

**CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW**

**INDEX SHEET**

CAUSE TITLE ..... *O.A. 163* ..... OF ..... *1989* .....

NAME OF THE PARTIES *Smt. Krishan Jaisi* ..... Applicant

Versus

..... *Union of ...* ..... 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 ..... *14/6/2011* .....

*12/c destroyed on 9.5.12*

Counter Signed.....



Section Officer/In charge

  
Signature of the  
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW

## INDEX SHEET

CAUSE TITLE O.A. No. 163/88 of 1992

Name of the parties \_\_\_\_\_

Smt. Krishna Jaisi

Applicant.

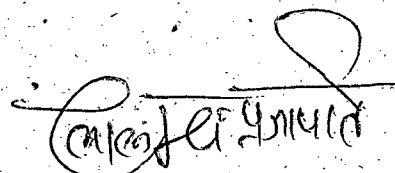
Versus.

Union of India & others

Respondents.

## Part A.B.C.

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21.05.92

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

11

Promotion

Registration No. \_\_\_\_\_ of 1989

APPLICANT(S) Smt. Krishna Jagan

RESPONDENT(S) DoG & others

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.O./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/referred 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 pagging done properly?
9. Have the chronological details of representation made and the out come of such representation 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 782417 dt. 12.7.1  
4 (50/-)  
yes  
yes  
yes  
yes  
yes  
No

12

Particulars to be Examined

Endorsement as to result of examination

- 11. Are the application/duplicate copy/spare copies signed? *yes*
- 12. Are extra copies of the application with Annexures filed? *yes*
  - a) Identical with the Original? *yes*
  - b) Defective? *—*
  - c) Wanting in Annexures *—*
- Nos. \_\_\_\_\_ pagesNos \_\_\_\_\_?
- 13. Have the file size envelopes bearing full addresses of the respondents been filed? *No*
- 14. Are the given address the registered address? *yes*
- 15. Do the names of the parties stated in the copies tally with those indicated in the application? *yes*
- 16. Are the translations certified to be true or supported by an Affidavit affirming that they are true? *NA*
- 17. Are the facts of the case mentioned in item no. 6 of the application? *yes*
  - a) Concise? *yes*
  - b) Under distinct heads? *yes*
  - c) Numbered consecutively? *yes*
  - d) Typed in double space on one side of the paper? *yes*
- 18. Have the particulars for interim order prayed for indicated with reasons? *yes*
- 19. Whether all the remedies have been exhausted. *yes*

Submitted  
13/7/89  
S O (J)

dinesh/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

A3

REGISTRATION No. 163 of 1989(1)

APPELLANT  
APPLICANT

Smt. K. Zafar

VERSUS

DEFENDANT  
RESPONDENT

U.O. & Co.

| Serial number of order and date | Brief Order, Mentioning Reference if necessary | How complied with and date of compliance |
|---------------------------------|--|--|
|---------------------------------|--|--|

Original order on main petition

Hon. D.K. Agarwal  
Admit. Issue notice, <sup>filed</sup> Reply within four weeks thereafter 2 weeks for rejoinder.  
Meanwhile promotions if any made to the post of Technical Assistant on the basis of priority list published by Song & Drama Division, Ministry of Information & Publicity, New Delhi dt. 10.3.89, shall be subject to the decision of this Tribunal in the case of Smt. Krishna Jafri vs U.O. & Co.

27/9/09

Hon. Justice K. Nath, VC. Member.  
Hon. K. Obayya, Am.

The applicant's counsel says that he has received a copy of the counters and requests for time to file rejoinder. Counsel for the opposite parties is not present and the counters is not on record. However on the request of the learned counsel for the applicant the case be put up for orders on 19-10-09 on which date the opposite parties will file counters and the applicant will file rejoinder.

OR - Notices were issued on 17.7.09. Neither reply nor any amended reply has been returned back so far. Submitted for order.

by 26/9

OR - As directed by the court's order dt. 27.9.09, no reply has been filed. Submitted for order.

by 10/10

Ne

Am.

VC

|                                 |  |  |
|---------------------------------|--|--|
| Serial number of order and date | Brief Order, Mentioning Reference if necessary<br><i>Car</i><br>Central Administrative Tribunal<br>Circuit Ben Lucicut | How complied with and date of compliance |
|---------------------------------|--|--|

21.12.89. O.A. No.163 of 1989 (L)  
Smt.Krishna Jafri Vs. Union of India & Others.

Hon. Justice Kamleshwar Nath, V.C.  
Hon. K.Obayya, A.M.

Shri Umesh Chandra for the applicant  
Shri V.K. Chaudhary for the opposite parties.

Arguments of both the parties heard.  
Judgement pronounced.

The petition therefore succeeds. The opposite parties are directed to consider the case of the applicant for regular promotion to the post of Technical Assistant and for that purpose to count the entire length of service of the applicant from 18.11.1968 whenever the question of promotion to the post of Technical Assistant arises. In case any appointment has been made to the post of Technical Assistant during the pendency of this petition in view of the interim order dated 13.7.89, the opposite parties will issue suitable amendment within six weeks on receipt of a copy of this order. Parties shall bear their costs. A short order of this judgement shall be issued within twentyfour hours.

*Recd of the order*  
*[Signature]*

*Recd by applicant*  
*21/12/89*  
*Required Judgment*

*[Signature]*  
Member (A)

*[Signature]*  
Vice Chairman

*Copy*  
*27/12/89*  
RKM

Dinosh  
*3'm Judge*  
*[Signature]*  
*19/1/90*  
*Hub*

AG

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH AT LUCKNOW.

Registration O.A. No.163 of 1989 (L)

Smt. Krishna Jafri ..... Applicant

Versus

Union of India & Others ..... Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.

Hon. K. Obayya, Member (A)

(By Hon. Justice K. Nath, V.C.)

This application under Section 19 of the Administrative Tribunals Act, 1985 is for a direction to the opposite parties to count her entire length of service commencing from 18.11.68 for the purposes of promotion to the post of Technical Assistant.

2. On 18.11.68 the applicant was appointed as a Receptionist in the scale of Rs. 130-300 in the Song and Drama Division of the Information and Broadcasting Division. On 20.3.72 she was confirmed as Receptionist.

3. On 26.8.78 she was sent on deputation to the Public Relations Department of the Haryana State Government. She was repatriated to the parent Department on 18.10.79.

