

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.....

16/6/11
Section Officer/In charge

[Signature]
Signature of the
Dealing Assistant

COMPILATION 'I'.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

.....

"FORM-I"
(See Rule 4)

O.A. CASE NO. 520 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.

Application

1- 19

VAKALATNAMA.....

20

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
this case for hearing on
2.12.91 as requested by Sri
S.C. Budhwar Counsel for the
applicant.

AM.

De
SM.

12/12
Submitted before the
Hon' Court on 2-12-91
for hearing.

SS
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 listing. 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

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

CA 524/89

3 02.524/89

17.7.92

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

On the request of applicant.

Case 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)

OK
5.8.92
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, ^{Neither} further adjournment shall be given in future nor any time for filing any kind of affidavit. If any counsel is changed in this case by the parties. in future, in those circumstances also, no adjournment will be given. List this case for final hearing on 17.9.1992.

[Signature]
A.M.

[Signature]
V.C.

O.K.

Case is
S. + H.

[Signature]

16/9/92

judgment on separate sheets

BOC
[Signature]

(u) (i)

520/89

199 (L)

T.A. NO

Date of Decision

1618-1619

Petitioner.

Rev. S. C. Bidwell

Advocate for the
Petitioner(s)

V E R S U S

Wm. J. Feltz Esq.

Respondent.

John Joseph Kennedy

Advocate for the
Respondents

C C R A M

The Hon'ble Mr..

The Hon'ble Mr.

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 ~~to be~~ their Lordships 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 having 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 G.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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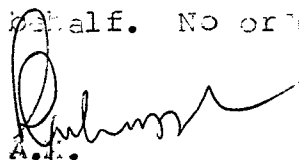
disciplinary authority ~~the disciplinary authority~~
disagreed with the finding of the enquiry officer's report
and sought advice from the U.P.S.C., who advised for
withholding of promotion including the grant of selection
grade till the date of superannuation which was accepted
by the State Govt. and 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 D.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

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 chargesheet 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 or the basis of 'grave misconduct'. We make no observation in this behalf. No order as to costs.


A.P.


V.C.

Shakeel/

Lucknow: Dated 17.9.92

Central Administrative Tribunal
Additional Bench At Allahabad
Date of Receipt 02/6/89
by Post OR 04/7/89 after defects are removed
Dr. G. K. Shukla
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
Date 2-6-89

Defects removed today
Date 27-6-89

file I today
Noted for 11-7-89
Date 2-6-89

BETWEEN

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

Versus

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

G. K. Shukla

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*
since 1970
~~seniority~~ juniors are being granted the same with effect from

G. 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^{and}/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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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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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. Shukla

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

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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.

1) That the applicant challenged the validity of

/s/ Hukla

[Signature]

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



-9-

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. *Here 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

12.5.88 29.3.88 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 and 16 of the Constitution of India.

r) That as a result of the judgment of this Tribunal dated 9.2.88 the ^{reason} ~~bar~~ to deprive the promotion to the applicant ^{has disappeared} ~~collapsed~~ and became nonest and hence non-consideration of the applicant ^{to} 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

Asst. Secy

[Signature]

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
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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*
h
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:

GRUNDS.

As above

[Signature]

GROUND.

- i) Because 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.
- ii) Because, similarly the applicant is also entitled for being considered for promotion to the posts of Deputy Inspector General before the cases of his junior IPS officers in Uttar Pradesh are considered and given promotion. 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

2/2/88

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~~y~~ 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,

Justice

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

[Signature]

[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

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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 and that of *off police*
of Deputy Inspector General, if the applicant

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 ^{unpaid} 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

-19-

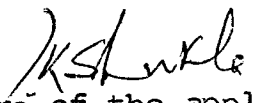
- i) Number of Indian Postal order ⁵ 534200
ii) Name of the issuing post office H.P.O. Allah
iii) Date of issue of postal order. 26.6.89
iv) Post office at which payable.

12. List of enclosures:

as details given in the Index.

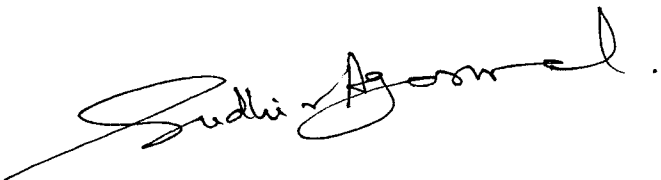
I, Dr. Ghanshyam Krishan Shukla, son of Late
Shri Shanti Prasad Shukla, resident of village Dukh
Haran Nath, Gonda, do hereby verify that the contents
from 1 to 12 are true to my personal knowledge and
belief and that I have not suppressed any material facts.

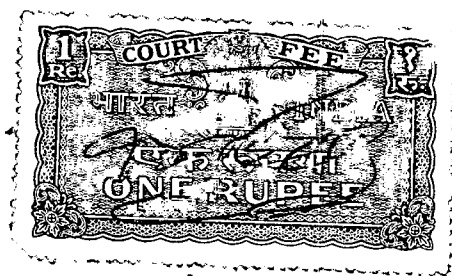
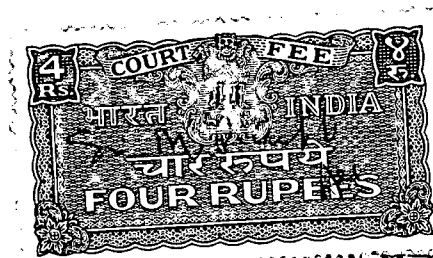
Place - Allahabad.
Dated - 2.6.89.


Signature of the applicant.

To

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





28

आभिलाषक पत्र (मुकदमा नामा)

हाईकोर्ट आफ जूडीकेचर एट इलाहाबाद

० अपील
निगरीनी

561989

सन् १९८०

वादी/प्रतिवादी

Dr. G. K. Shukla

अपीलान्त

State of U.P.

नादी/प्रतिवादी

रस्पान्डेन्ट

में Dr. G. K. Shukla Petitioner S. P. 8/80

हम श्री S. P. Shukla Ho-ville Dutt K. Nayan Nath
Banda

में
उपरोक्त प्रकरण (मुकदमा) में—अपना पक्ष समर्थन हेतु
हम

Sri Sudhir Aggarwal

कानूनी

निश्चित

करता हूँ

करता हूँ

और यह स्वीकार 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 कथन (हलफनामा), प्रवर्तन-पत्र (दरखास्त इजराय) मुजवात अरील, निगरानी इत्यादि हर प्रकार के अन्य प्रार्थना पत्रादि एवं लेखादि की प्रतिलिपियाँ आने हस्ताक्षर करके न्यायालय में प्रस्तुत करें अथवा किसी पत्र पर आवश्यकतानुसार शापथिक पुष्टीकरण करे और आवश्यक सवाल जवाब करे और लेखादि की प्रतिलिपियाँ (बं 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 करें वाद पत्र उठावे छोड़े अथवा समझौता करें तथा मुलहनामा दाखिल करें 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 करें। आवश्यकता होने पर किसी अन्य वकील महोदय को बर्काल मुफ़रे।

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

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

अतएव यह अभिलाषक 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

Dr. Ghanshyam Krishan Shukla

Dt.2.6.89.

Sudhir Agarwal
(Sudhir Agarwal)
Counsel for the applicant.

30

Before Central Administrative Tribunal

at Allahabad.

.....

Annexure No. (I)

In

O.A.

5920

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.

O R D E R

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

16 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 Shri 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,



- 4 -

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/(1)/VIII-PS-2-820/57

 Copy forwarded to following for information and

necessary action:- 

- 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.

/s/ Shukla

Attested
True Copy

635

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 Viljay 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

[Signature]

8/34

:: 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

[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. 4. 4. 4. 4.

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 ::

Sl.No.	Name	Date of continuous officiation in cadre posts
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

12/4

:: 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 Kumar 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 Lalka	(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.

[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.

TRUE COPY.

Attested

[Signature]

[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

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.

Atthukko

19/4/88

- 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.

26/4/88

(b) kindly consider my case in D.P.C. for my empanement as Dy. Inspector Genl. of Police and kindly promote me as Dy. Insp. 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 Government favourably immediately.

(Dr. G.K. Shukla)

Supdt. of Police (Security),

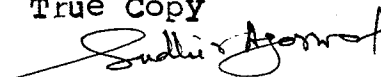
U.P. State Electricity Board,

12th Floor, Shakti Bhawan Ext.,

Lucknow.


Encl:- as above.

Attested
True Copy



21 50

Before Central Administrative Tribunal
at Allahabad.

.....

Annexure No. (514)

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.

16/5/89

2251

- 2 -

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. 222 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.

hsk

(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 compassion-
ately as I have now only less than 4 months
to superannuate and have already been put to
financial loss in pursuing the claim petition

H. H. H.

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 mention 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 career 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.

L. Shankar

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.

.....

Advance copy

From:

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.

Through: Proper Channel.

G.K. Shukla

27/56

- 2 -

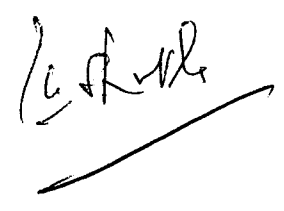
Ref: G.O. No. 2236/VII-P.S.-2-8-20/57 Home (Police
Services) Sec-2 dated July 24 , 1987.

Sir,

In the above reference , in which disciplinary proceedings were initiated , and through Engineering Officer and had exonerated me from the charge in his report, the Government of U.P. had inflicted the punishment to me as mentioned in the above Government Order for withholding my promotion. Aggrieved by the above decision I preferred a claim application listed as No. 822 of 1987 before Central Administrative Tribunal, Allahabad Bench, Allahabad.

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

(1) Have set aside the above mentioned punishment order dated 24.7.1987.



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

1/4 Shukla

29/58

- 4 -

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 &

14 SKYD

30/59

- 5 -

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 ~~may~~ 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.

L. K. Kulkarni

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.

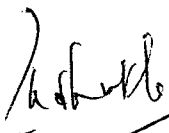
Yours faithfully,

Sd/-

(Dr. G.K. Shukla)

7.5.88.

No. Co-pers-4/88

 dated 7th May, 1988.

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.

2. L. L. L.

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.

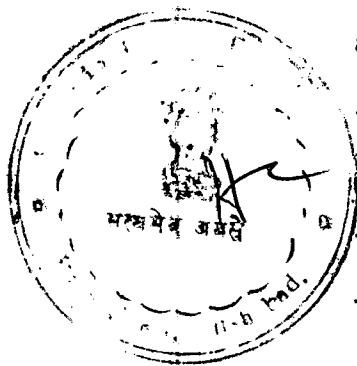
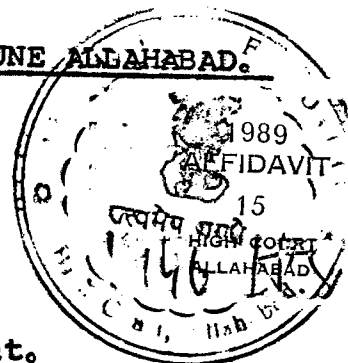
Affidavit of Yogendra Dev Singh
a/o 42 years S/o Kamleshwar Singh,
Uppur Devision Assistant (Home
Police Services) Section-2, U.P.,
Secretariate Lucknow.

(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



Received copy
for S.C. Bhatnagar
Adv.

[Signature]
Adv.
9.2.90

Sl-62
CA filed today

(h)

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



Pr 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:-

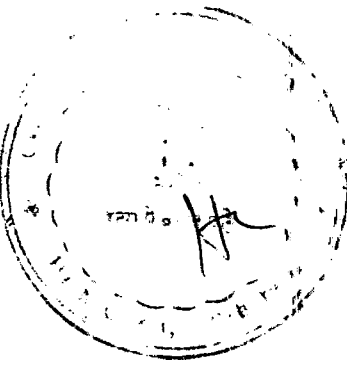
केन्द्रीय प्रशासनाधिकरण के आदेश को ध्यान में रखकर चयन समिति ने डाक्टर शुक्ला के प्रसंग में उनको आईपीएस सेलेक्शन ग्रेड तथा पुलिस उपमहानिरीक्षक के पद पर प्रोन्नति किये जाने के प्रसंग में भारत सरकार के नवीनतम मार्गदर्शी सिद्धांतों के अनुसार विचार किया क्योंकि दोनों स्तर पर प्रोन्नति का मापदण्ड एक ही है। 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 पत्र लिखने में रही 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.

(Signature)




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 contents 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.



(Signature)

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. ^h 1, 2, 4, 5, 8 & 14 ^h of this affidavit are true to my personal knowledge while those of paras ^h 3(a) to 3(f), 6, 7, 9 to 13 & 15 ^h are based on perusal of record and that ~~th~~ of paras ^h 16 to 18 ^h 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.

[Signature]

Deponent

I ^h Chandra Prakash, Advocate ^h 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 ^h 8th ^h day of February 1990 at ^h 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.

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

17-11-90
Chandra Prakash

1/12

[Signature]

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-8 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-18 of AIS (Conduct) Rules, 1968, under which

पी०ए०स०य०पी०-ए०पी० २० सा० प्रसास०-२५०-८१(१९९९)-१९८६-५,००,००० हिंदी। Contd...2/

Handwritten signature: *Hair Choudhary*

OFFICE COMMISSIONER
High Court Allahabad
S. No. 1441/15
Date 8/2/90

उत्तर प्रदेश सरकार

विभाग

संख्या

सं. ३२५९

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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.

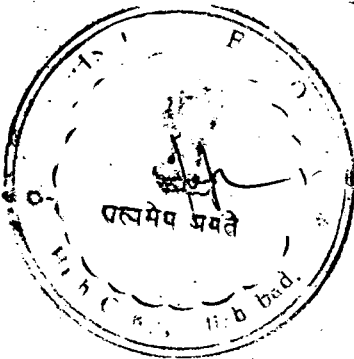
6.. The receipt of the Memorandum may be acknowledged.

