, Allahabad

Dated 31.7.91

In The Central Administrative Tribunal  
Allahabad

O.A. no 520<sup>4521</sup> of 1989

Dr. G.K. Shukla Vs State of U.P.  
Others

Sir

In the aforesaid case I appear  
for the respondents. I am not  
feeling well today and shall  
not come to court.

It is therefore, prayed that  
the hearing of the aforesaid  
cases be adjourned.

Chandra Prakash

Advocate  
Counsel for the Respts

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
ADDITIONAL BENCH AT LUCKNOW

\*\*\*\*\*

MISC. APPLICATION NUMBER 493 OF 1992  
(Under section )

On behalf of

Dr.G.K.Shukla ----- Applicant

IN

O.A. CASE NUMBER 521 of 1989  
(Under section 19 of the Administrative Tribunal Act)

Dr.G.K.Shukla ----- Applicant

Vs.

State of U.P? and others----- Respondents

*Filed today*

*OK  
28/5/92*

To,

The Hon'ble Vice Chairman and his  
companion members of the aforesaid Tribunal

The humble application of the applicant  
abovenamed most respectfully showeth as under:

1/- That in view of the facts stated in  
the accompanying affidavit it is expedient in the

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interest of justice that the above case be remain pending at Hon.Allahabad bench of the Tribunal and be heard at Allahabad and as the file has been sent by Hon.Allahabad Bench of the Tribunal to Hon.Lucknow bench without any notice to the applicant previously and thus the file of the above case be also sent back to Hon.Allahabad bench of the Tribunal.

P R A Y E R

WHEREFORE on the facts stated in <sup>application</sup> ~~the accompanying~~ affidavit it is most respectfully prayed that the above case be remain pending at Hon.Allahabad bench of the Tribunal and be heard at Allahabad and as the file has been sent by Hon.Allahabad bench of the Tribunal to Lucknow bench without any notice to the applicant previously and thus file of the above case be also sent back to Hon.Allahabad bench of the Tribunal.

*Justice*

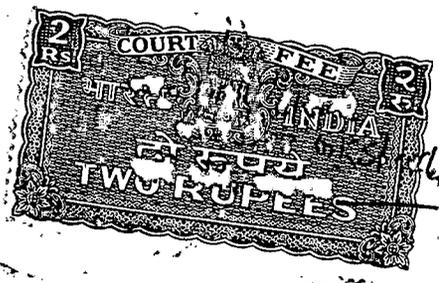
Dt/ 20<sup>th</sup> April 1992

~~Case of the Applicant~~ 20/4/92

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
LUCKNOW BENCH LUCKNOW

1992  
AFFIDAVIT  
11875  
ALLAHABAD



\*\*\*\*

A F F I D A V I T  
IN

CIVIL MISC. APPLICATION NO. 2 OF 1992  
IN

O.A. CASE NUMBER 521 of 1989  
(Under section 19 of the Adm. Tribunal Act )

Dr.G.K.SHUKLA ..... APPLICANT  
VS?

State of U.P. and others-----Opp.Parties

Affidavit of Dr.G.K.Shukla  
aged about 62 years Son of  
Sri

Presently residing at

--- M. D. Dubh Barua Koth  
--- Gonda, U.P. ---  
--- J. Shukla  
(deponent)

I, the deponent abovenamed do  
hereby solemnly affirm and state as under:

1- That the deponent is looking after  
the applicant in the instant case and as such  
he is fully conversant with the facts of the case  
deposed to below.

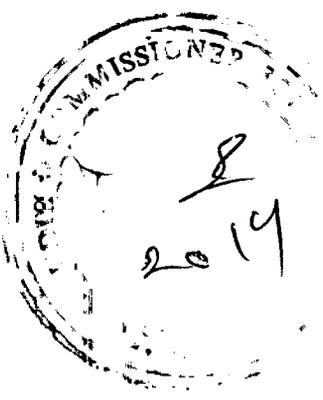


J. Shukla

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2/- That the aforesaid application has been filed by the applicant against denial of pension ,gratuity and other retiring benefit to the applicant payable to him in accordance with the rule read with Office memorandum dated 28.2.1976 inspite of the fact that the applicant has already retired from the active service on 30.6.1988.