4. In the meantime the post of Receptionist which was held by her was placed in abeyance on 1.1.79. It was ultimately abolished on 19.10.79. But in the meantime, the applicant having returned to the parent Department from deputation on 18.10.79, the

post of Receptionist in abeyance was revived for one day i.e. for 18.10.79 retrospectively by an order dated 3.3.81, Annexure-3 which order also sustained the post ~~in the~~ <sup>abolition</sup> order with effect from 19.10.79. In fact and in law, therefore, the applicant had held the post of Receptionist on 18.10.79. However, since the post of Receptionist was no more available from 19.10.79, the applicant <sup>had</sup> moved an application, Annexure-A2 dated 1.9.79 with a prayer to be absorbed as UDC in the scale of Rs. 130 - 300 in the Song and Drama Division with the statement that she had already officiated as UDC on transfer in the C & A Section since 1976. On 9.5.80 an order was issued by the opposite parties appointing her as UDC ex cadre with effect from 19.10.79 as a nominee of the Central (service staff) Pool in the Ministry of Home Affairs. The applicant protests to be treated as a nominee of the Pool and has contended that her appointment in the Department has remained continuous since repatriation on 18.10.79.

5. On 7.4.81, order Annexure-4 was passed placing the applicant on two years probation on the post of U.D.C. retrospectively from 9.5.80; that the order however was recalled by order dated 14.9.81, Annexure-5.

6. However the applicant continued to work on the post of U.D.C. The next promotion in line is to the post of Technical Assistant in the ~~scale~~ scale of Rs.210 - 425. The grievance of the applicant is

d

AS

that the opposite parties are not prepared to give benefit to her of the service rendered by her from 18.11.68 for the purposes of promotion to the post of Technical Assistant.

7. The case of the opposite parties is that services on the post of Receptionist and of the earlier period are not to be counted for seniority because she had become surplus on the abolition of the post of Receptionist. Her appointment on the post of U.D.C., according to the Department, would be treated as a new appointment and only that period of service would run for the purposes of seniority as is rendered in the post of U.D.C.

8. We have heard Shri Umesh Chandra, learned counsel for the applicant and Shri V.K. Chaudhary for the opposite parties and have gone through the record.

9. The stand of the opposite parties, that on account of the abolition of the post of the Receptionist the previous services could not be counted or that the applicant should be treated as surplus, does not seem to be sound. Although the post of Receptionist was kept in abeyance with effect from 1.1.79, it was revived on 18.10.79 even for a day since the applicant returned from deputation and therefore as on 18.10.79 she may ~~not~~ be considered to have continued to hold the post in continuity of her all past service. While on the one hand when the post of Receptionist <sup>was</sup> abolished with effect from 19.10.79, simultaneously she was appointed as U.D.C. and since then she has continued to work on that post.

B

10. The posts in question are governed by Song and Drama Division class III and IV posts, Recruitment Rules, 1969. The Rules framed under Article 309 of the Constitution of India state that they governed the method of recruitment to class III and class IV posts in the Song and Drama Division. Rule 3 states that <sup>the</sup> a number of posts, Classification and Scales under the Rules are those set out in the Schedule. Sl.No.3 of the Schedule describes the post of Technical Assistant in the scale of Rs. 210 - 425. Sl. No.7 mentions the post of U.D.C. in the scale of Rs.130 - 300. Sl.No.10 mentions the post of Receptionist in the scale of Rs.130 - 300. <sup>Certain</sup> ~~Some~~ features are apparent from these Rules. In the first place, the post of U.D.C. and Receptionist are in the same scale. Secondly, all these posts are governed by one set of Rules relating to the Division. On the face of it, all these posts would constitute the strength of the service and therefore the class III <sup>cadre</sup> of the service as defined in the Fundamental Rules. The mention in the order dated 9.5.80 that the applicant was appointed to the post of U.D.C. ex cadre would not make much difference. It is well settled that the Govt. have an inherent power to create a <sup>post</sup> ~~policy~~ or keep in abeyance any of the posts. If the post of U.D.C. on which the applicant is to be accommodated, was in addition to the strength under Rules and therefore was treated as an ex cadre post, it would, nevertheless, be a post within the Rules. This situation coupled with the fact that the applicant's entire length of service from

A10

18.11.68 to her appointment as U.D.C. on 19.10.79 with the intermediate stages of a staff reported on deputation with the Govt. of Haryana and one day's appointment on the post of Receptionist on 18.10.79 establishes a continuity of service in a class III  <sup>Cadre</sup>  ~~Cadre~~. It is well settled that continuous service in a  <sup>Cadre</sup>  ~~Cadre~~ counts for seniority which would be relevant for the purposes of consideration for promotion.


11. The concept of affording a new and fresh appointment as UDC is inconsistent with the action of the opposite parties in first placing the applicant on probation and then cancelling the probation. The learned counsel for the opposite parties tried to explain that because the applicant had been Receptionist and confirmed as Receptionist and because the scale of pay of the Receptionist was the same as the scale of pay of U.D.C., therefore it was not necessary to place the applicant again on probation for the post of U.D.C. and consequently the order of probation was cancelled. This condition only establishes the situation that the post of Receptionist and UDC has been treated at par and since they are all posts governed by the same set of Rules and must be held to be included in the same class III  <sup>Cadre</sup>  ~~post~~ in which all the posts are included, there is no reason why the benefit of the continuous length of service from the date of first appointment as Receptionist to the date of appointment as UDC and beyond, may not be given for the purposes of promotion to the next higher post.

12. The petition therefore succeeds. The opposite

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parties are directed to consider the case of the applicant for regular promotion to the post of Technical Assistant and for that purpose to count the entire length of service of the applicant from 18.11.68 whenever the question of promotion to the post of Technical Assistant arises. In case any appointment has been made to the post of Technical Assistant during the pendency of this petition, in view of the interim order dated 13.7.89, the opposite parties will issue suitable amendment within six weeks <sup>of</sup> ~~on~~ receipt of a copy of this order. Parties shall bear their costs.

Member (A)

  
Vice Chairman

Dated the 21st Dec., 1989.

RKM

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, U.P., ALLAHABAD.  
BENCH AT LUCKNOW.

Application No. 163 of 1989. (L)

Compilation No. 1

Smt. Krishna Jafri. .... Applicant

Versus

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

I N D E X

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| 2.      | <u>Annex No-6</u> Photostat of order dated 4th May 1989 of Director, Song & Drama Division, Ministry of Information & Broadcasting, New Delhi. | 10        |
| 3.      | <u>Annex No 7 &amp; 8</u> photostats of order <del>dated</del> dated 16-4-81 and 5-10-87.  | 11 to 12  |
| 4.      | <u>Annex No 9</u> photostat of seniority list dated 10-5-87.   | 13 to 15  |
| 5.      | Vakalat nama. <u>Sandeeprant</u><br>Advocate,<br>Counsel for the Applicant.  | -16-      |

Lucknow,

Dt. July 13, 1989.

T.C.  
Sandeeprant  
Adv

*Kafri*

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BEFORE THE CHAIRMAN, CENTRAL ADMINISTRATIVE TRIBUNAL,  
U.P., ALLAHABAD, BENCH AT LUCKNOW.