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: High Check

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

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

ଆମର ଉଦ୍ଦେଶ୍ୟ

ପ୍ରାଚୀନ ଗ୍ରନ୍ଥାଳୟ

आरोग्य संध्या-५

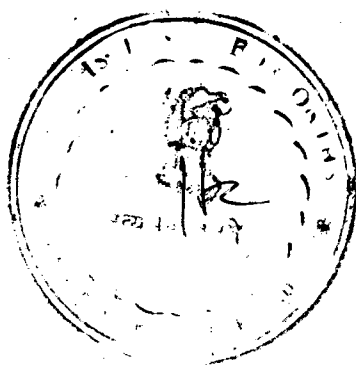
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 ਹੁਪੀਏ ਛਾਪਾ ਪੈ ਲਾ ਮੈਂ ਬਹੁ ਗਾਥਿ ਲੇਖੇ ਪੈ ਤਿ ਹਯਾਧਾਰ ਪਾਥੀ ਹੀ ਨ ਰਹੇ
 ਹਿਯਾ ਚਾਖ ਪਰਨ੍ਹੁ ਦਾ ਮੀ ਹੁਕਮਾਨ ਸਿੰਧੁ ਪ੍ਰਧਾਰੀ ਨਿਰੀਓ ਹੀਯਾਨੀ ਛਾਪਾ
 ਪੈ ਹਯਾਧਾਰ ਪਾਥੀ ਹੀ ਬਛਾ ਹੀ ਗਾਥੇ ਮੀ ਹੁਕਮਾਨ ਸਿੰਧੁ ਨਿਰੀਓ ਹੀ
 ਲਾਭੀਓਰਾਧ ਸਾਧਿ। ਜੁਗਾ ਗਾਥਾ ਹੀਯਾ ਛਾਪਾਧਾਰ ਆ ਖਾਰਜੀਧ ਪੁਰਿਸ
 ਲੇਖਾ ਪੈ ਬਹੁਲ ਪੈ ਹੁਕਮਾਨ ਚੀਓੜਾ ਰਹਾ ਪੈ ।

॥ अथापि एवम् पश्यति ॥
बुद्धिः शान्तिः
उत्तरं प्रवृत्तिं शीतलम् ॥



Hind Chandra
OAT ...
The ...
S. No. 1446/13
Date 8/2/90

STATEMENT OF INPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR
IN SUPPORT OF ARTICLES OF THE CHARGE BROUGHT AGAINST
SRI G.K. SHUKLA I.P.S. THE THEN
S.S.P. ETAWAH

आरोप संख्या-1

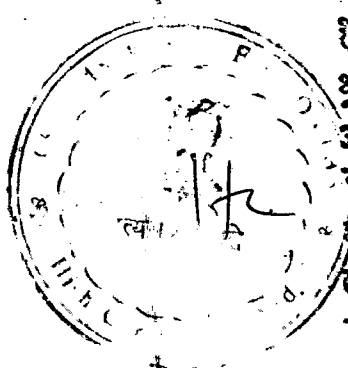
च्येष्ठ पुलिस अधीक्षक, हटापा की बजायी जस्टिस रिपोर्ट संख्या आर-185/85 का अंतर्गण किया गया। तानि 162 एबी0 राय अन्तार, तानि 135 चन्द्र प्रसाद व तानि 55 एबी0 पिपाराय, जो दिनांक 1-10-82 से द्वैलि पुलिस में नियुक्त किया गया, एचओपी0 संख्या 736 बजापि 24-10-83 के अनुसार उक्त तीनों तानि 0 एबी0 से एबी0 में स्थानान्तरित किये गये थे और हकी एचओपी0 के अनुसार उन्हें बून: दिनांक 1-11-83 से एबी0 में नियुक्त किया गया है, जिससे स्पष्ट है कि वह तीनों तानि 0 1-10-82 से लगातार एबी0 में कार्यरत हैं या कि नियमानुसार 6 माह से अधिक कोई एबी0 लगातार एबी0 में नियुक्त नहीं रह सकता है क्योंकि उनका काम से पकड़ते रहना चाहिए था लेकिन। एचओ पी0 के अनुसार च्येष्ठ पुलिस अधीक्षक द्वारा ऐसा नहीं किया गया है।

द्वैलि पुलिस में नियमानुसार एक एबी0 को 6 माह के लिये नियुक्त किया जाता है। तत्कालीन च्येष्ठ पुलिस अधीक्षक, हटापा एचओ पी0 ने उक्त आदेशों को 6 माह के अधिक द्वैलि पुलिस में लगातार नियुक्त किया है, जिस पर एक एबी0 को नियुक्ति के सम्बन्ध में पुलिस अधीक्षक को भी जानकारी थी। उनसे इस कार्य से उनका आचरण वैद्विग्य प्रतीत होता है।

आरोप संख्या-2

जांच से प्राप्त हुआ कि श्री सरनाम सिंह, उप-निरीक्षक ने दिनांक 3-6-79 को पत्नी से स्थानान्तरित होकर हटापा जमद में आसक्त रहा। इन्होंने उप-निरीक्षक की पुलिस द्वैलि पत्र, कुरादापाद से 1978 में लिया था। वे दिनांक 30-6-85 तक रिया हटापा में नियुक्त रहे। इस नियुक्ति प्राप्त है उप-निरीक्षक श्री सरनाम सिंह ने एक अधिष्ठापन अराध संख्या 911/80 पारा 25 अन्तर्गण नियम के अन्तर्गत पनाम राय केवत बाबू पनाम पीतवाली के विरुद्ध बंजीकृत कराया। इस अधिष्ठापन की विवेचना पुलिस अधीक्षक, भुवनाचार निवारण संगठन, परिधेय, आगरा की सतीश चन्द्र द्वारा होकर अन्तिम रिपोर्ट सं 4 दिनांक 26-8-82 को द्वैलि की गयी थी, जो न्यायालय द्वारा दिनांक 8-9-82 को स्वीकृत की गयी तथा अराध को सुपुर्ण करने के लिये न्यायालय में एक रिपोर्ट द्वैलि की गयी। तत्परान्त अराध सं 17/82 पारा 342/218 आदेशोपि प्राना पीतवाली हटापा पर उप-निरीक्षक श्री सरनाम सिंह के विरुद्ध बंजीकृत हुआ था।

अधिकांश के अवसोज से विदित हुआ कि उप-निरीक्षक श्री सरनाम सिंह धानाध्यक्ष हिलियापुर के बंद पर दिनांक 19-12-83 को नियुक्त हुए।



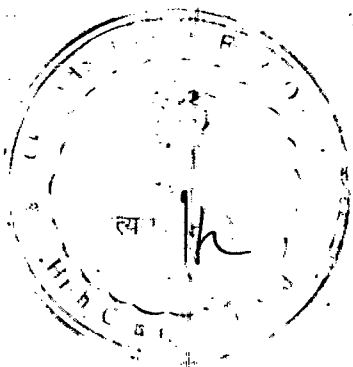
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प्रारोप संख्या-३

દિનાંક 18-11-83 તોં પત્ર દેખ્યા મુ0આર0સુ-7721. ૨૦આર૦
 ટી0ઓ0 દ્વારા પ્રતિતક્ષ મેં પંદ-તી મહં થી। ઉપત્ત પત્ર તોં ડા0 શુભા ને
 બાના પ્રતિતક્ષ તોં શાયરોતદ્વારા પ્રતિત દેખર ચમાનત પર છોડ્ને તા પ્રતિત
 દિશા વ્યાપિ બાનાખ્યહ પ્રતિત પ્રત્ય તોંઈ ડચ્ચ શુભિ પ્રતિતારી પત્ર તોં ચમાનત
 પર છોડ્ને યે મિયે પ્રતિત નહીં થા। ડા0 શુભા યે પ્રતિત મેં ઉપત્ત પત્ર
 ચમાનત પરછોડ્ની મહં, તોં પ્રતિતારિત થા રબં-અને પ્રતિત તોં પ્રતિત પરત્તા દે।



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Wm. L. ...

प्रयोग संख्या-५

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શ્રુતિસ મહાનિલી ૦૫, ગાથરા યોગ થે દિનમી ૩૦-૮-૮૩ તી. ૫૫
જ્યેષ્ઠ શ્રુતિસ યમી ૦૫, હટાપા ઠો પુનઃ સિદ્ધા ઠિ ઝનુંદે પ્રાપ્ત-મૂલ્યમર્ગી ઠે
અનુસાર પાના સિદ્ધિસ માજન હિં થાનાપ્યથ ઠે સંરહન ઠે બિનાદિગારી [વજર]
તી ઘટ પર ઘન થી ચહુટા પ ચુગા જ રહા દે। -હા પમ-ઠે ઠત્તાર ઠે જ્યેષ્ઠ
શ્રુતિસ યમી ૦૫, હટાપા થે દિનમી ૩-૭-૮૩ તી સિદ્ધા ઠિ થાનાપ્યથ સિદ્ધિસ
માજન ઠે બિનાદિગારી વજર હારાં ચુગા/સટલા પરાથે યોગે ઠા પુચાપ ઠિ
ઉપમવ્ય નહિં દે।

दिनांक 31-8-83 को पुलिस बहानिरीह, अमरा योग द्वारा
 ज्येष्ठ पुलिस अधीन, हटाया को पुनः वत्र भिरा दि जिना हटाया है ज्येष्ठ
 पुलिस उपाधीह प्री पी०पी० शर्मा ठेकिनाधिलारी नगर पनाया चाना
 घाहिर ज्योति प्री रत०रन०शर्मा, पुलिस उपाधीह है आचरप है पारे है
 उनेह शिवाय है ।

ਦਿਨਾੰ 14-9-83 ਨੂੰ ਚੋਣ ਪ੍ਰਕਿਰਿਆ ਅਧੀਨ, ਹਟਾਧਾ ਨੇ ਜੁਲਿਅ ,
 ਬਣਾਨਿਰੀਯ, ਆਮਰਾ ਬੀਨ ਨੂੰ ਬਾਦ ਦਿਨਾੰ 10-7-83 ਤੋਂ 22-8-83 ਨੂੰ ਸੰਘੀ
 ਨੂੰ ਬਣਾਨਿਰੀਯ ਬਣੁਤ ਪ੍ਰਕਿਰਿਆ ਅਧੀਨ ਪੀ ਠਮਾਧੀਯ ਨਿੰਦ ਨੂੰ ਬਾਦ ਦਿਨਾੰ 5-9-
 1983 ਬਾਦ ਟਿੱਪਣੀ ਕੀਤੀ। ਠਮਾਧੀਯ ਨੂੰ ਕਿੰ ਚੋਣ ਪ੍ਰਕਿਰਿਆ ਅਧੀਨ, ਹਟਾਧਾ

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ने पुलिस स्टेशन निरीक्षण, आधारा चीन के स्पष्ट आदेशों के अन्तर्गत ही
 कार्य चलाया न जाये परन्तु पुलिस अधीक्षक जी चाँच को अनुमति
 दे दिया। पुलिस स्टेशन निरीक्षण, आधारा चीन के अन्तर्गत निरीक्षण
 दिनांक 17-9-89 में जेष्ठ पुलिस अधीक्षक द्वारा कार्य चलाया न जाये
 चाँच पर आधारित करने हुए पुलिस अधीक्षक निरन्तर कार्य, अन्तर्गत ही
 कार्य को कर के सुरक्षा स्थानान्तरित करने के आदेश दिए। यह भी
 ध्यान दिया कि जेष्ठ पुलिस अधीक्षक जी रिपोर्ट के स्पष्ट है कि चाँच
 बुधा/सदर पुलिस अधीक्षक के अन्तर्गत है नहीं हो रहा है, जो उनकी
 निरीक्षणता का बोझ बन रहा है एवं अनुमति प्राप्त हुए ही कि जेष्ठ पुलिस
 अधीक्षक, अन्तर्गत के जेष्ठ पुलिस अधीक्षक जी रिपोर्ट पर स्पष्ट: कार्यवाही
 नहीं करेगी। इस संबंध में जेष्ठ पुलिस अधीक्षक, अन्तर्गत के दिनांक 26-9-
 89 को लिखा कि उनके द्वारा सहायक निरीक्षण पुलिस अधीक्षक की अन्तर्गत
 सिद्ध है कि कार्यवाही निरीक्षण के अन्तर्गत हुए कार्य को कर के,
 इस कारण अन्तर्गत के कार्य चलाया अन्य अधिकारी के अन्तर्गत। जेष्ठ पुलिस
 अधीक्षक, अन्तर्गत के अनुसार अन्तर्गत के कार्य के सहायक निरीक्षण
 आधारा चीन की चौकिस को अन्तर्गत के दिनांक 17-8-89 द्वारा अन्तर्गत
 करा दिया था। इस पर अन्तर्गत के कार्य चलाया नहीं की थी। अन्तर्गत
 है कि पुलिस स्टेशन निरीक्षण, आधारा चीन के कार्य दिनांक 22-8-89 के
 जेष्ठ पुलिस अधीक्षक, अन्तर्गत का यह एक विस्तृत कार्य प्रभावित होता
 है कि पुलिस स्टेशन निरीक्षण, आधारा चीन के अन्तर्गत के द्वारा जेष्ठ पुलिस
 अधीक्षक, अन्तर्गत को कार्य चलाया करने का आदेश दिया गया है। इस
 प्रतीति होता है कि जेष्ठ पुलिस अधीक्षक, अन्तर्गत को ही जेष्ठ
 के अन्तर्गत पुलिस स्टेशन निरीक्षण, आधारा चीन के स्पष्ट आदेशों की अन्तर्गत
 की, जिससे कि उनके कार्य करने के आदेश दिए गए हैं पुलिस अधीक्षक
 की अन्तर्गत कार्य के बिना कार्यवाही न करनी है। अन्तर्गत है कि पुलिस
 स्टेशन निरीक्षण, आधारा चीन के बार-बार लिखे के बाद की पुलिस अधीक्षक
 की अन्तर्गत कार्य को जेष्ठ पुलिस अधीक्षक, अन्तर्गत के नगर के स्थानान्तरित
 नहीं किया पत्र की कार्य कर के कार्य जै, जब अन्तर्गत स्थानान्तरित
 पुलिस स्टेशन निरीक्षण, अन्तर्गत द्वारा दिया अन्तर्गत के दिनांक
 22-9-89 को दिया गया। यहाँ यह भी ध्यान देना आवश्यक है कि
 जेष्ठ पुलिस अधीक्षक द्वारा अन्तर्गत के अन्तर्गत बुधा/सदर के सन्तर्गत में जो
 आदेश दिया जाये कि एवं अन्तर्गत कार्य की चौकिस कार्य, पुलिस अधीक्षक
 को ही नहीं की, की रिपोर्ट प्राप्त नहीं हुई और न ही जेष्ठ पुलिस
 अधीक्षक, अन्तर्गत के अन्तर्गत रिपोर्ट न देने के सन्तर्गत में कोई कार्यवाही की।

शुद्धि महानिरीक्ष, आगरा चीन ने श्री शुद्धा की शिक्षा
था कि श्री एल०एन० शर्मा, जेठाधारी कमर की नखीने से स्थानान्तरित
की दिया जाय पर्यन्ति इनके द्वारा सट्टा व डूबा कराया जा रहा है।
शुद्धि महानिरीक्ष के स्पष्ट आदेशों के बावजूद भी श्री एल०एन० शर्मा की

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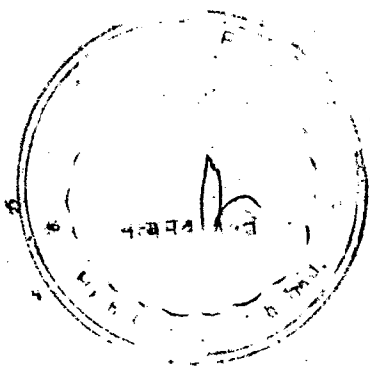
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क्षेत्र से नहीं हटाया गया। इससे इस संस्थापना को एक शक्ति है कि प्री एस0 एन0 इसी को ज्येष्ठ पुलिस अधीक्षक, इटावा द्वारा कुछ सदस्य करने की इच्छा सहमति प्राप्त थी। यह भी उल्लेखनीय है कि डा0 शुक्ला ने अपने अध्यापिकाओं के स्पष्ट आदेशों का अनुसरण किया है।

सत्ताधीन संयुक्त पुलिस अधीक्षक प्री उमाशंकर सिंह द्वारा अरिषा व इटावा नगर में कुछ व सदस्य के पक्षी व्यक्तियों को भिरकाना किया गया था और उनके विरुद्ध अभियोग पंजीकृत कराये गये थे। अभियोग पत्र पंजीकृत कराते समय संबंधित प्री एस0एन0 शिवा, थानाध्यक्ष सिद्धि साहू, इटावा ने प्री उमाशंकर सिंह व प्री किरन पास सिंह पुलिसार निरीक्षक के साथ हस्तक्षेप किया। इस सम्बन्ध में प्री उमाशंकर सिंह के द्वारा थानाध्यक्ष के विरुद्ध कार्यवाही करने के लिए रिपोर्ट की गई थी लेकिन ज्येष्ठ पुलिस अधीक्षक डा0 वी0डी0 शुक्ला द्वारा थानाध्यक्ष के विरुद्ध कोई कार्यवाही नहीं की गई। डा0 शुक्ला के द्वारा कुछ छव-निरीक्षक प्री एस0एन0 शिवा के विरुद्ध कार्यवाही न किया जाना भी उनके आचरण को संदिग्ध करता है कि डा0 वी0डी0 शुक्ला सत्ताधीन ज्येष्ठ पुलिस अधीक्षक इटावा व थानाध्यक्ष प्री एस0एन0 शिवा की आपत्ति में कुछ करने की सोच गांठ थी। यहाँ यह भी उल्लेखनीय है कि डा0 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 आठवा पुलिस स्टेशन निरीक्षक, आगरा जौन को प्रेषित की थी, जिस पर पुलिस स्टेशन निरीक्षक, आगरा जौन ने प्री रामाधर सिंह की आठवा 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। डा0 शुक्ला के इस कार्य से भी उनका आचरण संदिग्ध प्रतीत होता है।