2/- That the applicant retired from active service on attaining the age of super-annuation on 30.6.1988 and since then is persuing the above case with great difficulty in as much as in accordance with the provisions contained in the Administrative Tribunal Act and the rules applicable in the year 1989 ~~and~~ the applicant filed his application before Hon.Allahabad Bench of the Tribunal which had the jurisdiction to adjudicate upon the matter. The applicant engaged senior counsel at Allahabad and paid the entire fees and the case was wholly riped up for final disposal since 1990. Even though Hon.Vice Chairman was pleased to allow the expedite application for early disposal of the case.



2019

4/- That unfortunately as the matter could not be disposed of and now it has been transferred to Hon.Lucknow bench of the Tribunal.

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5/- That the applicant besides being retired employee is also suffering with heart trouble and it is very difficult for him to undertake journey frequently. At Allahabad he had certain relations and when-ever he comes for persuasion of case at Allahabad proper care is being taken. Further he has already cleared everything to his counsel for final hearing and it will be great burden upon him after retirement to meet again financial burden on account of engaging counsel at Lucknow and thus it is not in the interest of the applicant that his case remained pending at Lucknow but is in the interest of justice that it should be heard at Allahabad.



*Label*

6/- That the applicant is advised to state that the amendment made in creating jurisdiction applies prospectively and the cases pending at Hon Allahabad Tribunal, where they were rightly filed at Allahabad who had jurisdiction to decide the above cases, can not be said to have effect in pursuance of creation of jurisdiction to Hon. Lucknow bench of the Tribunal prospectively by the Government of India notification dated 15.10.1991 and thus there is no reason for transferring the above case from Allahabad to Lucknow.

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-4Ps

7/- That it is further submitted that there is no provision under the notification like section 29 of the Administrative Tribunal Act which requires transfer of the pending case to a court newly created and it is also apparent that the cases pending at Allahabad can not be legally transferred to Lucknow and should continue to be heard at Allahabad.

8/- That Administrative Tribunal Act has been enacted for giving benefit and assistance to the Central government employees by providing cheaper justice to them and thus no interpretation can be given to any provisions of law which instead of providing any benefit to the employees create some hurdle and caused more costly justice than what is actually intended by the Legislature.

9/- That in any case it is very difficult for the applicant to change his entire set up in order to pursue the above case at Lucknow. Thus it is expedient in the interest of justice that the above case be remained pending at Allahabad Bench of the Tribunal and it be heard at Allahabad and as the file has been sent by Hon. Allahabad Bench of the Tribunal to Lucknow without any notice to the applicant previously and thus file of the above case be also sent back to Hon. Allahabad Bench of the Tribunal.

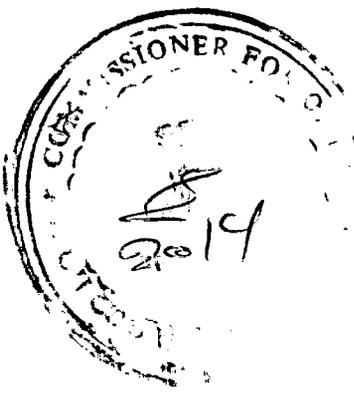


to the

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I, the deponent abovenamed do hereby declare that the contents of paras 1, 2, 3, 4, 5 of this affidavit are true to my personal knowledge and those of paras 6, 7, 8, 9 are based on the perusal of record and those of paras 6 to 9 are based on legal advice which all I believe to be true and nothing material has been concealed and no part of it is false. So help me God.