Claim Petition No. 163 of 1989. (L)

(1) Particulars of Applicant.

Smt. Krishna Jafri, aged about 45 years,  
W/O Sri Vilayat Jafri,  
R/O 34, Gulistan Colony, Lucknow.

..... Applicant

Versus

(2) Particulars of Respondents:

1. Union of India  
through Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhawan, New Delhi.

2. Director,  
Song and Drama Division,  
15/16, Daryaganj,  
New Delhi.

3. Deputy Director,  
Song & Drama Division,  
116-A, Faizabad Road,  
Lucknow.

..... Respondents.

(3) Particulars of orders against which against  
which application is made

1. Order dated 4th May 1989 passed by the Director,  
Song & Drama Division, Ministry of Information  
& Broadcasting giving ad hoc promotion to the  
applicant as Technical Assistant instead of  
regular promotion.

2) List, Wrong fixating <sup>the</sup> of seniority as per

Jafri

T.C  
Sandeep Raw  
Raw

A13

( 2 )

seniority list in the grade of Upper Division Clerks in Song & Drama Division as on 31st March 1989 communicated vide letter No. A 23023/6/09 Adm I dated 18th May, 1989 by the Director, Song & Drama Division, Ministry of Information & Broadcasting, 15/16, Subhash Marg, Daryaganj, New Delhi as a result of which the applicant has been shown at Sl.No. 11 instead of at Sl. No 1.

2. Memorandum dated 13.4.81 issued by the Deputy Director (Administration), Song & Drama Division, Ministry of Information & Broadcasting, Daryaganj, New Delhi.

Denial of promotion to the post of Technical Assistant / Accountant by the opposite parties on account of wrong fixation of seniority.

(3) Memorandum dated 5.10.1987.

(4) Jurisdiction of the Tribunal.

The applicant declares that the subject matter of the impugned order against which the present application is now filed is within the jurisdiction of this Tribunal.

(5) Limitation

The applicant submits that the present application under Section 19 of the Administrative Tribunals Act, 1985, is within the limitation as laid down under Section 21 of the Act, 1985, inasmuch as the impugned seniority list was published

*Sufri*  
*T. C.*  
*Sandeep Kumar*  
*deo*

A14

( 3 )

on 18th May 1989 against which the applicant filed a representation on 21.6.89. The applicant has not yet been communicated any decision on the representation dated 21.6.89 submitted by her against the wrong fixation of her seniority, but as more than three weeks have lapsed, the applicant presumes that the seniority list published by means of letter dated 18th May 1989 is final.

(6) Facts of the case.

The facts of the case are as under :-

1. That on 18.11.68 the applicant was appointed by the Director, Song & Drama Division, Ministry of Information & Broadcasting, New Delhi as Receptionist in Song & Drama Division, Ministry of Information & Broadcasting in the pay scale of Rs.130 -300. A photostat of the appointment letter dated 15.11.68 is being annexed as Annexure No-1 to this application.

Annex -1

2. That on 20.3.72 the applicant was confirmed on the post of Receptionist and a true copy of the order dated 20.3.72 passed by the Director, Song & Drama Division, Ministry of Information & Broadcasting is being annexed as Annexure No-2 to this application.

Annex-2

3. That the applicant discharged her duties efficiently, honestly and faithfully, and she continued to work on the post of Receptionist till 25.8.78.

*Super*  
*T.C.*  
*Sandooji*

MS

( 4 )

when she was sent on deputation to the department of Public Relations, Government of Haryana as a Staff Reporter.

4. That on 13.12.78, w.e.f. 18.10.79 (A.N) the post of Receptionist was kept in abeyance under a scheme of the Central Government and subsequently w.e.f. 19.10.79 the post of Receptionist was abolished, and, along with the post of Receptionist the posts of Store Keeper and Accounts Clerk were also abolished. The applicant was thereupon sent to the surplus cell in the Ministry of Home Affairs, Department of Personnel, Government of India, New Delhi. The applicant could not be sent to the surplus Cell inasmuch as the post was to be declared surplus and not the person holding it, and as such, the applicant was sent back to the Song & Drama Division, Ministry of Information & Broadcasting by means of order dated 3.3.81. A photostat of the order dated 3.3.81 is being annexed as Annex -3 Annexure No- 3 to this application.

Upon realisation of the mistake that the post was surplus and not applicant, the applicant was paid the salary for the entire period during which the post of Receptionist was kept in abeyance and later on abolished and the applicant was repatriated to the Song & Drama Division of the Ministry of Information & Broadcasting, New Delhi.

*Safar*  
*T.C*  
*Sandeep Singh*

5. That on 19.10.79 the applicant was given appointment as Upper Division Clerk in the Song &

A16

( 5 )

Drama Division of the Ministry of Information and Broadcasting. This appointment was on two years' probation as is mentioned in the order dated 7th April 1981 issued under the signatures of the Dy. Director ( Administration ); Song & Drama Division, Ministry of Information & Broadcasting. A photostat of the order dated 7.4.81 is being annexed as Annexure No-4 to this application.

Annex -4

6. That the applicant submitted a representation that she could not be placed on probation as she had already worked on probation as Receptionist and had been confirmed on the post of Receptionist. The representation of the applicant was allowed by means of an order dated 14.9.81 issued under the signatures of the Dy. Director ( Administration ), Song & Drama Division, Ministry of Information & Broadcasting and the two years' probation on the post of Upper Division Clerk was cancelled. A photostat of the order dated 14.9.81 is being annexed as Annexure No -5 to this application.

Annex -5

7. That from the post of Upper Division Clerk there is provision for 100% promotion to the post of Technical Assistant and Accountant as laid down in Song & Drama Division ( Class III & Class IV Posts ) Recruitment Rules, 1969 ( Schedule I - Class III post, Item Nos 3 and 4 ).

8. That the scale of pay of Receptionist and Upper Division Clerk is the same, that is, Rs. 130- 300 ( now revised w.e.f. 1.1.86 to Rs. 1200 - 2040 ).

*Supri*  
*T.C*  
*Sandoo*  
*Her*

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( 6 )

9. That the applicant has been working as Receptionist with effect from 18.11.68 and, on the basis of her seniority she was entitled to promotion to the post of Technical Assistant, but she has been denied promotion, and persons junior to her have been promoted as Technical Assistants and Accountants. These persons are Sarvsri S. C. Bhatia and Dayajeet Singh, who were Accounts Clerk and Store Keeper respectively and whose posts were also abolished w.e.f. 1.1.79. These persons have been given promotion as Accountant by counting their entire length of service as Accounts Clerk and Store Keeper. Denial of similar treatment to the applicant is discriminatory, arbitrary and violative of the provisions of Articles 14 and 16 of the Constitution.