वर्ष 1981 व 82 में नगर क्षेत्र में सदस्य विलुप्त पंड था, जो पौतवाली के अभियोगों से प्रमाणित है क्योंकि वर्ष 1981 व 82 में एठ भी अभियोग सदस्य का पंजीकृत नहीं हुआ है और वर्ष 1983 में 76 अभियोग तथा दिनांक 1-1-84 से 31-3-84 तक 20 अभियोग सदस्य के पंजीकृत हुये हैं। सदस्य के अभियोग डा0 जी0 डी0 शुक्ला की नियुक्ति के समय में प्री पंजीकृत हुये हैं। इससे इस संस्थापना को एक शक्ति है कि जिसने अन्दर 500 शुक्ला की इच्छा सहमति से सदस्य का पन्था चोरों से चल रहा था। डा0 शुक्ला के इस कार्य से भी उनका आचरण संदिग्ध प्रतीत होता है।

इटावा नगर क्षेत्र में अन्य स्थानों पर ज्येष्ठ पुलिस अधीक्षक, इटावा के समय से कुछ सदस्य अंग्रेज, 1984 के अन्तिम सप्ताह तक चोरों से चलता रहा है। इसी पुष्टि पुलिस स्टेशन निरीक्षक, आगरा जौन के पत्रों से तथा ज्येष्ठ पुलिस अधीक्षक, इटावा के पत्र व्यवहार से परीक्ष/अपरीक्ष रूप से होती है। कुछ सदस्य होने का प्रमाण संयुक्त पुलिस अधीक्षक प्री उमाशंकर सिंह की दक्षिण आठवा एवं क्षेत्राधिकारी नगर की आठवा से मिलता है। पुलिस स्टेशन निरीक्षक आगरा जौन के स्पष्ट आदेशों के बावजूद भी ज्येष्ठ 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 डा0 शुक्ला के चरित्र को संदिग्ध करता है।



9
Dingh

वनर में चुआ व महुआ छोले रहने की स्वीकारोक्ति ज्येष्ठ पुलिस
अधीन, हटाया है पुलिस स्टेशनरी, आगरा वीन व पुलिस अ
स्टेशनरी व आनपुर परिसर, आनपुर को भी यथे पर्यंत है की छोली
है। इस सूचना की पुष्टि पुलिस स्टेशनरी, आगरा वीन है अतिरिक्त
प्रशासिक नगर व विहीन स्थानीय अधिकृता हटाई है पर्यंत है
भी छोली है। इस सभी सत्यापन पुष्टि है परचात भी ज्येष्ठ पुलिस
अधीन हटाया है आनाथधर्मों है विस्तृत कोई कार्यवाही नहीं की तथा
अधिकृतों को रोकने है विधि कोई ठीक उदम नहीं उठाया। इससे
भी ठनका आचरण संहिष्य प्रतीत होता है।

आरोप संख्या-5

डा० शुक्ला ने हटाया है अपनी नियुक्ति है सख्त आनाथधर्मों
व प्रभारी निरीक्षकों को यह आदेश देते हैं कि इन्कामार पर्यंत को न
रखने दिया जाय और सटका व चुआ करने वालों है विस्तृत भी सख्त
कार्यवाही की जाय। वय भी युद्धात सिंह, प्रभारी निरीक्षक कोतवाली
ने इन्कामार पर्यंत को रवाने वालों है विस्तृत सख्त कार्यवाही की हो
डा० शुक्ला ने भी युद्धात सिंह को परेशान करना शुरू कर दिया और
छोटे छोटे झगड़ों पर भी उसे परेशान करने गरव से उसका स्पष्टीकरण
संगिते थे। इनकी इस कार्यवाही से परेशान होकर प्रभारी निरीक्षक
हुट्टी को यथे और पापस नहीं आये तथा अपना स्थानान्तरण करके
द्विजा की जरा लिया। डा० शुक्ला द्वारा यह कार्यवाही प्रभारी निरीक्षक
है इन्कामार पर्यंत को रवाने वालों है विस्तृत सख्त कार्यवाही करने है
कारण की कभी थी। डा० शुक्ला की इस कार्यवाही से भी उनके आचरण
को संहिष्य प्रतीत है।

मात
॥ ज्योत्सव मुखार पक्षी ॥
युद्ध सचिव,
उत्तर प्रदेश शासन।

Hair Chedie

1441/15

8/2/90

LIST OF DOCUMENTS BY WHICH THE ARTICLES
OF CHARGE BROUGHT AGAINST SRI G.K. SHUKLA
I.P.S. THE THEN S.B.P. STATION ARE PROPOSED
TO BE SUSTAINED

78

संदर्भित दस्तावेज

आरोप सं-1

1. एका रिपोर्ट संख्या: 184/80

2. एकापी नं 736 पुलिस महानगर दफ्तर दिनांक 25-10-83

आरोप सं-2

1. एका रिपोर्ट संख्या 17/82 दि 5-1-82 पुलिस महानगर दफ्तर संख्या 342/218 दि 10-1-83

2. पी सी 000 अर्थात्, जेष्ठ पुलिस अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

आरोप सं-3

1. सामान्य दैनिकी दिनांक 18-11-83 पर पत्र नं 18 अर्थात्, दफ्तर

2. सामान्य दैनिकी दिनांक 20-11-83 पर पत्र नं 25 अर्थात्, दफ्तर

आरोप सं-4 व 5

1. पुलिस महानिरीक्षक, अमरावती नं 0 अर्थात्, संख्या-10/1/83-317 दिनांक 31-8-83

पी सी 000

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

आरोप सं-6

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

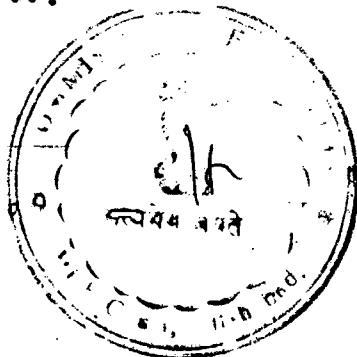
पी सी 000 अर्थात्, दिनांक 15-12-83, नं 0 एसी/टी-1/83

Dringh

1/2

प्रमाणित संदर्भित अभिलेखप्रीन सिद्ध करेंगेज्या सिद्ध करेंगे

2. रेडियोप्राप्त दिनांकित 17-7-83 द्वारा पुलिस महानिरीक्षक आगरा जोन। श्री चन्द्र प्रकाश ठासिव तत्कालीन स्टेशन, ज्येष्ठ पुलिस अधीक्षक, इटावा। उपरोक्त रेडियोप्राप्त को सापित करेंगे।
3. प्रथम सूचना रिपोर्ट सं० 107/83 दि० 3-7-83 द्वारा 3/4 चुआ एक्ट थाना सिविल साइन इटावा। श्री उमाशंकर सिंह, तत्कालीन संयुक्त पुलिस अधीक्षक, इटावा। प्रथम सूचना रिपोर्ट तथा चुआ एक्ट को सापित करेंगे।
4. प्रसू० रि० सं० 208/83 द्वारा 3/4 चुआ एक्ट दिनांकित 4-7-83 थाना सिविल साइन इटावा।
5. प्रसू० रि० सं० 202/83 द्वारा 3/4 चुआ एक्ट थाना औरिया इटावा दि० 5-7-87
6. श्री एस०एन० मिश्रा, तत्कालीन थानाध्यक्ष सिविल साइन 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 अभिलेखों के बारे में तथा श्री एस०एन० मिश्रा उपनिरीक्षक द्वारा उनके आतिशनीय व्यवहार करने को सापित करेंगे।
7. आदेश दि० 7-8-83 संख्या: एस० टी०/एसएखाई-154/83 द्वारा ज्येष्ठ पुलिस अधीक्षक, इटावा जिसमें श्री रामाधार सिंह, संयुक्त पुलिस अधीक्षक इटावा को बर्च करने के आदेश है। श्री चन्द्र प्रकाश ठासिव तत्कालीन स्टेशन, ज्येष्ठ पुलिस अधीक्षक, इटावा। ज्येष्ठ पुलिस अधीक्षक, इटावा के उपरोक्त आदेश जिसमें चुआ संयुक्त पुलिस अधीक्षक श्री उमाशंकर सिंह द्वारा अभिलेखों के पढ़ेंगे जाने एवं थानाध्यक्ष सिविल साइन श्री मिश्रा द्वारा दुर्व्यवहार किया जाना अंकित है।
8. बर्च रिपोर्ट एवं संयुक्त पुलिस अधीक्षक श्री रामाधार सिंह दिनांकित 9.9.83। श्री रामाधार सिंह तत्कालीन संयुक्त पुलिस अधीक्षक, इटावा। बर्च रिपोर्ट सापित करेंगे।
9. पुलिस महानिरीक्षक, आगरा जोन का पत्र दि० 22-8-83 संख्या: सीओपी/एचड-15/1983। 13759 ज्येष्ठ पुलिस अधीक्षक, इटावा को। श्री चन्द्र प्रकाश ठासिव तत्कालीन स्टेशन ज्येष्ठ पुलिस अधीक्षक, इटावा। पुलिस महानिरीक्षक आगरा जोन के इस पत्र को सापित करेंगे जिसमें चुआ/एक्ट के बारे में अंकित है तथा बर्च एस०एन०पी० द्वारा स्वयं करने हेतु लिखा गया है।





ਪ੍ਰਕਾਸ਼ਿਤ ਸੰਵਦਿਨ ਅਖਿਬਰ

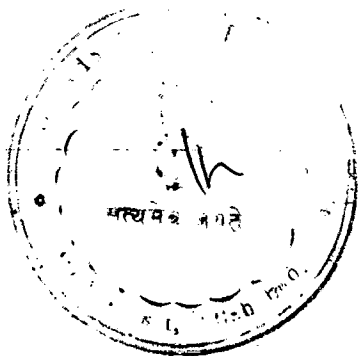
ਪੰਨਾ ਦਿਖਾਓ

ज्या मिह पुरै

- | | | |
|---|---|--|
| <p>10. 1981-82 में जमाना
आदिमा माधन एटावा
सट्टा के विवरण का
इतरण ।</p> | <p>डेपूत सिबुमार सिंह
देड डेरी सीओओ
सिटी एटावा ।</p> | <p>नज़्मों में दिखे कसे विवरण को
साधित करेंगे ।</p> |
| <p>11. जमाना पोतवाली इटावा
का वर्ष 1983 का विवरण
वत्र जिसमें 76 चुआ सट्टा
के अभियोग पंजीकृत होने
का अंजन है ।</p> | <p>श्री देवी शर्मा, प्रभारी
निरीक्ष पोतवाली एटावा।</p> | <p>वर्ष 1983 का नज़्मा जिसमें 76
अभियोय चुआ सट्टा आदि में
पंजीकृत हुये, साधित करेंगे ।</p> |
| <p>12. जमाना पोतवाली इटावा का
दि० 1-4-84 से 31-3-84
तक का चुआ सट्टा का विवरण
जिसमें 20 अभियोग पंजीकृत होने
का उल्लेख है ।</p> | <p>. . .</p> | <p>दिनांक 1-1-84 से दिनांक 31-3-
84 तक का अपराध से सम्बंधित
स्टेटमेंट को साधित करेंगे।</p> |
| <p>13. रिपोर्ट दिनांकित 5-7-83
एवं 8-8-83 द्वारा निरीक्ष
स्तोआईओ</p> | <p>श्री कुमार सिंह तत्ता-
तीन निरीक्ष स्तोआईओ
यू० इटावा ।</p> | <p>अपनी दोनों रिपोर्टी की जो उन्होंने
ने तत्तातीन ज्येष्ठ पुलिस अधीक्ष
इटावा को भेजे जिसमें जनपद में चुआ
सट्टा होने के बारे में लिखा है ।</p> |
| <p>14. ज्येष्ठ पुलिस अधीक्ष, इटावा
श्री शुक्ला द्वारा पुलिस स्टेशन
लिखी जागरा चीन को भेजे
गया वत्र दि० 1-5-84 की
ओ० नं० एसटी/3/84</p> | <p>श्री चन्द्रकाश पांडेय
तत्तातीन स्टेशन ज्येष्ठ
पुलिस अधीक्ष, इटावा।</p> | <p>चुआ/सट्टा के बारे में ज्येष्ठ पुलिस
अधीक्ष श्री शुक्ला के वत्र संघोषित
आईओची० जागरा चीन को साधित
करेंगे ।</p> |
| <p>15. क्षेत्र में चुआ/सट्टा न होने के
संबंध में समस्त जमानाध्यक्षों को
ज्येष्ठ पुलिस अधीक्ष, इटावा
को आदेश एसटी/एम-2/83
दि० 6-8-83</p> | <p>. . .</p> | <p>ज्येष्ठ पुलिस अधीक्ष, इटावा श्री
बी०डी शुक्ला के उत्तर आदेश जिसमें
उन्होंने वाह्वारी ग्राइम बी०टी० में
सट्टा का हुये के बारे में जमानाध्यक्षों
को निर्देश दिये ।</p> |
| <p>16. पुलिस स्टेशन निरीक्ष, जागरा
चीन का वत्र सीओपी/स्वेड
-15/1984/12935 ज्येष्ठ
पुलिस अधीक्ष श्री बी०डी
शुक्ला को संघोषित।</p> | <p>. . .</p> | <p>पुलिस स्टेशन निरीक्ष, जागरा चीन
के इस वत्र को साधित करेंगे जिसमें
चुआ/सट्टा के रोज़ने हेतु उन्हें
उपायों को सबती से करने के आदेश
श्री बी०डी शुक्ला तत्तातीन ज्येष्ठ</p> |

High Court ON
S. No. 1446/15
Date 8/2/90

॥ कल्याण कुमार पन्नी ॥
गुड संघिष
उत्तर प्रदेश संघिष



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

81

प्रमाण नम्बर 1

10. श्री गिरन बाबू सिंह
सहायकी पुलिस
निरीक्षक, इटावा।

साक्षी की सिफारिश।

कि वह 30.4.83 से 27.10.83 तक इटावा में पुलिस निरीक्षक के पद पर नियुक्त था। अधिसूचित रिपोर्ट संख्या: 184/83 में लिखे तथ्यों को पुष्पाति परमै तथा इस तथ्य की साहचर्य है कि एचओपीओ नं० 736 दि० 24-10-83 के द्वारा एचओपीओ स्वीराम जीवार, एचओपीओ 134 स्वी नन्हु पुसाद, एचओपीओ 44 स्वी विद्याराम दी०पी० से एचओपीओ में नियुक्त थिये गये एवं इसी एचओपीओ के द्वारा पुनः एचओपीओ से दी०पीओ में थिये गये। नवाह ठा यह थी तब ही कि वह संयुक्त पुलिस अधीक्षक श्री उमर शेर सिंह के साथ जुड़े थे अर्द्ध पर दक्षिण हैने दि० 3/4/83 की रात गया था तथा इटावा नगर में 26 बुधवार को 3500/- खर्चों के साथ गिरफ्तार थिया था। थाना सिधिल साइन्स इटावा में अभियोग प्रुजीकृत कराये। उस तथ्य थानाध्यक्ष सिधिल साइन्स श्री एस०एस०किमा ने उनसे तथा संयुक्त पुलिस अधीक्षक श्री उमरशेर सिंह से हर्षवहार थिया।

आरोप सं०:2

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

नवाह ठा तब ही कि उन्होंने उपराध संख्या: 911/80 धारा 25 अधिनियम के अंतर्गत पनाम राम सेवक बाबू 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 चुर्न कारिका की रिपोर्ट दी। तदुपरांत एचओ सं०: 17/82 धारा 342/218 भ्रष्टाचि थाना ठोतवाली इटावा पनाम उपनिरीक्षक श्री सरचरम सिंह ठा अभियोग प्रुजीकृत कराया जिसकी विवेचना हो रही है।

आरोप संख्या:3

10. श्री दिनेश चन्द्र शुक्ला
पुत्र श्री लंगदीश नारायण
शुक्ल, नि०-गुमटी मोहाल
अरिया नगर-इटावा।