*G. Shukla*  
 DEPONENT  
 20/4/92  
 Clerk to



I,  
 Sri *R. Kumar* Advocate, High court, Allahabad do hereby declare that the person making this affidavit and alleging himself to be Sri G.K.SHUKLA is the same person who is known to me from the perusal of record.

Solemnly affirmed before me on the 20<sup>th</sup> day of 20 April 1992 at 12<sup>20</sup> a.m/p.m who has been identified by *R. Kumar Adv.* the aforesaid.

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

*Shikha Srivastava*  
 SHIKHA SRIVASTAVA  
 OATH  
 High C  
 31/12/75  
 20/4/92

ET No 2  
OS No 19

O. ( ) to keep it with file  
and put up before Hon'ble  
Court for orders  
on the date fixed <sup>k</sup> 13/12/91  
D. R.

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13.12.91

In the High Court of Central Administrative  
Tribunal Addl. Bench, Allahabad.

\*\*\*\*\*

Misc. Application No. 7021 of 1991

O.A. No. 520 & 521 of 1989

Dr. G. K. Shukla - - - - - Applicant.

Versus.

Union of India and others - - - - - Respondents.

The humble application on behalf of the  
respondents no.1 & 3 most respectfully showeth :-

1. That the applicants have filed a supplementary affidavit stating some new facts. That needs to be replied by an additional written statement or counter affidavit.
2. That the applicants have filed three new documents in the support of their new case set up in supplementary affidavit. This also requires rebuttal.
3. That it is expedient in the interest of justice to allow one month time to file counter affidavit and documentary evidence, if any, in rebuttal.

Recd. one copy -  
Sudhanta  
13/12/91

Prakash

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.2.

P R A Y E R.

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to grant me one month time to file additional written statement / counter affidavit and the documentary evidence in rebuttal.

  
( Chandra Prakash )  
Advocate,

Counsel for the Respondent No.2&3

Dated: 13.12.1991.

\*\*\*

ब अदालत श्रीमान्

[ वारी ] अपीलान्त

महोदय

प्रतिवादी [ रेंस्पान्डेन्ट ]

श्री \_\_\_\_\_ का

वकालतनामा

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टिकट

वादी (अपीलान्त)

जी० के० शुक्ला

बनाम भारत सरकार (अन्य) प्रतिवादी (रेंस्पान्डेन्ट)

न० मुकदमा 520/54 सन् 89

पेशी की ता० 28.8.92 १६८ ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री अनूप कुमार

एडवोकेट

महोदय

वकील

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

हस्ताक्षर

जी०के०

(जीवेश नन्दन)

साक्षी (गवाह)

26-8-92

शपथन वाकिसर, गृह (पुलिस सेवार्थ) - 2

साक्षी (गवाह)

संयुक्त सचिव, गृह

उत्तर प्रदेश शासन

दिनांक

महाना

सन् १६८

Ashwini Asthana 26/8  
(AJAI KUMAR SRIVASTAVA)  
Upper Dum Assst.  
U.P. Secretariat Ltco

स्वीकृत

Accepted  
Anoop Kumar  
26/8

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH.

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SUPPLEMENTARY COUNTER AFFIDAVIT

O.A.No. 520 of 1989 (Transferred from Allahabad Bench)

Dr. G.K. Shukla. . . . . Applicant.

VERSUS

State of U.P. & Others. . . . . Respondents

AFFIDAVIT OF SRI JIVESH NANDAN, AGED ABOUT 31 YEARS, S/O SRI JANARDAN PRASAD, AT PRESENT POSTED AS JOINT SECRETARY, HOME DEPARTMENT, GOVERNMENT OF UTTAR PRADESH LUCKNOW.