10. That on 5.11.79, 21.1.81, 11th January 1985, 8th August 1985, 14th June 1986, 29th July 1987, 5th Sept. 1988 and 23.12.88 the applicant submitted representations for promotion to the post of Technical Assistant and on 4th May 1989 the applicant was given promotion to the post of Technical Assistant on ad hoc basis w.e.f. 8th May 1989 to 7th August 1989, or till the posts are filled up on regular basis, whichever is earlier. A photostat of the order

Annex -6

dated 4th May 1989 is being annexed as Annexure No -6 to this application. *It may be submitted that representations of applicant dated 21-1-81 & 29-7-87 were rejected by means of orders dated 13-4-81 and 5-10-87, same are annexed as Annexure 7 & 8 to this application*

11. That the applicant should have been given regular promotion and not ad hoc promotion to the post of

Contd....P 7/

*Suppl.  
T.C.  
Sundeep Bhatia  
T.A.*

A/S

( 7 )

Technical Assistant, but the applicant accepted the ad hoc promotion as Technical Assistant, and as the applicant has been denied regular promotion to the post of Technical Assistant, she is filing the present application, and again on 18-5-89 the respondents have circulated impugned seniority list which is being annexed here as Annexure 9

7. Reliefs sought

In view of the facts and circumstances mentioned herein before, the applicant prays for the following reliefs :-

- (i) This Hon'ble Tribunal may be pleased to direct the opposite parties to promote the applicant to the post of Technical Assistant on regular basis by counting her entire length of service commencing from 18.11.68 when she was appointed as Receptionist.
- (ii) This Hon'ble Tribunal may also be pleased to direct the Respondents to treat the applicant as the seniormost Upper Division Clerk and quash the seniority list dated 18th May 1989.
- (iii) This Hon'ble Tribunal be further pleased to direct the Respondents to suitably modify the order dated 4th May 1989 and to promote the applicant as Technical Assistant by giving her retrospective benefit of pay and seniority in a manner similar to Sarvsri S. C. Bhatia and Dayajeet Singh.

*Supri*  
*T.C.*  
*Sandesh*  
*for*

A19

( 8 )

(iv) This Hon'ble Tribunal may be pleased to grant such other relief as is considered just and proper.

(8) Interim order

The applicant prays that the respondents be directed to consider her case for promotion to the post of Technical Assistant for which the Departmental Promotion Committee is likely to meet on 17th July 1989.

(9) Details of the remedies exhausted

The applicant declares that she has availed remedies available to her by making representations from time to time.

(10) Matter not pending in any other Court

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law, or any other authority, or Bench of the Tribunal.

(11) Particulars of the Postal Order in respect of the application fee.

1. Number of Indian Postal Order... *DD... 702417*
2. Name of issuing Post Office... *G.P.O. dko*
3. Date of issue of Postal Order... *12-7-89*
4. Post Office at which payable... *G.P.O. Allahabad*

*T.C  
Sandeep Bhatt  
DA*

(12) Details of Index

An index containing the details of the documents has already been attached to this application.

(13) List of enclosures

As per documents given in the index.

V E R I F I C A T I O N

I, Smt. Krishna Jafri, W/O. Sri Vilayat Jafri, R/O 34, Gulistan Colony, Lucknow do hereby verify that the contents of paragraphs (1) to (13) are true to my personal knowledge and belief and I have not suppressed any material facts.

*Tc*  
*Sandeep Kumar*  
*Nau*

*Jafri*

Signature of the Applicant.

Place: Lucknow,  
Dt. July 13, 1989.

To

The Registrar,  
Hon'ble Central Administrative Tribunal,  
U.P., Allahabad, Bench at Lucknow.

*Jafri*

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No.32016/1/89-Admn.I  
Song and Drama Division  
Ministry of Information & Broadcasting

\*\*\*\*\*

15/16, Subhash Marg  
Daryaganj, New Delhi-110 002  
May 4, 1989.

ORDER

The Director, Song & Drama Division is pleased to promote the following officials purely on ad hoc basis with effect from 8th May, 1989 to 7th August, 1989, or till the posts are filled on regular basis, whichever is earlier. On their ad hoc promotions, the officials are posted in the same sections/centres, in which they are presently working:

| S.No. | Name, designation and present place of posting | Promoted to the post in the scale of pay of |
|-------|--|---|
| 1.    | Smt. Radha G. Nair, UDC, P&C                   | Technical Assistant<br>Rs.1400-2300         |
| 2.    | Shri Satish Arya, UDC, C&A                     | Technical Assistant<br>Rs.1400-2300         |
| 3.    | Smt. Janak Malhotra, Steno Gr.III              | Steno Grade II<br>Rs.1400-2300              |
| 4.    | Smt. Krishna Jafri, UDC, Lucknow               | Technical Assistant<br>Rs.1400-2300         |
| 5.    | Shri V.K. Sharma, Steno Gr.III<br>Bhopal       | Technical Assistant<br>Rs.1400-2300         |
| 6.    | Smt. Veena Dutta, LDC, AFEW                    | Upper Division Clerk<br>Rs.1200-2040        |
| 7.    | Shri M.S.Satrawala, LDC(Cashier)               | Upper Division Clerk<br>Rs.1200-2040        |
| 8.    | Shri J.C. Gulati, LDC, S&L                     | Upper Division Clerk<br>Rs.1200-2040        |
| 9.    | Shri J.V.Krishnamurthy, LDC, Hyd.              | Upper Division Clerk<br>Rs.1200-2040        |

2. The ad hoc appointment will not bestow on any of the above officials a claim for regular promotion to the grade they are promoted, the services rendered on ad hoc basis will not count for promotion to the next higher grade, they promotions would not be extendable and these will not be treated as precedent in any respect.

(Mohan Lal)  
Deputy Director(Admn.)

PTO

Safir  
T.C.  
Sandeep Singh  
Raw

No. A-12034/2/80-Adm. I  
Song and Drama Division  
Ministry of Information and Broadcasting  
\*\*\*

A22

15/16, Subhash Marg,  
Darya Ganj, New Delhi - 110002

Dated the 13th April, 1981

MEMORANDUM

With reference to her application dated 21.1.1981 in connection with her promotion to the post of Technical Assistant/Accountant, Smt. Krishna Jafri, U.D.C. is informed that it is not possible to consider her for promotion to the said post at this stage as she does not possess the requisite qualifications as prescribed in Recruitment Rules.

*Rauljalali*

( P.K. Jalali 13/4/81  
Deputy Director (Adm.)

Smt. Krishna Jafri,  
Upper Division Clerk,  
Song and Drama Division,  
New Delhi.