कि वह एस नं० थुआरक्यू 7721 ठा थासिक है। दिनांक 18-11-83 को उसकी उपरोक्त एस को एसओपीओ द्वारा चालान करने के उपरान्त थाना अजीतमल में बन्द कर दी गयी। कि वह एस को छुडाने हेतु सहायकी एसओपीओ इटावा श्री जी०डी० शुक्ला के पास गया था दिनांक 20-11-83 को श्री जी०डी० शुक्ला, एसओपीओ ने उसकी उपरोक्त एस को जमानत पर छोड़ने हेतु एंड्रोस रूप को अपने आदमी ठा बायरलेस थाना अजीतमल को कपिने को छडा कि एस को उसकी जमानत पर छोड़ दिया जाय। तदुपरांत उसकी एस थाना अजीतमल द्वारा जमानत छोडी गयी।



गवाह का नाम

2. श्री रामजी चौधरी
निवासी 00000
निवासी 00000

गवाह को लिख जेवा।

गवाह का कहना है कि वह जनवरी 12 वीं 1983 के 22
दुपहर 03 बजे नियुक्त रहा। कि वर्ष 1983 में पत्त नं० यूआरएनू 7721
को राष्ट्रीय कृषि मार्ग अरिया इलाका पर अनधिकृत संवाहन का
मोटर चालीन रफ्ट के अंतर्गत अनियमितताओं के होने के कारण
थाना अजीतसिंग में उससे द्वारा पन्हे की गयी थी। उक्त पत्त की थाना
अजीतसिंग में उससे द्वारा पन्हे पर छोड़ दिया गया। उस पत्त की
उससे अथवा वचिस्तेड के आदेश के बिना छोड़ा नहीं जा सकता था।
यह कार्य पुलिस का अमेथानिठ है।

3. श्री 0000 पत्तवीर सिंह
तत्कालीन थाना
अजीतसिंग-जनवरी
इलाका।

गवाह का कहना है कि वह दिनांक 18-11-83 को थाना अजीतसिंग
जनवरी इलाका में हे0मी0 के बंद पर नियुक्त था। दिनांक 10-11-83
को पत्त नं० यूआरएनू 7721 एडारलीओ द्वारा राष्ट्रीय कृषि मार्ग पर
अधिकृत रूप से जाने के संबंध में वातान करते थाना अजीतसिंग में हाजिरी
दिया। गवाह ने कृष्ण इन्डिया की 000 रिपोर्ट नं० 18 तथ्य 10
पजे दिन थाना अजीतसिंग में दिया। दिनांक 20-11-83 को गवाह
की मौजूदगी में नियंत्रण एक से थाना अजीतसिंग को अपरेटर ने
वायरलेस दिया कि पत्त नं० यूआरएनू 7721 को थाने में पन्हे है,
को चमानत पर सुरत छोड़ है। डाक्टर, बी000 शुक्ला, एस0एस0बी0
महोदय का आदेश है, गवाह ने उक्त पत्त को दिनांक 20-11-83
को पत्त के आतिष्ठ की दिनेश बन्धु की सुपुत्री में चमानत पर छोड़
दिया। कृष्ण इन्डिया गवाह की मौजूदगी में रो0आम की रफ्ट
संख्या 25 तथ्य 15/30 पजे दिन दिनांक 20-11-83 को ठा0कल
कमेश्वर द्वारा किया गया था।

आरोप सं०: 4 व 5

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

गवाह का कहना है कि वह वर्ष 1983 में जनवरी इलाका में संयुक्त
पुलिस अधीक्षक के बंद पर नियुक्त था कि उन्होंने एक गोपनीय वचन
दिनांक 5-7-83 को तत्कालीन ज्येष्ठ पुलिस अधीक्षक इलाका
श्री जी000 शुक्ला को जनवरी इलाका के उत्पन्न अजीतसिंग तहसील
भरना, हिरियापुर अरिया आदि तथा इलाका नगर में दुधे, घट्टे
के अंडे चने के पारे में लिखा था। कि उन्होंने दिनांक 3/4-7-83
की रात रेलवे स्टेशन के पास छाया मारकर 26 बुआरियों को
पकड़ा एवं अन्य अधिकारियों में बुआरियों को पकड़ा तथा अधिकारियों
पंजीकृत कराये। थाना सिविल लाइन के थानाध्यक्ष श्री एस0एस0
मिश्रा ने अधिकारियों पंजीकृत कराते समय उनसे हथियार लिया।

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

गवाह का कहना है कि तत्कालीन ज्येष्ठ पुलिस अधीक्षक श्री जी000
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 आदेश
दिया कि जांच ज्येष्ठ पुलिस अधीक्षक स्वयं करें परन्तु श्री शुक्ला ने
जांच स्वयं नहीं की।

15

नवाह का नाम

बाही की तिथि लिया

3. श्री सुखाम सिंह
तत्कालीन पुलिस
निरीक्षक का
नवाह का नाम।

नवाह का नाम है कि वह 12.3.83 से 22.2.84 तक का
नवाह का नाम निरीक्षक के वह पर नियुक्त रहे। सुभा, सट्टा
व अन्य लोगों के जाने का पता करने के बाकी प्रयास किए। इस
कारणों से श्री सुभा ज्येष्ठ पुलिसअधीक्षक उससे बाराच को
जैसे तथा उससे छोटे छोटे मामलों पर बराच तब तक करने लगे तथा
सुभाक्षित करने लगे जिससे वह मानसिक रूप से तनाव में रहा तथा
हुट्टी देकर रजा गया एवं अपना स्थानान्तरण कराया।

4. श्री चन्द्र प्रताप ठाकुर
तत्कालीन आयुक्त
ज्येष्ठ पुलिस अधीक्षक,
हटावा।

नवाह का नाम है कि वह 11.01.80 सुभा तत्कालीन ज्येष्ठ
पुलिस अधीक्षक हटावा का आयुक्त के वह पर नियुक्त था।
नवाह निम्नलिखित को सापित होगा।

111 श्री एसएनएस, तत्कालीन क्षेत्राधिकारी का स्थानान्तरण
आदेश दिनांकित 34-8-83 पुलिस स्टेशन निरीक्षक आगरा चीन
द्वारा ज्येष्ठ पुलिस अधीक्षक, हटावा को दिया गया।

121 रेडियोग्राम दिनांकित 17-9-83

131 श्री हाठ की ओर सुभा तत्कालीन ज्येष्ठ पुलिस अधीक्षक का
आदेश सटी/टी-1/83 दिनांकित 16-12-83 जिससे द्वारा
अधिनिरिक्षक श्री सरवतम सिंह का स्थानान्तरण थावा ग्रोरिया
से पानाध्यक्ष दिव्यापुर दिया गया।

141 पुलिसअधिनिरिक्षक आगरा चीन का पत्र डीओनोनीसी गोपी
/स्येड-15/1983 11/3931 दिनांकित 31-8-83

151 आदेश दिनांकित 708-83, सटी/एसएसआई-154/83 द्वारा
ज्येष्ठ पुलिस अधीक्षक हटावा जिसमें श्री राधाधर सिंह संयुक्त
पुलिस अधीक्षक को बारी करने के आदेश दिये गये थे।

161 ज्येष्ठ पुलिस अधीक्षक हटावा श्री सुभा द्वारा पुलिस
स्टेशन निरीक्षक आगरा चीन को भेजे गये पत्र दिनांकित 1-5-84
डीओनोनीसी सटी/3/84

171 पुलिस स्टेशन निरीक्षक, आगरा चीन का पत्र दिनांकित 22-8-83
डीओनोनीसी गोपी-स्येड 15/1983 11/3759 को श्री हाठ की ओर
सुभा तत्कालीन ज्येष्ठ पुलिसअधीक्षक को संबोधित है।

5. श्री प्रेम पास सिंह
तत्कालीन निरीक्षक,
एसओआईओयू, हटावा।

अपनी रिपोर्ट दिनांकित 5-7-83 एवं 8-8-83 को सापित
करने जिसमें उन्होंने तत्कालीन ज्येष्ठ पुलिस अधीक्षक डाठकी ओर
सुभा को संबोधित किया था कि जनपद हटावा में सुभा सट्टा
का रहे है।

॥ लयाण प्रार पल्ली ॥
गृह सचिव,
उत्तर प्रदेश शासन।

Heirched
OATH COMM. ON
High, Court Admin. d
S. No. 1446/15
Date 8/2/90

G.K.SINGHA

VISSES

APPLICANT

STATE OF U.P. & OTHERS. RESPONDENTS

पञ्चनाम
सं. जा. प्र. सं. पी. जी.
D. O. सं. D. G. सं. पी. जी.

अनुरोध



पुलिस महानिरीक्षक (फाजिल्),

उत्तर प्रदेश।

I. G. Police (Karnik)
Uttar Pradesh

917

संभवतः, दिनांक 20. 1980

प्रिय मित्र,

निम्नानुसार उपपत्रात्मक के राज्य शासनादेश

दिनांक: 24/5/80-30/5/80-2-30/5/80 दिनांक 20.

1980 मूल्य में प्रेषित करने हेतु मुरादपुर के नि निज

उक्त शासनादेश उक्त संलग्नक बलिष्ठ जिलाधिकारी

पुलिस महानिरीक्षक (फाजिल्) उपपत्रात्मक

विद्युत परिपत्र, लखनऊ पर देवच प्रसन्न में मुरादपुर जिला

पर है और व्यवहार पावनी प्रमाण पत्र प्रेषित करने

पर है और व्यवहार पावनी प्रमाण पत्र प्रेषित करने

30-5-80 के पूर्व उपपत्रात्मक पर दिनांक 20.

दिनांक - 30. 1

1. पत्राचार
2. Memoandum
3. Statement of Article 9 clause
4. Statement of Suppression of Misbehaviour
5. List of Accused
6. List of Witnesses

उपपत्रात्मक विद्युत परिपत्र, लखनऊ

लखनऊ।

आपकी,

आपकी 24/6/88

अंकित

24/6/88

Brigh



Haird chud
OATH COMPLETION ON
H.H. Court Allahabad
S. No. 1446/15
Date 8/2/98

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

गोपनीय

88-1492

राज्य विप्लव परिषद्

उत्तर प्रदेश, लखनऊ

दिनांक: जून 30, 1988.

प्रिय श्री तबरेना,

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 विप्लव 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 विप्लव 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 दुरांगार 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 चस्था भी कर दिया गया है।

संलग्न- यथोपरि।
15 पृष्ठ

भवदीय,

एस0एन0सी0सिंह 30.6.88

श्री बाई0एस0तबरेना,
पुलिस महानिरीक्षक, कार्यालय,
उत्तर प्रदेश, लखनऊ।

आर०के० त्रिवेदी,
पुलिस अधीक्षक/सर्त०/प्र००१



प्र० शा० पत्र सं०
D.O. Letter No. मिस-1-1988
दिनांक/Date... लखनऊ जून 30, 1988

प्रिय श्री सिन्हा,

आपके अर्ध शीट पत्रांक- सी०ए०-मिस/88 दिनांक 20-6-1988 में
निहित 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 जोन 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। प्राप्त
रसीद मूल रूप में संलग्न है।

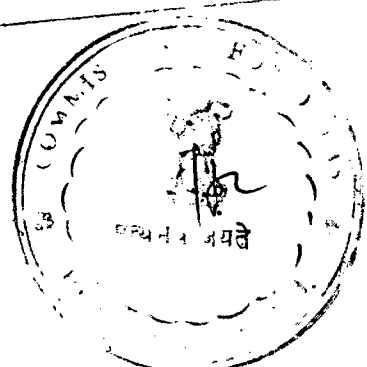
श्री एस०आर० सिंह, पुलिस उपाधीक्षक ने डा० जी०के० शुक्ला के
इन्दिरानगर स्थित आवास पर सन्दर्भित शासनादेश को उसी दिन *serve* करने
को प्रयास किया परन्तु उन्हें विदित हुआ कि डा० शुक्ला अपनी माँ तथा छोटे
भाई की पत्नी के इलाज के सिलसिले में दिल्ली चले गये हैं। डा० जी०के० शुक्ला,
पुलिस अधीक्षक के 10 दिवसीय अवकाश प्रार्थना पत्र दिनांक 18-6-88 में भी
दिल्ली में यू०पी० निवास में तथा वहाँ स्थान उपलब्ध न होने पर किसी होटल में
रकने 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 एस०एल० 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 डाकघाने से भेजा गया।

आज दिनांक 29-6-88 को इन्दिरानगर पोस्ट आफिस से यह विधि
होने 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

पुलिस पत्र, 14 एच०एम मार्ग, लखनऊ पिन-226001
CHAKTI BHAWAN, 14 ACHOK MARG, LUCKNOW PIN-226001

सार - { मुख्यालय - इलेक्ट्रो - टेलिफोन
सेवा प्राप्ता - उप सेवा
TELE- { HEADQUARTERS - ELEKBOARD
GRAM ACCOUNTS - UPSBBA
टेलिफोन - 033/254
TELEX - 093/253



श्री एस0आर0 सिंह, पुलिस उपाधीक्षक, रा0वि0प0 को सन्दर्भित शासनादेश की प्रसंगगत प्रतिनिधि लेकर निर्दिष्ट किया गया कि वे एक प्रतिनिधि 510 बी0क0 शुल्का के आवासीय आवास पर जाकर उनके द्वार के किसी व्यक्ति सदस्य पर तामीन कर दें तथा जेले पर उसे नियमावली पर चरम करें। फलस्वरूप अतः पुलिस उपाधीक्षक ने निरीक्षक सर्व श्री विष्णु स्वरूप श्रीवास्तव तथा एस0ए0 छात्र व स्थानीय पुलिस की सहायता लेकर डा0 प्रहस्रनाथ कृष्ण शर्मा, पुलिस उपाधीक्षक के द्वार पर अतः शासनादेश की तामीन उनके बड़े पुत्र श्री श्रीवी कृष्ण शर्मा पर करने का प्रयास किया परन्तु उनके द्वारा यह कहते हुए कि अपने माता पिता के निर्देशों के अनुरूप वे कोई भी सरकारी कार्य नहीं करेंगे। उनकी अप्रवृत्ति में ही उनके आवासीय आवास के मुख्य द्वार की दीवार पर चरम करके शासनादेश की तामीन की गई। यह तामीनी दिनांक 29-6-88 मूल प्रति एवं श्री एस0आर0 सिंह, पुलिस उपाधीक्षक की आस्था दिनांक 29-6-88 की मू० मूल प्रति मूल रूप में अवलोकनाधी संलग्न है।

दिनांक 29-6-88 को श्री एस0आर0 सिंह, पुलिस उपाधीक्षक, उ0प्र0, रा0वि0प0 लखनऊ निरीक्षक श्री विष्णु स्वरूप श्रीवास्तव, एस0ए0 छा० व मो० बसीर खाँ, उप निरीक्षक को साथ लेकर गोरखा नगर के मोहल्ला पटेलनगर कोतवाली के पीछे स्थित उनके स्थायी आवास पर श्री सन्दर्भित शासनादेश की तामीन डा0 शुल्का पर करने हेतु भेजा गया। यह टीम आशु दिनांक 30-6-88 को गोरखा से वापस आई। विदित हुआ कि डा0 प्रहस्रनाथ कृष्ण शर्मा, पुलिस उपाधीक्षक गोरखा में अपने स्थायी आवास पर मू० उपलब्ध नहीं मिले। उनके छोटे भाई की गोपना कृष्ण शर्मा से बताया कि वे यहाँ पर नहीं आये हैं। पुलिस उपाधीक्षक एवं उनके सहयोगी अधिकारियों की रिपोर्ट दिनांक 29-6-88 मूल रूप में अवलोकनाधी संलग्न है।

संतुष्टक यथोचित - 15 परका

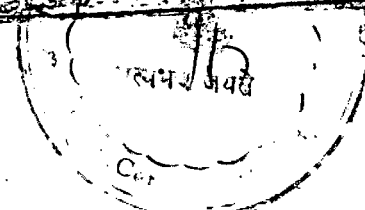
सादर

जाबदीव

29/6/88

श्री एस0आर0 सिंह, पुलिस उपाधीक्षक, रा0वि0प0 लखनऊ निरीक्षक श्री विष्णु स्वरूप श्रीवास्तव, एस0ए0 छा० व मो० बसीर खाँ, उप निरीक्षक को साथ लेकर गोरखा नगर के मोहल्ला पटेलनगर कोतवाली के पीछे स्थित उनके स्थायी आवास पर श्री सन्दर्भित शासनादेश की तामीन डा0 शुल्का पर करने हेतु भेजा गया। यह टीम आशु दिनांक 30-6-88 को गोरखा से वापस आई। विदित हुआ कि डा0 प्रहस्रनाथ कृष्ण शर्मा, पुलिस उपाधीक्षक गोरखा में अपने स्थायी आवास पर मू० उपलब्ध नहीं मिले। उनके छोटे भाई की गोपना कृष्ण शर्मा से बताया कि वे यहाँ पर नहीं आये हैं। पुलिस उपाधीक्षक एवं उनके सहयोगी अधिकारियों की रिपोर्ट दिनांक 29-6-88 मूल रूप में अवलोकनाधी संलग्न है।

Prig



Received onto no. 2415/VIII - P.S. - 2-820/57 dated 8

20th June 1988 from the Home Secretary to Govt. of U.P.
in a sealed closed cover for Service B. & K.
Shri. I.P.S. S.P., V.P. S.B. Lucknow

Working

21-6-88

D.P. S.B. Lucknow

8:30 Am.