( DEPONENT )

I, the deponent, above named do hereby solemnly affirm and state as under:-

1. That the deponent is at present posted as Joint Secretary, Home Department, Government of Uttar Pradesh, Lucknow and as such is fully conversant with the facts of the case deposed to below :-

2. That in reply to the averment made in para 2 of the Rejoinder Affidavit, it is most respectfully submitted that in compliance of the order/judgement dated 9.2.88 of this Hon'ble Court in O.A.No.822 of 1987, the Selection Committee which met on 8.6.88 considered the case of the applicant

Recd. Sushil Singh A.V. 17.9.92 at 2:35 PM.

*[Handwritten signature]*

for promotion to the post of Selection Grade and Deputy Inspector General of Police and recorded its recommendations in the following manner:-

° छम सं०६३/च.पर/अंकित अधिकारी डा० घनश्याम कृष्ण शुक्ला, आई० पी०एस० ॥एस०पी०एस० ॥-1970 के सम्बन्ध में चयन समिति अवगत हुयी कि 9 जनवरी, 1988 को पूर्वस्थापित चयन समिति ने इनके प्रसंग में भी विचार किया था और उक्त समय में की गयी संस्तुति पर माननीय मुख्य मंत्री जी का औपचारिक अनुमोदन अभी तक प्राप्त नहीं हुआ है। 9 जनवरी, 1988 की चयन समिति ने डा० शुक्ला के प्रसंग में अपनी संस्तुति वन्द लिफाफे में रखी थी। डा० शुक्ला द्वारा केन्द्रीय प्रशासनाधिकरण, इलाहाबाद में दायर याचिका पर पारित आदेश दिनांक १२ जनवरी, 1988 द्वारा उन्हें दिखे गये दण्ड को set aside कर दिया है। उक्त आदेश के परिप्रेक्ष्य में डा० शुक्ला के प्रसंग में चयन समिति द्वारा वन्द लिफाफे में रखी गयी संस्तुति infructuous हो गयी है। केन्द्रीय प्रशासनाधिकरण के आदेश को ध्यान में रख कर चयन समिति ने डा० शुक्ला के प्रसंग में उनको आई०पी०एस० सेलेक्शन ग्रेड तथा पुलिस उप महा निरीक्षक के पद पर प्रोन्नत किये जाने के प्रसंग में भारत सरकार के नवीन मार्गदर्शी सिद्धान्तों के अनुसार विचार किया, क्योंकि दोनों स्तर पर प्रोन्नता का मापदण्ड एक ही है। चूंकि डा० शुक्ला के विरुद्ध राज्य सरकार ने उनके इलावा कार्यकाल से सम्बन्धित कतिपय आरोपों पर विभागीय कार्यवाही करने का निर्णय लिया है, अतः चयन समिति ने डा० शुक्ला के सन्दर्भ में अपनी संस्तुति वन्द लिफाफे में रखी है।

3- That the applicant was served charge-sheet on 20-6-88 in the departmental proceedings pending against him. This Hon'ble Court had passed the following orders on 24-7-89:-

° .....As regards the question of Interim Relief, the learned counsel for the respondent requests for two weeks time for filling a reply. This request is

AN

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grated. The case be listed for orders on interim relief on 11.8.89 till such time no disciplinary proceedings shall be initiated in pursuance to the respondents letter dated 24.1.89. (Annexure-A1 to the application)."

4- That the above orders of this Hon'ble Court were ~~made~~ confirmed on 20.2.90.

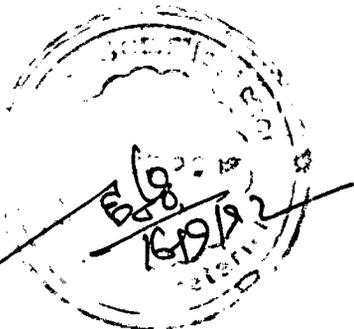
5- That the State Government filed its reply/counter affidavit in the aforesaid O.A. on 9.2.90 and since then the case is pending final hearing and consequently the case of the applicant could not be considered again in compliance of the judgment dated 9.2.88 in O.A.No.822 of 1987.