*Jafri*

*T.C.  
Sundar Singh  
14/4*

A23

No: A-32018/2/86-Adm. I  
Song and Drama Division  
Ministry of Information & Broadcasting  
\*\*\*\*\*

15/16, Subhash Marg,  
Darya Ganj, N. Delhi-110002

Dated 5th Oct., 1987

MEMORANDUM

Reference her application dated. 29.7.1987, regarding review of the Seniority List of the U.D.C.s in the Song and Drama Division, Smt. Krishna Jafri, U.D.C., Song and Drama Division Lucknow, is hereby informed that her representation has been examined sympathically, but it has not been found possible to give her the benefit of her past service as Receptionist, for the purpose of determining her seniority as U.D.C.

*(Signature)*  
4/10/87

( B. R. SARIN )  
DEPUTY DIRECTOR (ADMIN.)

✓  
Smt. Krishna Jafri,  
U.D.C.,  
Song and Drama Division  
LUCKNOW (Through D.D., Song and Drama Division, Lucknow).

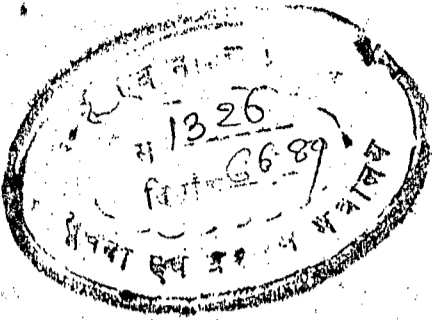
*Jafri*

*T.C.*  
*Sardeep Singh*  
*Secy*

13

A24

Annexure : 9




No:A-23023/6/89-Admn.I  
SONG AND DRAMA DIVISION  
MINISTRY OF INFORMATION & BROADCASTING  
\*\*\*\*\*

15/16,Subhash Marg,  
Darya Ganj,N.Delhi-110002

Dated 18th May,1989


SUBJECT:- Seniority list in the grade of Upper Division Clerks  
in Song and Drama Division as on 31.3.1989.

Please find enclosed a copy of the seniority list in the grade of Upper Division Clerks in Song and Drama Division as on 31.3.1989. It is requested that the seniority list may kindly be handed over to the concerned persons after obtaining their dated receipt. It is also requested that the particulars of Upper Division Clerks in respect of your region may kindly be checked thoroughly. In case any discrepancy either observed by Regional Centre or pointed out by the individual concerned in the seniority list, the same may kindly be brought to the notice of headquarters within three weeks from the issue of the seniority list, failing which the seniority list under reference will be treated as final.

  
( MOHAN LAL )  
DEPUTY DIRECTOR (ADMN.)

Copy to:

1. All Deputy Directors/Assistant Directors/Managers/Producers at Centres.
2. Each individual concerned.
3. All Sections at headquarters.
4. P.A. to Director,
5. P.A. to Joint Director
6. P.A. to Deputy Director (Admn.)
7. Guard file (Admn.I).

  
( MOHAN LAL )  
DEPUTY DIRECTOR (ADMN.)

T.C.  
Sandeep Dixit  
Aru

Sapri

MAY 1989

(14)

SENIOIRTY LIST IN THE GRADE OF UPPER DIVISION CLERKS IN SONG AND DRAMA DIVISION AS ON 31.3.1989

| Sr.No. | Name of officer     | Date of birth | Date of regular apptt to the grade. | Whether belongs to SOST | REMARKS. |
|--------|---------------------|---------------|-------------------------------------|-------------------------|----------|
|        |                     |               |                                     |                         |          |
| 1.     | Sh. M.K. Raina      | 18.4.1944     | 18.6.1970                           | Neither                 |          |
| 2.     | Sh. J.S. Jaggi      | 1.1.1947      | 25.9.1973                           | Neither                 |          |
| 3.     | Smt. Radha G. Nair  | 16.1.1946     | 30.11.1978                          | Neither                 |          |
| 4.     | Sh. Satish Arya     | 21.5.1947     | 25.10.1978                          | Neither                 |          |
| 5.     | Sh. Kewal Krishan   | 10.9.1947     | 25.10.1978                          | Neither                 |          |
| 6.     | Sh. K.L. Khurana    | 10.9.1947     | 25.10.1978                          | Neither                 |          |
| 7.     | Sh. R.C. Sharma     | 28.2.1948     | 25.10.1978                          | Neither                 |          |
| 8.     | Sh. Raman Kalra     | 06.3.1948     | 25.10.1978                          | Neither                 |          |
| 9.     | Sh. Prabhakara      | 02.10.1948    | 25.10.1978                          | Neither                 |          |
| 10.    | Sh. Subhash Bhola   | 23.10.1950    | 05.4.1982                           | Neither                 |          |
| 11.    | Smt. Krishna Jafri  | 09.11.1942    | 19.10.1979                          | Neither                 |          |
| 12.    | Sh. N.M. Parmar     | 05.4.1946     | 25.3.1980                           | SC                      |          |
| 13.    | Smt. Manika Dey     | 05.1.1944     | 25.3.1980                           | SC                      |          |
| 14.    | Sh. H.N. Singh      | 17.05.1949    | 25.3.1980                           | Neither                 |          |
| 15.    | Smt. Parveen Mishra | 19.03.1951    | 25.3.1980                           | Neither                 |          |

Sundarjit

वकालत श्रीमान

Allahabad Bench at Lucknow  
महोदय

वादी (मुद्दई)  
मुद्दई (मुद्दालेह)



वकालतनामा

Application No. OF/1989

Smt Krishna Jafri

UNION OF INDIA vs प्रतिवादी (रेस्पान्डेन्ट)

Application No. मुद्दमा

सन 89 पेशी की ता. 13-7-99 ई. 0

उपर लिखे मुकद्दमा में अपनी ओर से श्री UMESH CHANDRA, PRAMOD KUMAR

SANDEEP Dixit, Rakash Srivastava वकील

एडवोकेट महोदय

नाम अदालत  
नं० मुकद्दमा  
नाम फरीकत

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

हस्ताक्षर Jafri

साक्षी (गवाह) [Signature]

साक्षी (गवाह) \_\_\_\_\_

महीना \_\_\_\_\_ सन् 99 ई०

Note: - Mr Umesh Chandra, Senior Advocate will also appear in this case  
Pramod Kumar  
AW

Accepted  
Rakesh Srivastava  
Accepted  
Sandeep Dixit  
Accepted  
Rakash Srivastava  
Accepted  
Pramod Kumar  
AW

No. A-41015/1/80-Admn. I - 2  
Song and Drama Division  
Ministry of Information and Broadcasting  
\* \* \* \* \*

A27

15/16, Subhash Marg,  
Darya Ganj, New Delhi-110002

Dated the 5th May, 1980

**ORDER**

Smt. Krishna Jafri, who holds the post of Receptionist (Currently held in abeyance) on substantive basis, is appointed to the post of Upper Division Clerk (Executive) as a nominee of Central Services staff Pool in Ministry of Home Affairs in relaxation of the Recruitment Rules for the post of U.D.C. vide No. 15/13/1979 (F.A.).