Doyle



पुलिस अधीक्षक प्रवर्तन/सतलुग शं.वि.पं. लखनऊ

गृह सचिव उ.प्र. शासन लखनऊ ४९
आदेश संख्या २५१५/आ - PS - २ - ०२०/५७
दिनांक २०.६.८८ जो कि डा. चमरपाय कृष्ण शुक्ला
पुलिस अधीक्षक उ.प्र. शं.वि.पं. लखनऊ से सम्बन्धित
सील लिखाफा No उपरोक्त डा. शुक्ला को डा.
पर तामील भिजे जाने से सम्बन्धित है मुक्त पुं
उपाध्याय का दिनांक २१.६.८८ को कायदे. भौ. वि. क.
आदेश से दिल्ली को प्राप्त हुआ था।

आदेशानुसार दिनांक २२.६.८८ को
लखनऊ से प्रस्थान कर दिनांक २३.६.८८ को मैं
श्री एस. एन. स्क्वे गिर्रीश्वर प्रवर्तन दल गांव
को गाठियावाट से लघु लेकर दिल्ली गया और
वहाँ पर डा. द. क. शुक्ला पु. डा. के दफ्तर श्री.
द. ल. विवेदी सहायक पुलिस अधीक्षक (गैर निर्यात)
से दिल्ली पुलिस मुख्यालय भवन में उपस्थित
की कि मैं डा. शुक्ला पु. डा. से मिलना चाहता
हूँ क्या वे अपनी मां के रजिस्ट्रार के लिफाफे
में दिल्ली का पत्र डुपे है इस पर श्री विवेदी
ने बताया कि वह स्वर की उहे जानकारी नहीं
है कि न ही डा. शुक्ला पु. डा. को भी जानकारी
में दिल्ली का पत्र डुपे है।

इसके उपरान्त हम लोग उ.प्र. भवन
व उ.प्र. निवास तथा उ.प्र. शं. वि. पं. गै. वि.
हाउस रिंगरोड लाजपत नगर पता लगे गये
परन्तु वहाँ से प्राप्त सूचना एवं कथित रविवारे
अनुसार डा. शुक्ला का वहाँ आना नहीं

प्रमाण

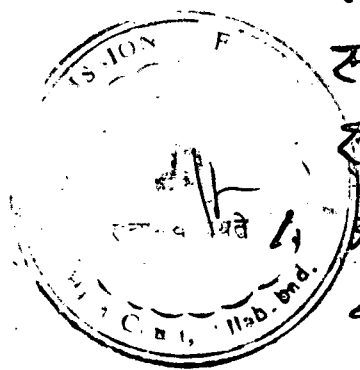
गया। तदुपरान्त लखनऊ पुलिसालय जाकर इस सम्बन्ध में कोई ख़बर, अधिकारियों की जानकारी में लाकर लंगर दिया। १०

दि. २५.६.८८ डी० शुक्ला पु० अ० के का० इ० रायबाल एवं कदली विजयकुमार त्रिपाठी से यह ख़बर मिली कि डा० शुक्ला के दोहरे भाई श्री गोपाल लुप्ता शुक्ला की पत्नी ज़ाहा बीमार थी उसी के इलाज के लिये इ.१. लाहौर दिल्ली गई हुई हैं। इसकी पुष्टि टेलीफोन पर बात करने पर मुझ से डा० शुक्ला के पुत्र ने अपने घर से की। तदुपरान्त यह का० इ० मेरे साथ डा० पारिषा E.N.T. विशेषज्ञ के निवास निराला गारलवाली गया और डा० पारिषा से ख़तरा करने पर उसके मुझ पु० उमा० की बताया कि शुक्ला लाहौर एवं E.N.T. महिला का चेस लेकर अपने घर में जांच किया था और सलाह दिया था कि A.I.I.M.S. नर दिल्ली में रिखा दें। बल्कि उपरान्त की जानकारी उन्हे नहीं है।

उपरोक्त ख़बरों के आधार पर मैं उन दिनांक २५.६.८८ को गानिवाला दफ़्तर कर श्री खरे निरीक्षक प्रवर्तन दल को साथ लेकर दिल्ली गया और निम्न लिखित स्थानों पर डा० शुक्ला पु० अ० की तलाश की। श्री द.० डिवेदी सहायक पुलिस आयुक्त (महिला) के निवास No 7 कश्मीर विहार पुलिस ब्लाक की दाना कश्मीर विहार के पीई कांपाउंड में -

दायाँ तरफ़ पाया गया।

Dringh



१०
 इस स्थान पर एक प्रथम दरवाजा कटिली जागवीर ने
 रनेला उससे यह होने पर कि क्या लारवनाह कि
 डी. लाइव डा. शुक्ला काये दुपे है तो उसने बताया
 कि वह नहीं काय है। इसके उपरान्त कंडा ल
 भी दिवही काय कंडा उनसे मने जहा कि क्या
 डा. शुक्ला काय में स्थार काय के तो उन्होंने बताया
 कि उसे अभी तक दिलाई जाने की पूरी कोरी
 रिमा नहीं है कि दिलाई में अपने मारे की वद
 या माला जी का इलाज बराने काय है और
 प्रायः पछी होला है कि इसी तबलीक की खबर
 वह काय में कर रहे हैं। यह होने पर क्या 12.6.80
 से आज तक डा. शुक्ला कायों जागवारी में
 दिलाई काय के तो भी दिवही में बताया कि
 वह साइच के लिए हाथ बाग निकोवार मने के
 और दिनांक 20.6.80 को जैनपुर से अपने
 बच्चों को लेकर दुपे दिलाई लौटे हैं इन्होंने
 20.6.80 से पहिले के बारे में उसे कोरे जागवारी
 नहीं है।

② Allms नई दिल्ली एवं डा. राममोहर गोस्वामी
अस्पताल नई दिल्ली तथा सफाहर जंग अस्पताल
नई दिल्ली - उपरोक्त तीनों अस्पताल दिल्ली
 के लक्ष में धारित करलीय रवाना है काय
 है, इन अस्पतालों के O.P.D. एवं under के ENT
 रजिस्टर चंन विषे उसे फलतु भी मारे शुक्ला के
 नाम से दिनांक 12.6.80 से 25.6.80 तक किसी
 भी मरीज का इलाज एवं मरी के लिए काटेला
 होना नहीं पाया गया।

Singh

3. सफरजां एवं A.I.M.S हस्पताल के निकट होल
व पार्श्व शाखा की चेंबरिंग - ई 6 सप्ताह के सरल
होला, लतकार होला, 7 म मी श्याम चर्म रंगाला
शीत पार्श्व निकट प्रसूत कराया गया राज गठिया निष्ठा
सह के अति लंबे के चेंबरिंग को पर 50 G.K
शुक्ल कंधा की करि शुक्ल का काना नहीं पाया गया

4. 30.5.08 म वन एवं उत्तर निवास - दिनांक 24.6.08
से 25.6.08 को डा. G.K. शुक्ल पुत्र के का वहाँ
के अति लंबे के अति लंबे काना नहीं पाया गया

5. दिनांक 26.6.08:- उपरोक्त हस्पताल के अति लंबे
निम्न लिखित वाली होम में दिनांक में चिकित्सा
के लिए अच्छे रक्ताने प्राप्त है मैं भी मारे शुक्ल
कंधा उनके हाथ डा. शुक्ल का काना 08D व
Indoor का में चेंबरिंग दिया गया और अति लंबे
देखें गर्भ में उनका काना नहीं पाया गया। -

क. (होम के निम्न नर्सिंग होम, अति लंबे के लिए दिनांक)
ख. (मुलायम नर्सिंग होम) अति लंबे के लिए दिनांक
ग. (जीवन नर्सिंग होम (प्रसूत) जीवन का 72 दिनांक
घ. (जीवन नर्सिंग होम (प्रसूत) जीवन का 72 दिनांक

6. इनके करि रक्त डा. राम प्रसाद के अति लंबे
के निकट के निम्न लिखित होला / लज के अति लंबे
चेंबरिंग में परन्तु डा. G.K. शुक्ल पुत्र के का
इस स्थान पर काना नहीं पाया गया। -
(सिटीज में अति लंबे के लिए दिनांक)

(5)

ख (बासु बोर्डिंग लाक गोल मार्टे नई दिल्ली) १३

ग (कनाट फेल्लस होटल कार फेल्लस नई दिल्ली)

इस प्रकार सभी सम्बन्धित स्थानों पर
 फलाने एवं चक्र वगेरे पर डा. ६-१८ शुक्ला
 पुलिस कम्प्लेक्स नई दिल्ली में नहीं मिले (होती
 स्थिति में उपरोक्त वसति शहवाप कोदर पत्र
 डा. ६-१८ शुक्ला पु. डा. रा. वि. प्र. में लगाने
 गये गये या जा सका। सील्ड बन्द लिफाफा
 मूल रूप में कारवा के साथ मस्तुत है

बुधवा प्राप्ति त्वीकार करें।

संक्र. २४१५/पु. - प. ड. - २-८२०/५७
 दि. २०-६-६८

दिनांक २६/६/६८

(Signature)
 २६-६-६८
 (एस. प्र. रवे)
 निरीक्षक
 फवरीन इल गांव वर
 स्थान दिल्ली

(एस. डार. सिंह)
 पुलिस उपाधीक्षक
 शंखिप. मखनकु
 स्थान - दिल्ली

Received by
 27888

at 10.35 AM on 5 July 1968

in my office please send it by Regd AD Post

at the Indira Nagar residence.

27888
 (EN)
 Please
 bring

(Signature)
 27888
 (EN)

27/6
 D.S.

N.B. Also received Home Secy's letter no. 2415/पु. - प. ड. - २-८२०/५७ dt. २०-६-६८ with enclosure in Regd. Mail to Dr. G. S. Shukla dated 27.6.68

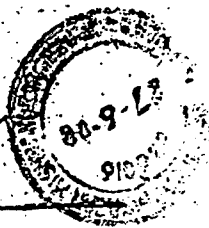
(Signature)

No. **386** Stamps affixed except in case of unimpaired Rs. P.
red 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 Indira Nagar
Signature of Receiving Office *Dukhori*



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 dis-
patched the Home Reg. V.P. letter no. 2415/V.M.
P.S. - 2-820/57 dt. 20.6.88 to Dr. G.K. Shukla
SP, VPSEB, Law at his home address local -
B-2/63 Indira Nagar, Law, by Regd. A.D. letter
no. 386 dt. 27.6.88 at 1.30 P.M. from P.O. Indira Nagar
Law.

Signature

27-6-88

(S.R. Singh)

Dy. SP, SEB
Law.

Signature



फर्द बाबत करने पर-पा आदित्य होना.

2415/VIII - PS-2-820/57 הגדרת 20.6.58

गृह लीचन उ० प्र० अ० १०० की कोर १००

काज दिनांक 29. 6. 88 से ही पुलिस अधी-
क्षक द्वारा जारी किए विनाया करने लगी ल
कादेश उपरोक्त बहमनी की श्री. एम. सी. मल्लिक
व श्री. एम. एम. निरीक्षण करने दल, बरेल
एवं निरीक्षण करने दल काफ़ी जित्त प्रकाश,
कोलकाता काफ़ी ताकत निकाली व श्री. काइबर
काफ़ी बहमनी व स. इ. की विचारनात रिपोर्ट
व श्री. 809 सी. पी. सुनेत्र निवे मुताबिक था।
गजपुर, काफ़ी, के बलक करीब 2.45 मजे
दिन की थानकाफ़ी कृष्ण सुमन पुलिस अधी-
क्षक, उमर 10 मिनट पीरबद विचारनात रिपोर्ट
नं. B-263, बतनाय मजरे, इतिहासकार,
काफ़ी के उपरोक्त काफ़ी व पदुम/कांरी
काफ़ी व डा. जी. के. सुमन के सुपुत्र की
गोपनीयता सुमन जीने उतरकर नीचे काफ़ी
सुनेत्र व उन्हीने बतनाय कि डा. जी. के. सुमन
मजरे नहीं है, दिखनी असे है काफ़ी नहीं
उन्हीने बहरेने का फल नहीं मल्लिक है। श्री. गोपनी
कृष्ण, काफ़ी, जोकि डा. सुमन के रिपोर्ट
है, से उपरोक्त कादेश जो डा. जी. के. सुमन
पुलिस अधीक्षक के हाथोसे है, (P. 7. 01)

[illegible]


ከገጽ ፳፻፲፱

[Signature]
 (RES, LESU)
 29.6.88

29/6/88
EST LKO Zone.