6- That the direction of this Hon'ble Court are requested so that the State Government may take action accordingly in the matter.

*[Signature]*  
( DEPONENT )

LUCKNOW

*[Signature]*  
DATED: 16 SEPT. 1992



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VERIFICATION

I, the deponent abovesaid do hereby declare that the contents of para 1 and based on personal knowledge, those of paras 2,3,4 and 5 are based on records and those of para 6 are based on legal advice which all I believe to be true and nothing material has been concealed and no part of it is false. So help me God.

*[Signature]*  
( DEPONENT )

LUCKNOW:

*3/8*  
DATED: 16 SEPT., 1992

I, Mahesh Prasad, U.D.A. Home (Police Services) Section-2

do hereby declare that the person making this affidavit and alleging himself to be Sri Jivesh Nandan is the same person who is known to be from the perusal of records.

*6*  
*16/9/92*

*[Signature]*  
*16/9/92*

I solemnly affirmed before me on the \_\_\_\_\_ day of September, 1992 at \_\_\_\_\_ a.m./p.m. who has been identified by the aforesaid.

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

*[Signature]*  
OATH COMMISSIONER.

ORDER SHEET

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Registration No. 520 of 1938

Appellant  
Applicant

Dr G. V. Shukla

Respondent

Versus

Uo - 1

Serial number of order and date	Brief Order, mentioning reference, if necessary	How complied with and date of compliance
---------------------------------	---	--

OR

4-7-89

Matrices for all resolved, with copy of petition and Court sealed made to the applicant and today for postal service of

4-7-89

29-9-89

①

OR

On the request of the Counsel for the Respondent reply may be filed by 3-11-89

for  
OR

3-11-89

②

OR

Counsel for the applicant present, reply may be filed by 6-12-89

for  
OR

6-12-89

③

Sri Chandra Prakash Adv.

Counsel for the Respondent, present reply may be filed by 30.1.90

for  
6-12-89  
Regr

0A520/90

⑫ 4.10.90. Honk. Nath, ve/Honk J Roman AM

On the adjournment appn.  
of Sri Sudhis Agrawal cases adjn  
to 11.12.90 for hearing <sup>along with</sup> ~~at~~ other  
connected cases.

Jen  
Buz

Agrawal - Jay

Case - Am

(12)

11-12-90

Honble D.K. Jyoti  
Honble Miss Usha S. V.

On the illness application  
of Shri C.P. Suvastava, case is  
ad adjourned to 16-1-91 for  
hearing along with other  
connected case

*[Signature]*

*[Signature]*

A.M.

Dec

1990

(13)

Hon' D.K. Agrawal, J.M.  
Hon' K. Shetty, AM

16/1/91

On the request of counsel for the applicant the  
case is adjourned to 26-2-91 for hearing

*[Signature]*  
A.M.

Dec  
1990

(S.M.S.)

(14)

26/12/90

Hon. K. Nath, J.C.  
Hon. A.B. Goshthi, AM

case adj to 30/1/91

1  
A  
1991

Not used  
for hearing.

OAS 20/90

Connect OAS 21/89

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(15) 30-4-91

Hon K Math - VC  
Hon A B Gauth AM

Put up for hearing  
on 31-7-91.

Sushil  
Bora

31-7-91

Hon. Mr. AB. Gorthu, AM  
Hon. Mr. S. N. Prasad, JM

On the request of the Counsel  
for the respondents, the  
Case is adjourned to  
3.9.91 for hearing.

Jm.

d  
Am.

(16)

(17)

3.9.91

no sitting. Adjourned  
to 30.9.91 for hearing.

my

or  
Submitted before  
the Hon'ble court for  
hearing on 30-9-91.

SS  
30/9/91

04/7/89

CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH

Registration No. 520 of 1989.