This order issues with the concurrence of Department of Personnel and Administrative Reforms vide their no. No. Dy. 2389/80-CS(III) dated 18.4.1980.

On her appointment Smt. Jafri stands posted at Delhi Regional Centre of Song and Drama Division.

*Rajalal*  
Deputy Director

Copy to:-

1. Smt. Krishna Jafri, U.D.C., Song & Drama Division.
2. R&A.O., D.A.V.E., New Delhi.
3. All Officers and Sections at Home.
4. Deputy Director (D).
5. Personal file of Smt. Krishna Jafri (No. 1/84/68-S&D).
6. D.P. & A.R. Min. of Home Affairs.
7. SS/ST Cell, Vigilance Cell.
8. File relating to appointment of UDCs.
9. Guard file (Admn. I Section).

*Rajalal*  
( F.K. Malhi ) 9/5/80  
Deputy Director (Admn.)

\*VE\*

4

7-7-

1. 2. 3. 4. 5 6 7 8 9 10 11 12 13 14

8

(i) Seniority cum-fitness 75%  
(ii) Limited competitive examination. 25%.  
Deputation of Lower Division Clerks in other Central Government offices with 6 years experience in the grade.  
(Period of deputation-3 years)

8. Lower 29 Division (Twenty Clerk (in- nine) including steno-typist)  
General Central Service Class III Non-Gazetted Ministerial.  
Rs. 110-3-Not app-ye-lic-able  
131-4- app-ye-lic-able  
155-EB- lic-able  
4-175- able  
5-180-  
For Steno Typist.  
Grade pay plus Rs. 20/-  
Special pay.

18 to 21 yrs.  
1. Matriculation or equivalent qualification.  
2. Minimum speed of 30w.p.m. in typewriting provided.  
(a) that a person not possessing the said qualification in typewriting may be appointed subject to the condition that he will not be eligible for drawing increments in the pay scale or for quasi-permanency or for confirmation in the grade till he acquires a speed of 30w.p.m. in typewriting: and  
(b) that a physically handicapped person who is otherwise qualified to hold a clerical post but does not possess the said qualification in typewriting may be appointed subject to the condition that the Medical Board attached to the special employment exchange for handicapped or where there is no such Board the Civil Surgeon certify that the said handicapped person is not a fit condition to be able to type.

10% of the vacancies in the Grade of Lower Division Clerks, to be filled by direct recruitment will be reserved for being filled up by Class IV employees (borne on regular establishment), subject to the following condition:  
(a) Selection would be made through a departmental examination confined to such class IV employees who fulfil the requirement of minimum educational qualification viz. Matriculation or equivalent.

(b) The maximum number of recruits by this method would be limited to 10% of the vacancies in the cadre of Lower Division Clerk accruing in a year, unfilled vacancies would not be carried over to the next year.

contd...8

RAJESH\*



Government of India  
Ministry of Information and Broadcasting

New Delhi-1.  
the 8.6.1970

NOTIFICATION

No. 1/75/68-S&D

CSR..... In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for regulating the method of recruitment to the Class III and Class IV posts in the Song and Drama Division of the Ministry of Information and Broadcasting.

Short title and commencement:- (1) These rules may be called the Song & Drama Division (Class III and Class IV posts) Recruitment Rules, 1969.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Application:

These rules shall apply to the posts specified in column 2 of the Schedules to these rules.

3. Number of posts, Classification and scales of pay:

The number of posts, the classification and the scales of pay attached thereto shall be as specified in columns 3 to 5 of the aforesaid Schedules.

4. Method of recruitment, age limits and qualifications etc.:

The method of recruitment, age limits, educational qualifications and other matters relating thereto shall be as specified in columns 6 to 14 of the aforesaid Schedules.

Provided that the upper age limits specified in column 6 of the aforesaid Schedules may be relaxed in the case of candidates belonging to the Scheduled Castes or the Scheduled Tribes and other special categories of persons in accordance with the general instructions issued by the Central Government from time to time.

A31

SCHEDULE - I

Class III posts

| Sl. No. | Name of post                      | No. of posts | Classification   | Scale of pay      | Whether selection or non-selection post. | Age for recruitment. | Educational & other qualifications required for direct recruitment.      | Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotions. | Period of probation if any. | Method of recruitment. | In case of recruitment by direct transfer/ promotion/ deputa- tion/ transfer to be made. | If a DPC examination is held by the Government/ what is the procedure to be followed/ is it to be consulted in making recruitment/ deputa- tion/ com- ments. | Circumstances in which UPSC is to be consulted in making recruitment. |
|---------|-----------------------------------|--------------|--|-------------------|--|----------------------|--|---|-----------------------------|------------------------|--|--|---|
| 1       | Manager Departmental Drama Troupe | 15           | General Central Service Class III non-Gaz- etted non- Ministerial. | Rs. 325- 15- 475. | Not applicable.                          | 18 to 35 Years.      | ESSENTIAL. Matriculation of a recognised Uni- versity or its equivalent. | Not applicable.   | 2 years.                    | Direct recruitment.    | Not applicable.  | Not applicable.  | Not applicable.   |

various methods. the vacan- cies to be filled by various methods. or by deputa- tion/ transfer to be made. promotion/ deputa- tion/ transfer to be made. from which promotion/ deputa- tion/ transfer to be made. for grantion. herby trans- fer/ com- ments. ment/ is in making recruitment/ deputa- tion/ com- ments.

(2)

6

A32

1 2 3 4 5 6 7 8 9 10 11 12 13 14

3. Producer (Seven) 7 18 Not app- 2 yrs Direct Not app- 13 14. Not app- 14.

Rs. 325-15-475. ble. ye- ars

General Central Service Class III Non-gaz- etted Non-Min- isterial.

1. About 4 years practical experience of production of composite programmes. ble.

2. Practical experience of folk singing/folk dancing.

3. Knowledge of a major language spoken in the Zone to be catered for by one of the Centres of the Son; and Drama Division.

DESIREABLE:

1. A degree from a recognised University.
2. Knowledge of one or more dialects of the regions.
3. Knowledge of folk arts and folk theatre.
4. Ability to speak Hindi.

3. Technical Assistants 12 (Twelve) 18 to 30 ye- ars

General Rs 210-10-320-EB-III non-gaz- etted Non-Ministerial.