01800) सुरप्रसिद्ध
29-6-22

Young



29/6/88
3.30 P.m
(17th June 1988)
30th June 1988
17th June 1988
17th June 1988

29.6.88

उत्तरि जमीन
 पुर्वी / मरुती
 २०००००, १०००००

कंपनी कायेन आदेश दिनांक २९.६.८८ कायेन
 कन काहे।

आदेशाद्वारा गृह निचम, उद्भूत प्रमाण के
 आ.जी.के. सुभाष, उत्तरि जमीन, १०००००, य
 को. प्रमाणित शास्त्रीय पत्र २५।५-१११ - P.S-
 २-२००/५७ दिनांक २०.६.८८ काउ के उक्त निवात
 B-२/६३ अतन्त्र आदेश, इ. २१।१११, १०००००
 ताकील के लिंक के पहले अपराध शा. १०,
 सुभाष, १००००० गच्छा उक्त कायेन
 कायेन काहे, अपराध काउ. निवात. विवात,
 की के. के. निवात के पत्रावधि विवात तो
 उक्त के कायेन कि आदेश के के कायेन
 का येन कायेन ताकील यदि न हो तो फं.
 निवात कायेन के निवात कोन पर आदेश
 कायेन विवात का पत्रावधि

नयेसरात के, आदेश निवात,
 निवात की पत्रावधि, पत्रावधि, पत्रावधि,
 पुर्वी पत्रावधि का पत्रावधि कोन के लेका
 कायेन आदेश के पत्रावधि कायेन कायेन
 इकाय के लिंक के आदेश कायेन
 उक्त कायेन निवात के पत्रावधि कायेन
 गृह निचम आदेश के उक्त आदेश कायेन

पुर्वी

आधुनिक के जैसे सुदूर की गोपनीयता को
 स्थापित करने के लिए कि वह आदेश की एक
 प्रति आधुनिक की ओर से प्रकाशित, तो
 उन्होंने बताया कि पिता जी नहीं हैं, बल्कि पिताजी
 जी हैं, और उनके पिताजी के अनुभव को
 कोई प्रकाशित नहीं कर रहा है।

उनको मेरे द्वारा यह बताया गया कि यदि
 काय विलेन कावरीय पर को प्रकाशित नहीं करेगा
 तो निश्चय ही वह निश्चयतापूर्वक दस्तावेज पर
 यह पर प्रकाशित कर देंगे। फिर
 भी पर प्रकाशित है मल्लिकार्जुन पर
 आधुनिक के उपरोक्त निष्कर्ष निष्कर्ष
 पर, उक्त कावरीय पर-164वें की हस्ताक्षरित
 फोटो फिलॉसॉफी के द्वारा प्रकाशित, कवर
 प्रकाशित, कावरीय पर फोटो प्रकाशित,
 जो मूल रूप से कुछ कावरीय लेखन हेतु प्रकाशित
 है।

की गोपनीयता ने दौरान बताया
 यह बताया कि उनके पिता जी ने दिल्ली
 में अपने निवास पर उनसे नहीं देखा
 है, इसलिए वह का पता वे नहीं बता
 सकते।

आपका अनुरोध प्राप्त हुआ।
 दिनांक. २७/१२/६८
 २७/१२/६८
 २७/१२/६८

पृष्ठ

डालि अमीबार
 प्रवर्तन / ललकेश
 17. वि. 9. ललकेश

कृपया अपने पत्रों के मूल्य देने के लिए 29.6.88 को
 कालेन के, लिखे जाते हैं। महामंत्री हुए थे कि यह
 लिखित रूप में पत्रों के 2415/VI - P.S. - 2-820/57

देने के लिए 20.6.88 को लिखित की गई फोटो को देते
 हुए जी. के. महामंत्री डालि अमीबार, के स्वयं
 लिखा पत्र उनके मिलने पर लकील केय. गो. के

काज लय के डालि अमीबार हजादी
 निरीक्षण की वी. एच. की अक्षर, की एक प्रार्थना,
 प्रवर्तन लो. व ललकेश के जी. व की महामंत्री
 नरीर, उप निरीक्षण (सुरक्षा) 17. वि. 9. ललकेश
 के के हजादी ललकेश के ^{सुरक्षा जी. व} प्रार्थना के अन्तर्गत

पत्र को अक्षर के ललकेश - महामंत्री
 महामंत्री, पी. के. महामंत्री वगैरे, अन्तर्गत पत्रों को
 उनके कोर्ट में की महामंत्री के अक्षर अक्षर ललकेश
 को की महामंत्री अक्षर एच. पी. महामंत्री है लिखित

बुद्धि पर वपत हुआ कि को जी. के. महामंत्री अक्षर
 अक्षर नहीं आते हैं, लिखित महामंत्री के अक्षर
 को अक्षर है, परन्तु कोई ललकेश नहीं है नहीं
 मिले। वे लय 3-4 दिन के ललकेश को अक्षर

के अक्षर अक्षर पत्र, उनके कोर्ट में के अक्षर
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 के कोर्ट में की महामंत्री अक्षर ने महामंत्री अक्षर
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 अक्षर है। हादी

(कृपया 30)

प्रार्थना

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કોઈ કુટુંબમાં,

(1. वि. व. - ललित)

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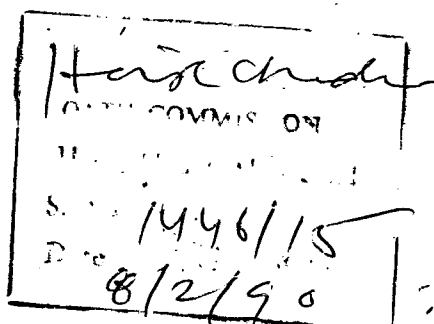
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Dr. R. H. (1987)

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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.

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.



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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 is 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 ofin 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.

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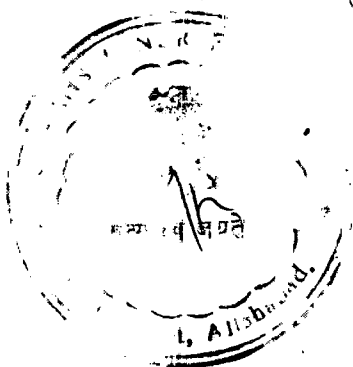
2.2 The same procedure outlined in para 2.1 above will be followed by the subsequent Departmental Promotion Committees convened till the disciplinary case/criminal prosecution/investigation pending or contemplated against the Government servant concerned is concluded.

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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.

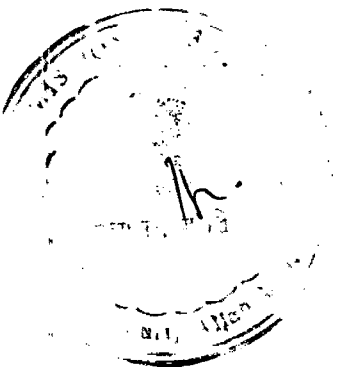
4. It is necessary to ensure that the disciplinary case/criminal prosecution/investigation instituted against any Government servant is not unduly prolonged and all efforts to finalise expeditiously the proceedings should be taken so that the need for keeping the case of a Government servant in a sealed 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 paras 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 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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- 6 -

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.

Handwritten: 1446/15
8/2/90

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

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

O.A.NO. 520 of 1989

G.K. Shukla - - - - -Applicant 107

Versus

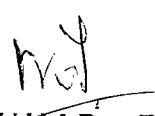
State of U.P. & others- - - - -Respondents

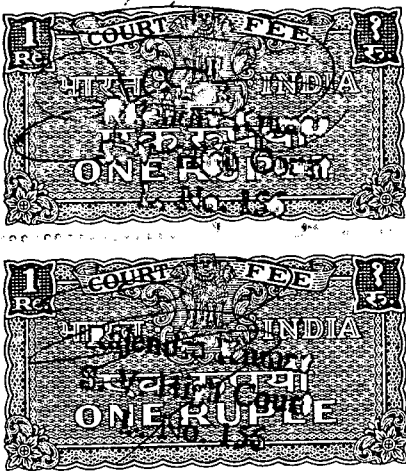
GOVERNMENT OF UTTAR PRADESH
HOME (POLICE SERVICES) SECTION-2

NO. 693/VIII-PS-2- 1990

LUCKNOW. DATED, 8th February, 1990

Sri Yogendra Deo Singh, U.D.A. Home (Police-Services) Section-2 U.P. Secretariat, Lucknow has been authorised to file counter affidavit in O.A.No.520 of 1989 G.K. Shukla Versus State of U.P. & others in the Central Administrative Tribunal, Allahabad Bench, Allahabad.


(SANT KUMAR TRIPATHI)
HOME SECRETARY
GOVERNMENT OF UTTAR PRADESH
LUCKNOW



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
Received a Registered Insurance
पानेवाले का नाम
Addressed to
बीमा की रकम (अंकों में)
Insured for Rs. [in figures]
बीमा शुल्क रु. 17
Insurance fee Rs. 17
भेजनेवाले का नाम व पता
Name and address of sender
उत्तराखण्ड निर्देशिका में दी गई
शर्तों के अधीन जारी की गई
Issued subject to terms and
conditions in P.O. guide

Date



of 1989

.....Petitioner

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. Duffharam 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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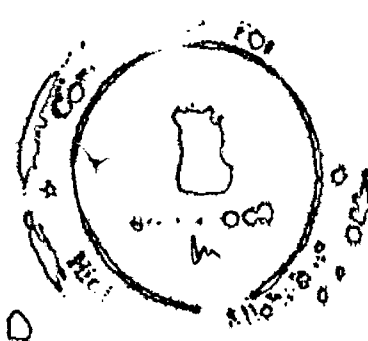
-2-

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.

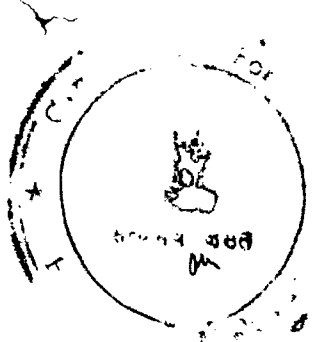
4. That in reply to the contents of para 3(a) to (d) of the counter affidavit it is stated that the allegation with respect to chargesheet dated 20th June 1988 and its service upon the petitioner are patently false, concocted and hence are denied. In reply thereto it is submitted that the petitioner 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 benefit 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.

K. Shukla

7- That thereafter the respondent no.1 issued order dated 24.1.1989 sanctioning only provisional pension ^{to} 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 ^{have} 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 ^{as the} 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 ^{no reality and hence} 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 ^{applicant's} 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:

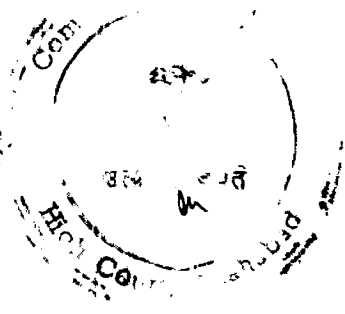
"39- Thus our conclusions are

.....

(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 ~~and~~ 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- In reply to 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 averments 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 12, 13, 14, 15, 16, 17, 18, 19 and 20 of this affidavit are true to my personal knowledge and those of paras 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 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-10-

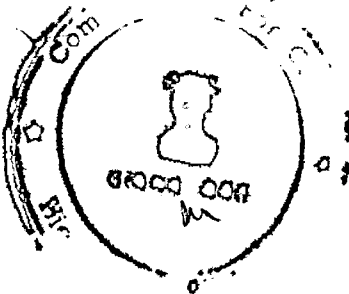
I, Lalleo Singh clerk to Sri SUDHER AGARWAL ADVOCATE HIGH COURT ALLAHABAD do hereby declare that the person making this affidavit and alleging himself to be Sri G.K. Shukla is the same person who is known to me from the perusal of record.

Lalleo Singh

2.4.90

Solemnly affirmed before me on the 2nd day of ^{April} ~~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

<p><i>Amala</i></p> <p>R. Jesh Kumar Kato</p> <p>Advocate</p> <p>OATH COMMISSIONER</p> <p>High Court Allahabad</p> <p>Date... 2.4.90</p> <p>S... 66/125</p>

L. K. Singh

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:-

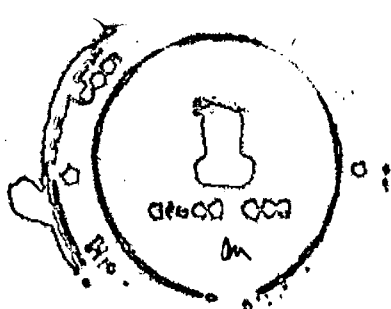
Dr. G.K. Shukla, IPS,
Supdt. of Police U.P.S.E.B.
Lucknow (Retired)

To,

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

Sir,

I have to submit that I have retired on super-



[Handwritten signature]

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- 2 -

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

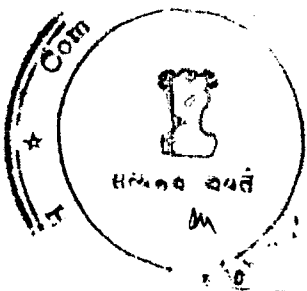
12.8.88

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



Anwar
Rajesh Kumar Rai
Commissioner
High Court, Allahabad
Date: 24.9.88
Sr. No. 66/125

16/8/88

बीफोर सेण्डल एडमिनिस्ट्रेटिव ट्रिबुनल एट इलाहाबाद ।

एनेक्तर नं०॥ आर.ए.-2॥

इन

ओ० ए० सं० 520 आफ 1989

डा०जी०के० शेखला-----पिटीशनर

बनाम

स्टेट आफ यू०पी०

एण्ड अदर्स-----रेस्पों०

प्रेषक:-

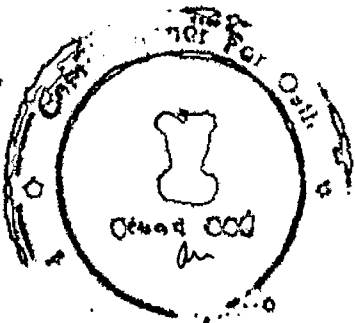
पुलिस महानिदेशक,
उत्तर प्रदेश ।

सेवा में,

संयुक्त सचिव, उ०प्र०शासन,

ग्रह पुलिस सेवाये॥ अनुभाग-2॥,

लखनऊ ।



16/11/88

पत्रांक:- डीजी-1-33॥1॥-88 दिनांक लखनऊ अक्टूबर 7, 1988

- 2 -

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।

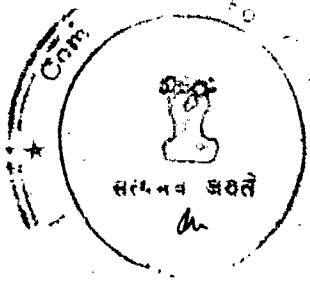
2- अनुरोध है कि डा०शुक्ला दिनांक 30-6-88 को सेवा निवृत्त हो गये है। कृपया पेशन/उपादान आदि के सम्बन्धित शासकीय स्वीकृति शीघ्र जारी कराने का कष्ट करें।

भवदीय

॥ एस० एस० नेगी ॥

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

/s/...

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- 3 -

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 निवृत्त 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 ।

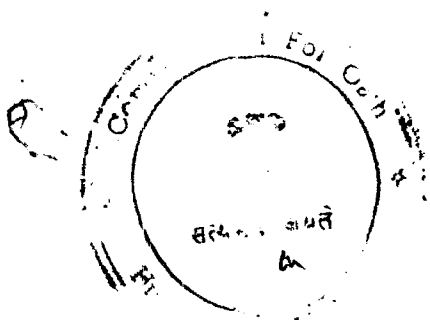
ह०/-

§ एस० एस० नेगी §

कृते पुलिस महानिदेशक एवं
पुलिस महानिरीक्षक उ०प० ।

सत्यप्रतिलिपि ।

Rajesh Kumar Kalra
Rajesh Kumar Kalra
Advocate
OATH COMMISSIONER
High Court Allahabad
Date.....24.9.90.....
S. N. 66/125



Rajesh

बीफोर सेन्दल एडमिनीस्ट्रेटिव ट्रिबुनल एट इलाहाबाद ।

एनेक्टर नं०॥ आर.ए.-3॥

इन

बी० ए० नं० 520

आफ 1989

डा० जी० के० शुक्ला ----- पिटीशनर

बनाम

स्टेट आफ यू०पी०

एण्ड अदर्स ----- रेस्पों०

प्रेषक,

पुलिस महानिदेशक,

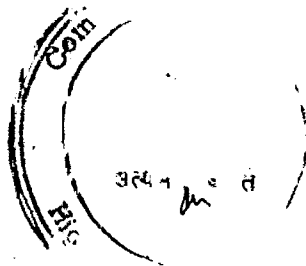
उत्तर प्रदेश ।

सेवा में,

संयुक्त सचिव उ०प्र०,

शासन गृह पुलिस सेवाये॥ अनुभाग-2॥

लखनऊ ।



Handwritten signature

124

- 2 -

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

महोदय,

कृपया इस मुख्यालय के संमसंख्यक 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।

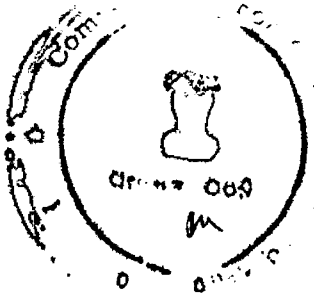
2- उपरोक्त के सम्बन्ध में सम्बन्धित अधिकारी के पक्ष में

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

- 3 -

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,

सैनिक-उक्त-एक

ह०/-अपठनीय

॥ त्रिनाथ 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
वार्जित अवकाश देयत 1 लोटती डाक से उपलब्ध कराने का कष्ट करें।

2- डा०जी०के०शुक्ला आई०पी०एस० सेवानिवृत्त-बी-2/63

इन्दिरानगर, लखनऊ को सूचनार्थ प्रेषित ।



Refesh Kumar

सत्यप्रतिलिपि ।

Refesh Kumar
Refesh Kumar P.S.
Commissioner
U.P. POLICE
Lucknow
Date....2.4.90.....
S. No....66/125

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.)