Promotion  
& payment  
of Arrears

APPLICANT (s) Dr. G.K. Shukla

RESPONDENT (s) State of U.P. & others. (SPS)

Particulars to be examined      Endorsement as to result of examination

- |  |                                  |
|--|----------------------------------|
| 1. Is the appeal competent ?   | Yes                              |
| 2. a) Is the application in the prescribed form ?  | Yes                              |
| b) Is the application in paper book form ?   | Yes                              |
| c) Have six complete sets of the application been filed ?  | Five sets.                       |
| 3. a) Is the appeal in time ?  | Yes                              |
| b) If not, by how many days it is beyond time ?  | -                                |
| c) Has sufficient case for not making the application in time, been filed ?  | -                                |
| 4. Has the document of authorisation/ Vakalatnama been filed ?   | Yes                              |
| 5. Is the application accompanied by B.D./Postal Order for Rs. 50/-  | Yes DD 534200 dt. 26/6/89 (50/-) |
| 6. Has the certified copy/copies of the order(s) against which the application is made been filed ?                                  | Yes                              |
| 7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?                   | Yes                              |
| b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?                        | Yes                              |
| c) Are the documents referred to in (a) above neatly typed in double space ?   | Yes                              |
| 8. Has the index of documents been filed and paging done properly ?  | Yes                              |
| 9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ? | Yes                              |
| 10. Is the matter raised in the application pending before any Court of Law or any other Bench of Tribunal ?                         | No                               |

Particulars to be Examined

Emphasis as to result of examination

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- 11. Are the particular/applcator copy/specimen signed? yes
- 12. Are the copies of the application when Annexures filed? yes
  - a) Identical to the original? yes
  - b) Defective? -
  - c) Missing in Annexures -
- 13. Have the said 2 envelopes bearing full addresses of the respondents been filed? No
- 14. Are the given addresses the registered address? yes
- 15. Do the names of the parties stated in the copies tally with those indicated in the application? yes
- 16. Are the affidavits certified to be true or supported by an affidavit affirming that they are true? NA
- 17. Are the facts of the case mentioned in Item 4c of the application? yes
  - a) Concise? yes
  - b) Under distinct heads? yes
  - c) Numbered consecutively? yes
  - d) Typed in double space on one side of the paper? yes
- 18. Are the particulars for interim order prayed for indicated with reasons? No
- 19. Whether all the remedies have been exhausted? yes

Submitted

Case is clear. 29/6/89  
 May be Registered <sup>as OA</sup> & listed before S.O. (J)  
 Court on 04-7-1989.

Registrar

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH ALLAHABAD.

*expedite*  
Miscellaneous Petition No. 791 of 1990  
In OA/PA No. 1520 of 1989  
Dr. G.K. Shukla Applicant/Appellant.

Versus

*filed today*  
*R*  
*16/5/90*

State of U.P. Respondent/Defendant.

Take notice that the court will be moved by the

the day of 5 (May)  
10.30 o'clock in the forenoon  
parties as their counsels  
ion is briefly indicated  
ation is enclosed herewith  
that meanwhile this Court  
following order, (here  
the Court).

No. 404

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide on which no acknowledgement is due.

Received a V.-P. Registered addressed to [Signature]

*Write here "letter", "parcel" or railway receipt necessary*  
Initial of receiving officer with the word "Insured" before it when  
To be filled in only when the article is to be insured; otherwise to be crossed out by means of two diagonal lines.  
Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_

Insurance fee Rs.	p.	Weight	Rates
		(in words)	Grams

*18-5-90*

day of 5 1990

*filed today*  
*Noted for 24/5/90*  
*Jain*  
*16/5/90*

(Signed) [Signature]  
Advocate for the petitioner/  
Respondent/Appellant.

Or  
Petitioner/Respondent in  
person.

To

Advocate on record for the Address :  
Opposite party/respondent/defendant.

SO(J)

*Put up this appn  
before court of Hon. VC  
for orders n. 24-5-90  
as prayed.*

*Asst*  
*16-5-90*  
*DR(J)*