1. Degree from a recognised University.

2. Experience of organisational or connected work in theatre.

ESSENTIAL

1. Knowledge of Accounts, Administration work in a Government Office or Semi-Government Office.
2. Knowledge of Hindi.

No 2 ye- ars

50% by Direct recruitment. 50% by promotion failing and Storekeeper, which by who have put in deputation. at least 7 yrs of service in the respective grade.

Deputation.

From Accountants of other Media Units of the Ministry of Information and Broadcasting. (Period of deputation 3 years)

\*RAJESH\*

A33

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, U.P., ALLAHABAD  
BENCH AT LUCKNOW.

Application No. 163 of 1989. (L)

Compilation No. II

Smt. Krishna Jafri ..... Applicant

Versus

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

I N D E X

| Sl. No. | Contents.   | Page Nos. |
|---------|---|-----------|
| 1.      | <u>Annex. No-1</u> : Photostat of appointment letter dt 15.11.68 issued to applicant.   | 1 - 3     |
| 2.      | <u>Annex. No-2</u> : Photostat of order dt 20.3.72 confirming applicant as Receptionist.  | 4         |
| 3.      | <u>Annex. No-3</u> : Photostat of order dt 3.3.81 of Ministry of Home Affair by which applicant was sent back to Ministry of Information & Broadcasting                                   | 5         |
| 4.      | <u>Annex. No-4</u> : Photostat of order dt 7.4.81 issued by Dy. Director (Administration), Song & Drama Division Ministry of Information & Broadcasting.                                  | 6         |
| 5.      | <u>Annex. No-5</u> : Photostat of order dt 14.9.81 of Dy. Director, (Administration), Song & Drama Division, Ministry of Information & Broadcasting allowing representation of applicant. | 7         |

*Jafri*  
*T.C. -*  
*Randeep Malik*  
*AW*

Lucknow,  
Dt. July 13, 1989.

*Randeep Malik*  
Advocate,  
Counsel for the Applicant.

No. 1/28/68-S&D  
 Song and Drama Division  
 Ministry of Information & Broadcasting

134

①

15/16, Darya Ganj, Delhi-6.  
 East German Pavilion,  
 Exhibition Grounds,  
 New Delhi.

Dated 15 Nov., 1968

M E M O R A N D U M

The undersigned hereby offers ~~Smt./Smt./Smt./~~ Kumari  
~~Krishna Devi~~ a temporary post of ~~Receptionist~~ in the  
 office of Song and Drama Division on a pay of Rs. 190/- in the  
 scale of Rs. ~~130-5-160-8-200-EB-8-256-EB-8-~~ 280-10-300. She will also be entitled to  
 draw dearness and other allowance at the rates admissible under,  
 and subject to the conditions laid down in rules and orders govern-  
 ing the grant of such allowances in force from time to time.

2. The terms of appointment are as follows:

- (i) The appointment is purely temporary and will not confer any title to permanent employment.
- (ii) The appointment may be terminated at any time by a months notice given by either side i.e. by the appointee or the appointing authority, without assigning any reasons. The appointing authority, however, reserves the right of terminating the services of the appointee forthwith or before the expiration of the stipulated period of notice by making payment to ~~him~~/her of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.
- (iii) The appointment carries with it the liability to serve in any part of India or outside.
- (iv) ~~He~~/She will be on trial for a period of two years from the date of appointment which may be extended or curtail at the discretion of the appointing authority.
- (v) Other conditions of service will be governed by the relevant rules and orders in force from time to time.
- (vi) ~~His~~/her Head Quarters will for the present be at ~~Delhi~~ and ~~he~~/she will report to the Director, Song and Drama Division, 15/16, Darya Ganj, Subash Marg, Delhi-6.

.....2/p

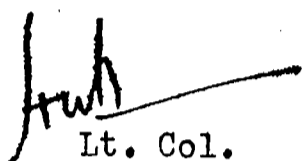
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6. If ~~Shri/Shri~~/Kumari Krishna Devi accepts the offer on the above terms, ~~he~~/she should communicate ~~his~~/her acceptance (or report) to the authority mentioned above at para 2 (vi) by the 20th Nov., 1968. If no reply is received or the candidate fails to report for duty by the prescribed date the offer will be treated as cancelled.

7. No. travelling allowances will be allowed for joining the appointment.

  
Lt. Col.  
(H.V. Gupte)  
Director

To

~~Shri/Shri~~/Kumari/~~Shri/Shri~~ Krishna Devi

H.No. 8823, Gali No. 3, Multan Dhandla,  
Bahar Gaj,  
Delhi.

*Handwritten initials*

T.E.  
Sandhuji  
Aew

s/g

No. A 31616/4/72-Extt  
SONG AND DRAMA DIVISION  
MINISTRY OF INFORMATION AND PUBLIC RELATIONS

15/16, Banya Bari  
New Delhi-6

dt. the 18th Shadra 1394  
4th September, 1972.

**P R E S S**

Smt. Krishna Devi, Receptionist is appointed in the same post in the Song and Drama Division in the scale of pay of Rs. 130-5-160-3-200-EE-2-155-EE-3-230-10-300 in a substantive capacity with effect from 28.3.1972.

*sd/-*  
(LEENA SAHA)  
DEPUTY DIRECTOR (ADMN)

Copy to:- Smt. Krishna Devi, Receptionist  
2. Accountant General Central Revenues, New Delhi.  
3. Personal file of Smt. Krishna Devi  
4. Accounts Section.

*X Paul*  
(LEENA SAHA)  
DEPUTY DIRECTOR (ADMN)

T.C.  
*Sanjay Singh*  
New

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137

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13.12.78-S&D  
Song and Drama Division  
Ministry of Information & Broadcasting  
Government of India

15/16, Subhash Marg,  
Darya Ganj, New Delhi.

March 3, 1981

Order

Subject: Abolition of post in the grade of Receptionist  
in the Song and Drama Division.

Expost facto sanction of the Director, Song and Drama Division is hereby accorded to the revival of the post of Receptionist (Group 'C' post) carrying a scale of pay of Rs.330-10-380-EB-12-500-EB-15-560 which was held in abeyance in terms of Ministry of Information & Broadcasting's letter No.C-20018/6/75-P&P/S&D/DS(I) dated 13.12.1978; w.e.f. 18.10.1979(after-noon) and abolition of the post w.e.f. - 19.10.1979(fore-noon).

2. This issues with the concurrence of Department of Personnel and Administrative Reforms vide their Dy. No.M.4856/80-S(III) dated 20.11.1980.

Kauljalahi  
( P. K. Jalali ) 3/3/81  
Deputy Director (Admn.)

- Copy to:-
1. All Pay & Accounts Officers in account with Song and Drama Division.
  2. All Centres, Song and Drama Division.
  3. Finance Branch II; Ministry of I&B, New Delhi.
  4. Media Unit Cell; Ministry of I&B; New Delhi.
  5. Department of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi.
  6. All Officers and Sections at H.Q./Guard File (Admn.I).
  7. Director for information.