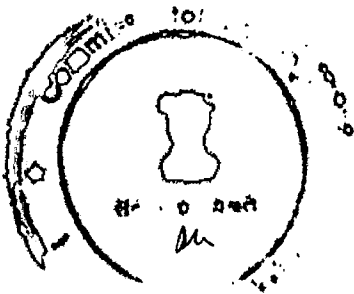
To,

The Secretary,

Home Department,

U.P.Govt. Annexe Bhawan,

Lucknow.



h. Shukla

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.

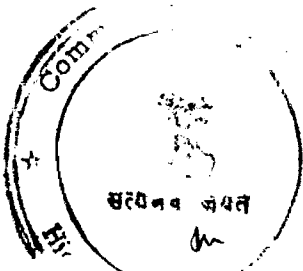
1. Pension payment order with 1/3 amount for commutation and payment order for the commuted amount of pension.
2. Final withdrawal of G.P.F. No.36051 contributed by me on usual terms.
3. Enchashment of earned leave due to me as it stood on 30.6. 88 in my credit.
4. Payment order for gratuity.
5. I have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

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.



/s/ H. K. Sharma

129

- 4 -

Yours faithfully,

sd/-

(Dr.G.K.Shukla)

1/9, Vikas Khand, Gomti Nagar,

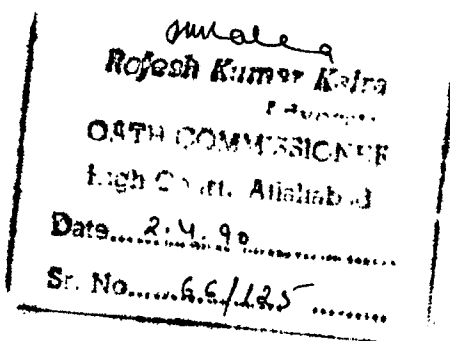
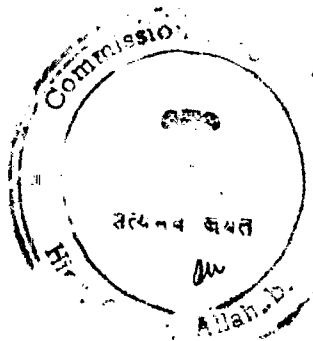
Lucknow. 27.12.88

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 rec-
eived by me.

Inspected

.....

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.

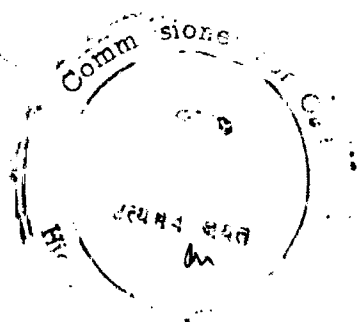
To,

The Secretary,

Home Department,

U.P. Govt., Annexe Bhawan,

Lucknow.



G. K. Shukla

131

- 2 -

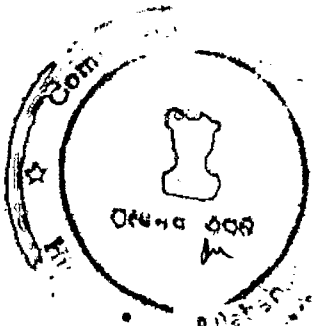
No. 60-pers(90-88)

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



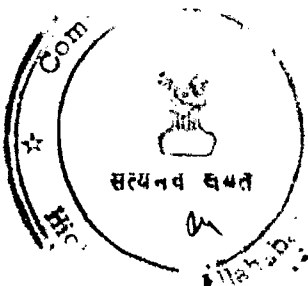
Handwritten signature

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

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,

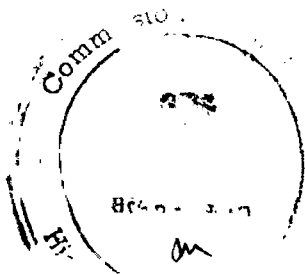
sd/-

(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.



6/11/88

True Copy

Amal
Pooja Kumar Kalra
Advocate
OAT
High Court, Allahabad
Date.....24.9.88.....
S. 66/125

बीफोर सेण्डल एडमिनिस्ट्रेटिव ट्रिब्यूनल एट इलाहाबाद ।

अनेक्वर नं०॥आर.ए.-6॥

इन

ओ० ए०

नं० 520

आफ 1989

डा०जी०के०शुक्ला-----पिटीशनर

ब नाम

स्टेट आफ यू०पी०

एण्ड अदर्स-----रेस्पो०



डा० के०जी०शुक्ला,

आई०पी०एस०॥सेवा निवृत्त॥

1/9-विकास खण्ड, गोमतीनगर ।

लखनऊ ।

कृपया अपने पत्र संख्या सी०ओ०-पर्स/6088 दिनांक

27-12-88 का संदर्भ लेने का कष्ट करें जो पेशन /उपादान

आदि की स्वोक्ति के विषय में है ।

1/6 Shweta

135

- 2 -

2- संदर्भित प्रसंगमें निर्देशानुसार अवगत कराना है कि
आपको पेशन/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

h. K. K.

सत्यप्रतिलिपि ।



<i>h. K. K.</i>	
Rajesh Kumar Kalia	
Adv. &c.	
C. No.	66/125
F. No.	66/125
Date... 2.4.90	
Sr. No... 66/125	

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बीफोर सेण्ट्रल एडमिनिस्ट्रेटिव ट्रिब्यूनल एट इलाहाबाद ।

स्नेक्चर नं० आर. ए. - 7१

इन

ओ०ए० नं० 520/89

डायरेक्टर प्रोटेक्शन ऑफ बिल्डिंग्स - पिटीशनर

बनाम

स्टेट आफ यू०पी० एण्ड

अदालत - रैस्पॉन्डेंट

संख्या 3१2१/आठ-यु०से-2-524१6१/88

प्रेषक,

रजनी कान्त भुदगल

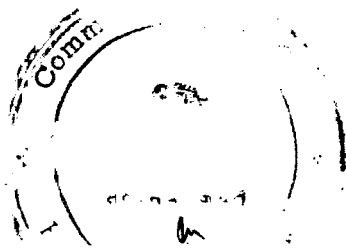
उप सचिव,

उत्तर प्रदेश शासन,

सेवा में,

महालेखकार लेखा-2

उत्तर प्रदेश, इलाहाबाद



[Handwritten signature]

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

137

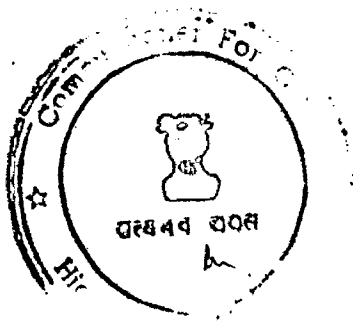
-2-

महोदय,

मुझे यह कहने का निदेश हुआ है कि श्री धनप्याम कृष्ण शुक्ल, आई० पी० एस० 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 शत प्रतिशत धराराशि की स्वीकृति प्रदान की जाती है।

2. श्री शुक्ल की 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 शासक को अवगत करायें।



[Handwritten signature]

भवदीय,

श्रीरजनी कान्त भुदगल १

उप सचिव।

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- 3 -

संख्या 3838/आई-पु0से0-2-524868/88

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 ।

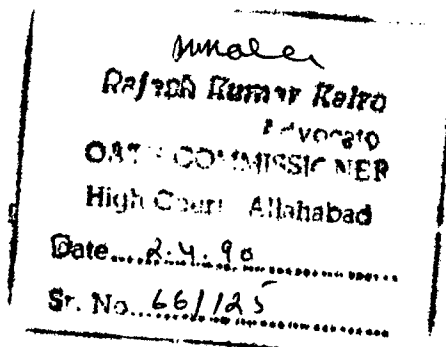
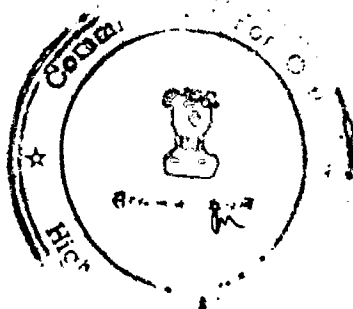
आज्ञा से

ह0/-अस्पष्ट

रजनी कान्त मुद्गल

उप सचिव ।

सत्यप्रतिलिपि ।



3 (1) of 1991 it will be
and put up before Hon'ble
Court for orders
on the date fixed
D. R.
11/7

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD

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
abovenamed 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.

Dr. G. K. Shukla

[Signature]

*अनुचित
30-3-91*

*filed today
Rest on the
Jain
11.7.91*


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-2-

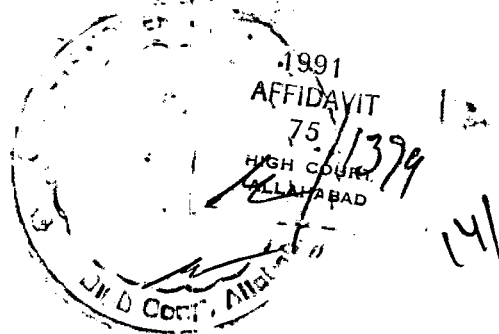
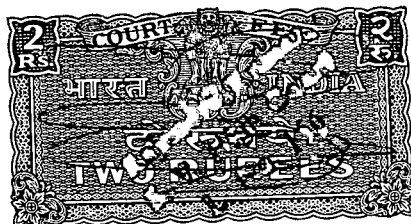
P R A Y E R

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/ ~~1002~~ 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.ShuklaApplicant

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 Dukhharan 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 ^{Kak} 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 ^{Kak} 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 ^{under the schedule} under U.P. State IPS Cadre and hence the assertions of respondents no.1 and 3 in respect to Sri Tilak ^{Kak} 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 Jodh Singh Bhandari and Sri Devendra Prasad, officers of 1970 year of allotment junior to the applicant were promoted to the post



K. S. L. ...

-3-

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 ^{as} 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 ^{Kak} ~~Cock~~ and Sri D.K.PANDA were officers of 1971 year of allotment and Sri Devendra Prasad and Sri Jodh ^{Wase} Singh ^h Bhandari 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 promotee 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.



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I, the deponent abovenamed do hereby declare that the contents of paras 1, 2, 5 of this affidavit are true to my personal knowledge and those of paras 3, 4 are based on the perusal of record and those of paras 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.

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
Scheenat

Laloo Singh

may Solemnly affirmed before me on the 1st day of April 1991 at 9.10 a.m./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
25/1329
11/5/91

G. K. Shukla

149

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

146
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

U/C

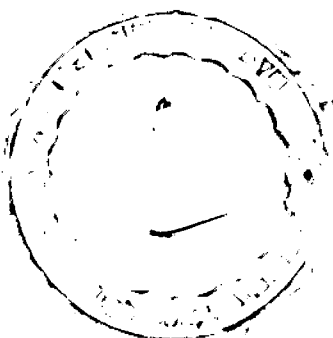
JODH SINGH BHANDARI IPS (1970) COMPAC XXXXI GZB IS PROMOTED AS
OFFG. DIG AND POSTED AS ADDL. COMMISSIONER, FOOD & CIVIL SUPPLIES
CUM-DIG AT LKW VICE CHAMAN LAL PRADYOT IPS (1962) PROMOTED AS OFFG.
IG AND POSTED AS DIRECTOR, PROSECUTION DIRECTORATE UP LKW/.)
BOTH OFFICERS SHOULD HAND OVER CHARGE AND TAKE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

CRASH

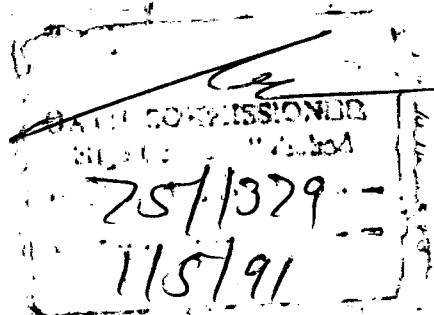
Int. Sec. 358
(Y.S. SAXENA)
IG (PERS) UP

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)
- 9/7/88*



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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..

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G. K. Shukla

contd.2

(2)

Jun. 2 149

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

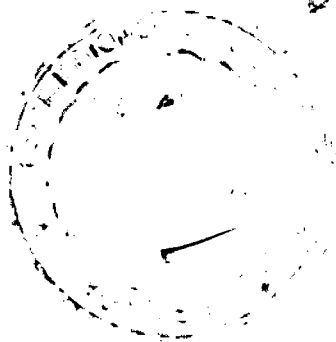
DEVENDRA PRASAD ITS (1970) SP VIGILANCE ESTT. LKW IS PROMOTED
AS OFIC. DIG AND POSTED AS DIG POLICE TRG. SCHOOL GKR HQ AT
LKW (.) SHOULD HAND OVER AND TAKE OVER HIS NEW ASSIGNMENT
IMMEDIATELY---

CRASH

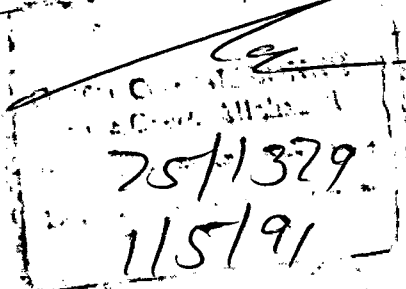
(Y.N. SAXENA)
IG (PERS) UP

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)



Shukla



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

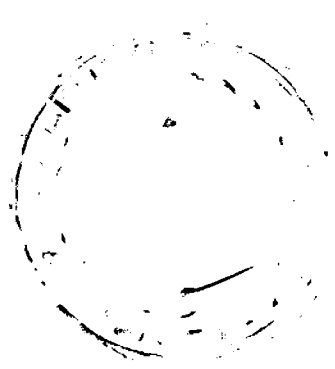
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contd.2



Shukla

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 Kishor	" "
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.	Maresh 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	" "

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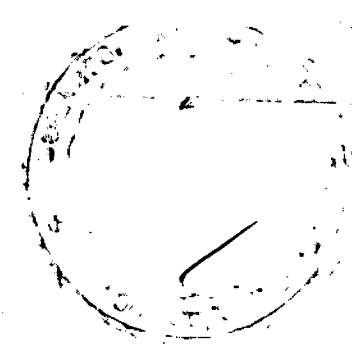


152

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 Sharan	" "
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	" "

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153

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-ingh	" "	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	" "

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157

Sl. No.	Name of officer	Year of allotment	Sl. No.	Name 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.	P.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 Shankar	" "	197.	A.B.Lal	" "
172.	K.B.Srivastava	" "	198.	P.P.S.Sidhu	" "
			199.	B.L.Yadav	" "

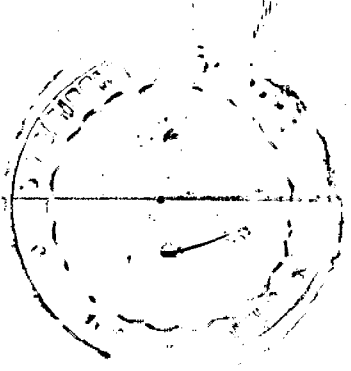
Asst. Secy



185

Sl. No.	Name of officer	Year of allotment	Sl. No.	Name of officer	Year of allotment
	S/Sri			S/Sri	
200.	V.C.Ghel	(RR 1975)	228.	R.L.Ram	(RR 1976)
201.	D.N.Samel	" "	229.	K.R.Negi	" "
202.	D.K.Sharma	" "	230.	Ramesh Sahgal	(RR 1977)
203.	B.P.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.Sapath	" "
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	" "

h. Shukla

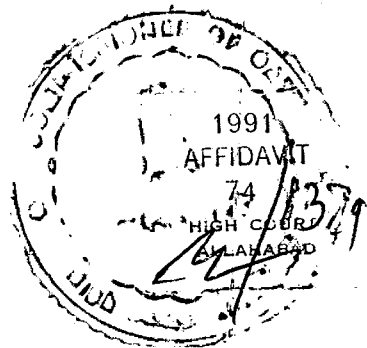
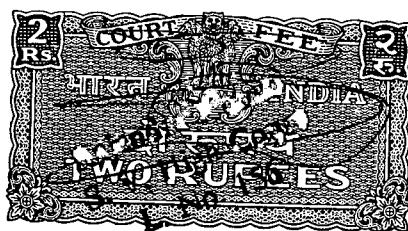


158

Sl. No.	Name of officer	Year of allotment	Sl. No.	Name of officer	Year of allotment	
	S/Sri			S/Sri		
256.	S.K.Misra	(RR 1977)	284.	Kamlendra Prasad	(RR 1981)	rs bur
257.	S.K.A.Rizvi	(SPS 1977)	285.	Vijay Singh	" "	y Int Home
258.	P.N.Dwivedi	" "	286.	S.K.Bhagat	(RR 1982)	sonnel Mutments 110011
259.	R.S.Rana	" "	287.	Parween Singh	" "	ice, th Block
260.	H.P.Shukla	" "	288.	S.K.Shukla	" "	
261.	Shekhar Sinha	(RR 1978)	289.	V.K.Gupta	" "	
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	" "	icer, Industry tella.
266.	Kashmir Singh	" "	294.	R.R.Bhatnagar	" "	Road,
267.	Bijendra Singh	" "	295.	O.P.Singh	" "	
268.	A.L.Banerji	(RR 1979)	296.	Gurbachan Lal	" "	[, 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	" "	

Shukla





SO. 3
Keep on record
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.के.शुक्ला vs. राज्य उत्तर प्रदेश और अन्य
State of U.P. and others-----Respondents

Affidavit of Dr.G.K.Shukla
aged about 62 years Son of
Sri S.P.Shukla, Resident of
Village Dulkharan Nath, Gonda

(deponent)

I, the deponent abovenameddo
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 .



Dr. G.K. Shukla

Dr. G.K. Shukla

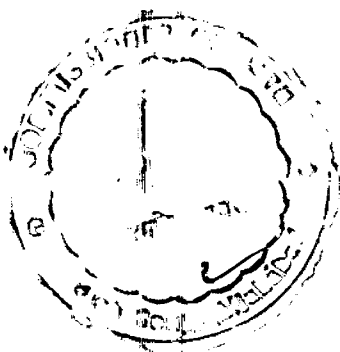
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-2-

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. Singh
Deponent



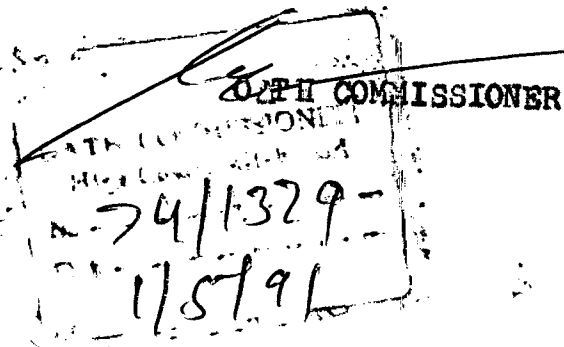
I, Laloo Singh clerk to Sri
GUDHIR AGARWAL ADVOCATE HIGH COURT ALLAHABAD do
hereby declare that the person making this
affidavit and alleging himself to be Sri Dr.
G.K.Shukla is the same person who is known to
me from the perusal of record

Laloo

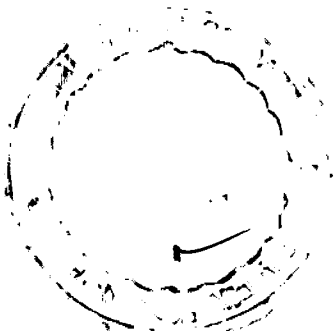
A.T.D of
Deponent

Solemnly affirmed before me on the 11th
day of May 1991 at 9:50 am/pm 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.



G.K.Shukla



161

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

ANNEXURE' SRA 1'

in

Supplementary Rejoinder Affidavit

in

O.A. no. 520 of 1989

Dr.G.K.ShuklaApplicant

Vs.

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

..

..

..

...



Shukla

contd.2

RADIOGRAM

TO : J.S. BHANDARI COMFAC 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 B/H)

FROM : DGP UP LKW

NO. 21-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
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

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

L. Shukla

74/139
1/5/91

163

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

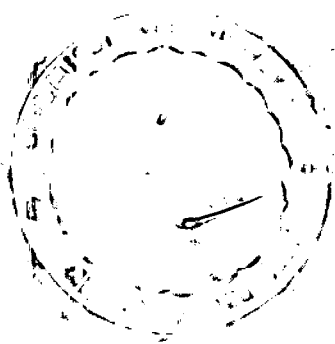
..

..

..

..

contd .2



Dr. G. K. Shukla

Ann. 2
169

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 : DCE UP LKW

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

4/5

U/G

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

GRASH

[Signature]
(Y.N. SAXENA)
IG (PERS) UP

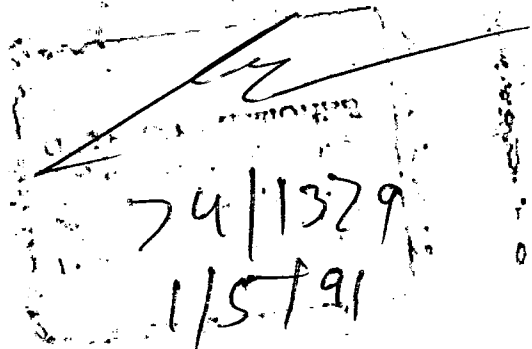
...

Copy forwarded for information to:-

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



Lucknow



165

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 ^{suppl.} 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

167

10, Clive Road
Civil Lines, Allahabad

Dated 31.7.91

In The Central Administrative Tribunal
Allahabad

O.A. no 520^{452/} 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

168

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

To,

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

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

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

Filed today

OK
28/5/92

169

-2-

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

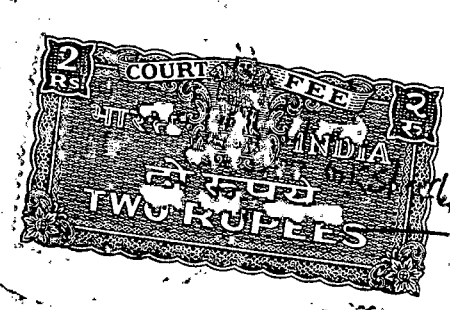
WHEREFORE on the facts stated in ~~the accompanying~~ ^{application} affidavit it is most respectfully prayed that the above case be remain pending at Hon.Allahabad bench of the Tribunal and be heard at Allahabad and as the file has been sent by Hon.Allahabad bench of the Tribunal to Lucknow bench without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

Dt/ 20th April 1992

Justice K
~~Case for the~~ ^{20/4/92} Applicant

170

1992
AFFIDAVIT
11/27/92
ALLAHABAD



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
LUCKNOW BENCH LUCKNOW

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
- Mr. Dinku Baran Nath
- Gonda, U.P.
- (deponent)

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

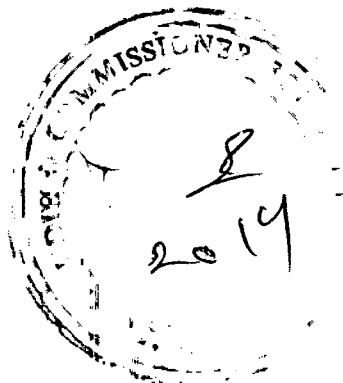
1- That the deponent is ~~looking after~~
the applicant in the instant case and as such
he is fully conversant with the facts of the case
deposed to below.



G. Shukla

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 28.2.1978 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 pursuing 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 ripe up for final disposal since 1990. Even though Hon.Vice Chairman was pleased to allow the expedite application for early disposal of the case.



25/11/19

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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-3-

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 persuation 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.



Refused

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.

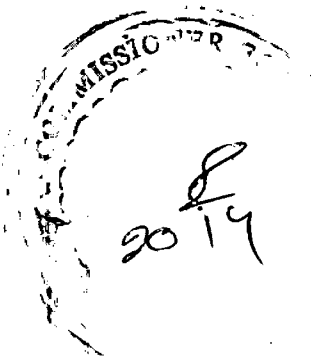
173

-485

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.



L. Shukla

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-5-

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.

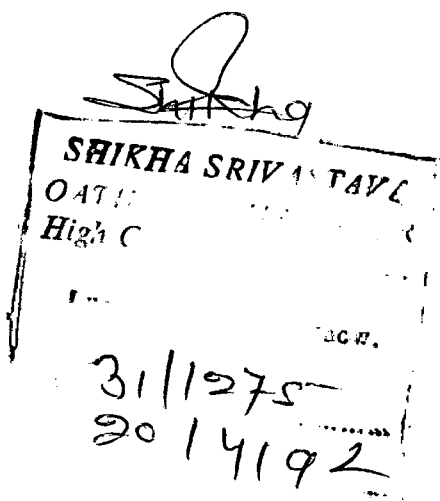
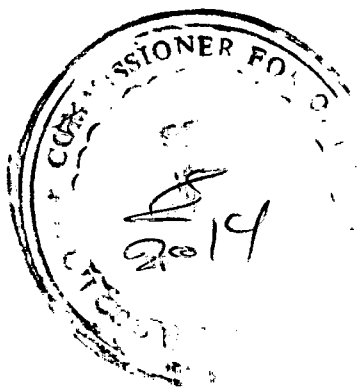
G. Shukla
DEPONENT
20/4/92
Clerk to

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 20th day of 20 April 1992 at 2²⁰ a.m/p.m who has been identified by *R. Kumar* 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



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 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 sheweth :-

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
Sudhakar
13/12/91



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(Chandra Prakash)
Advocate,

Counsel for the Respondent No.2&3

Dated: 13.12.1991.

9

ब अदालत श्रीमान्

[वारी] अपीलान्त

महोदय

प्रतिवादी [रैस्पान्डेन्ट]

श्री

का

वकालतनामा

177

टिकट

वादी (अपीलान्त)

जी० के० शुक्ला

बनाम भारत सरकार तथा अन्य प्रतिवादी (रैस्पान्डेन्ट)

0A

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

26/8/92

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 तसदीक 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

जी० के० शुक्ला

(जीवेश नन्दन)

साक्षी (गवाह)

26-8-92

सप्रेम वार्डन, गृह (पुलिस सेवायें) - 2

साक्षी (गवाह)

संयुक्त सचिव, गृह

उत्तर प्रदेश शासन

दिनांक

26-8-92 महाना

सन् १६८

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

स्वीकृत

Accepted
Anand Kumar
26/8

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH.

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, abovesaid 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

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

" क्रम सं० ५३/५.पर/१ अंकित अधिकारी डा० घनश्याम कृष्ण शुक्ला, आई० पी०एस० ॥एस०पी०एस० ॥-१७० के सम्बन्ध में चयन समिति अवगत हुयी कि ९ जनवरी, १९८८ 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। ९ जनवरी, १९८८ की चयन समिति ने डा० शुक्ला के प्रसंग में अपनी संस्तुति बन्द लिफाफे में रखी थी। डा० शुक्ला द्वारा केन्द्रीय प्रशासनाधिकरण, इलाहाबाद में दायर याचिका पर पारित आदेश दिनांक १९ जनवरी, १९८८ द्वारा उन्हें दिये गये दण्ड को set aside कर दिया है। उक्त आदेश के परिप्रेक्ष्य में डा० शुक्ला के प्रसंग में चयन समिति द्वारा बन्द 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 सेलैशन 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 बन्द 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

AM

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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)."

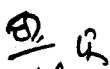
4- That the above orders of this Hon'ble Court were ~~by~~ confirmed on 20.2.90.

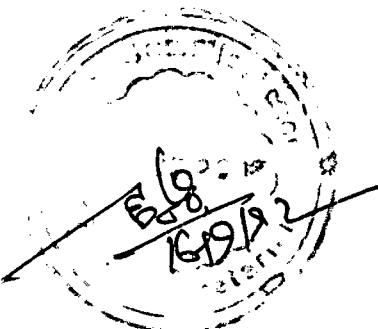
5- That the State Government filed its reply/counter affidavit in the aforesaid O.A. on 9.2.90 and since then the case is pending final hearing and consequently the case of the applicant could not be considered again in compliance of the judgment dated 9.2.88 in O.A.No.822 of 1987.

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


(DEPONENT)

LUCKNOW


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:

DATED: *8/16* SEPT., 1992

I, Mahesh Chandra, 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.

[Signature]
16/9/92

6
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

182

Registration No. 520 of 1938

Appellant
Applicant

Dr G. V. Shunkle

Respondent

Versus

Govt

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 ordered issued to the applicant and today for District 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
Regd

0A520/90

⑪ 4.10.90 Honk. Nath. ve / Honk. Roman Am

On the adjournment appn.
of Sri Sudhis Agrawal cases adfn
to 11.12.90 for hearing ^{along with} ~~at~~ other
connected cases.

Jan
Buz

Agrawal - Jay

Am

(12)

11-12-90

Honible D.K. Jyoti

Honible Miss Usha Sharma

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

11/12

W

A.M.

Dec

11/12

(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.

W
A.M.

Dec
11/12

(SNG)

(14)

26/12/90

Hon. K. Nath, VC

Hon. A.B. Goshthi, AM.

case adj. to 30/4/91

11/12
B.C.

Not used
for hearing.

OA 520/90

Connect → OA 521/89

184

(15) 30-4-91

Hon K Math - VC
Hon A B Ganthu - AM

Put up for hearing
ON 31-7-91.

Sushil
Bor.

31-7-91

Hon. Mr. AB. Ganthu, 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

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH

04/7/89

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 ?
2. a) Is the application in the prescribed form ?
b) Is the application in paper book form ?
c) Have six complete sets of the application been filed ?
3. a) Is the appeal in time ?
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 ?
5. Is the application accompanied by B.D./Postal Order for Rs. 50/-
6. Has the certified copy/copies of the order(s) against which the application is made been filed ?
7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed ?
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ?
c) Are the documents referred to in (a) above neatly typed in double space ?
8. Has the index of documents been filed and paging done properly ?
9. Have the chronological details of representation made and the outcome of such representations been indicated in the application ?
10. Is the matter raised in the application pending before any Court of Law or any other Bench of Tribunal ?

Yes

Yes

Yes

Five sets.

Yes

-

Yes

Yes DD 534200 dt. 26/6/89 (50/-)

Yes

Yes

Yes

Yes

Yes

Yes

No

Particulars to be Examined

Emphasis as to result of examination

11. Are the application/duplicate copy/signed copies signed?
12. Are the copies of the application which are annexed to the application?
 - a) Identical to the original?
 - b) Defective?
 - c) Missing in annexes
13. Have the copies of the application bearing full addresses of the respondents been filed?
14. Are the given addresses the registered addresses?
15. Do the names of the parties stated in the copies tally with those indicated in the application?
16. Are the affidavits certified to be true or supported by an affidavit affirming that they are true?
17. Are the facts of the case mentioned in Item 10 of the application?
 - a) Concise?
 - b) Under distinct heads?
 - c) Numbered consecutively?
 - d) Typed in double space on one side of the paper?
18. Have the particulars for entering Order prayed for indicated with reasons?
19. Whether all the remedies have been exhausted?

Yes

Yes

Yes

No

Yes

Yes

NA

Yes

Yes

Yes

Yes

Yes

No

Yes

Submitted

Case is clear.

May be Registered & listed before Court on 04-7-1989.

29/6/89

S.O. (J)

Registration

187

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH ALLAHABAD.

expedite
Miscellaneous Petition No. 791 of 1990
In QA/PA No. S20 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
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 Dr. G.K. Shukla

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) 18-5-90 (in words)

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

16 day of 5 1990

(Signed) [Signature]

Advocate for the petitioner/
Respondent/Appellant.

Or

Petitioner/Respondent in
person.

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

SO(J)

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

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