Kauljalahi  
( P. K. Jalali ) 3/3/81  
Deputy Director (Admn.)

File in Kauljalahi's file

Sandip Anand

Annex 4

A38 (B)

No. A-41015/1/80-Adm. I  
Sons and Plans Division  
Ministry of Information & Broadcasting  
Govt. of India

15/16, Subhash Marg,  
Karys Camp, New Delhi.

April 7, 1981

Order

In continuation of this Division's order No. A1015/1/80-Adm. I dated 9.5.1980, Smt. Krishna Jafri, Upper Division Clerk is placed on probation for a period of Two years from the date she has been appointed as Upper Division Clerk i.e. 19.11.1979.

*Raulzali*

( P.K. Jafri ) 17/4/81  
Deputy Director (Adm.)

Copy to:-

1. Smt. Krishna Jafri, UDC, GED.
2. P.O., DWP, New Delhi.
3. All Officers and Sections at HQ.
4. Personal File of Smt. Krishna Jafri, UDC.
5. DP&AR, Ministry of Home Affairs, New Delhi.
6. SC and ST Cell, V. Cell.
7. File relating to appointment of UDCs.
8. Guard File (Adm. I)

*Raulzali*

( P.K. Jafri ) 17/4/81  
Deputy Director (Adm.)

*Jafri*

*T.C.  
Sandeep Jafri  
A.W.*

Annex 5

A39 (7)

No. A-41015/1/80-Admn.I  
Song and Drama Division  
Ministry of Information and Broadcasting  
.....

15/16, Subhash Marg,  
Darya Ganj, New Delhi-2.

Dated the 14th Sept., 1981

ORDER

This Division's Order No. A-41015/1/80-Admn.I, dated 7th April, 1981 regarding probation for a period of two year of Smt. Krishna Jafri, Upper Division Clerk, is hereby cancelled.

*T.C. Aggarwal*  
( T.C. Aggarwal )  
Deputy Director ( Admn. )

Copy to:

- ✓ 1. Smt. Krishna Jafri, U.D.C. (on deputation as Jr. Reception Officer with Dte. of Advertising & Visual Publicity, New Delhi).
- ✓ 2. Pay & Accounts Office, DAVP, New Delhi.
3. All Officers & Sections at Hqrs.
4. Personal file of Smt. Krishna Jafri, U.D.C.
5. SC/ST Coll / Vig. Coll.
6. Guard file (Admn.I Section)
7. File relating to seniority list of U.D.C.
8. Spare copies (5).

*T.C. Aggarwal*  
( T.C. Aggarwal )  
Deputy Director (Admn.)

24/9/81  
11/10/81  
11/10/81

*Jafri*

*T.C. Aggarwal*  
*Ag*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

A40

O.A. No.163 of 1989(L)

Smt Krishna Jafri ... Applicant

-vs-


Union of India and others .. Opp. parties.

APPLICATION FOR CONDONATION OF DELAY IN FILING  
COUNTER AFFIDAVIT AND TAKING ON RECORD.

....

That the opposite parties beg to submit as  
under:-

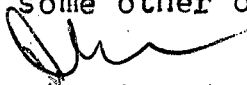
1. That ~~xxxxx~~ in the above noted case the counter affidavit could not be filed in time because it took sometime to get it vetted by the Law Ministry. Now the same is being filed after getting it vetted by the Law Ministry.
2. Therefore it is most respectfully prayed that the delay in filing the counter affidavit may kindly be condoned and counter affidavit be taken on record and such other order as are deemed just and proper be also passed.

  
(VK CHAUDHARI)  
Advocate, Counsel for the  
Opp. parties.

Lucknow,

Dated: ~~12~~ 19th Oct. 1989  
~~xxxx. 1989.~~

Note: Since I am out-of station to-day i.e. on 19.10.89,  
the above case may be adjourned to some other date.

  
(VK Chaudhari)  
Advocate

Filed today  
19/10/89

A 41

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW.

O.A. No. 163 of 89(L)

Smt. Krishna Jafri ... Applicant

-vs-

Union of India and others ... Opp. parties.

COUNTER AFFIDAVIT ON BEHALF OF OPP. PARTIES.

I, H.P. Solanky, s/o. *Late Shri G.R. Solanky*

aged about *44* years, presently posted  
as Regional Deputy Director, Song and Drama Division,  
Ministry of Information and Broadcasting, Lucknow

do hereby solemnly affirm and state as under:-

1. That the deponent is opposite party no.3  
in the above noted case and he has been authorised  
to file this counter affidavit on his behalf  
and also on behalf of all other opp. parties.
2. That the deponent is well conversant with  
the facts of the case and he ~~ix~~ has read and  
understood the contents of application as well  
as the facts given herein under in reply thereof.
3. Before giving parawise reply to the  
application, it is necessary to give a brief  
~~history of the case as detailed below:~~

*CWA  
B2  
4/9/89*



*H.P. Solanky*

A42

history of the case as detailed below:

(a) That the ~~pe~~ applicant was initially appointed to the post of Receptionist in the Song and Drama Division, Ministry of Information and Broadcasting with effect from 18.11.1968 in the pre-revised scale of pay of Rs.130-300 as a direct recruit. She was subsequently declared substantive in the post with effect from 23.2.1972. The applicant proceeded on deputation with the Government of Harayana with effect from 26th August, 1978. Her services were repatriated to the Song and Drama Division by the Haryana Government by relieving her on 18.10.1979. In the meantime consequent upon introduction of Regional Centres Scheme three posts ie. one each in the grade of Accountant, Accounts Clerk and Store-keeper were abolished and one post in the grade of Receptionist was kept in abeyance with effect from 1.1.1979. Since there was only one sanctioned post in the grade of Receptionist and the petitioner was holding this post in substantive capacity, the issue was taken up with the Department of DPST, for her absorption. The petitioner

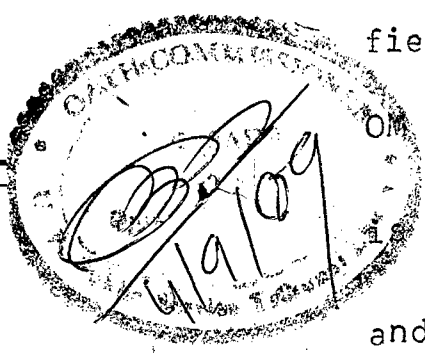


*[Handwritten signature]*

*[Handwritten signature]*

A43

vide her application dated 1.9.1979 requested that since her husband had been posted back in Delhi, she may be absorbed as UDC in the Song and Drama Division at its Headquarters office at Delhi. The ~~Director~~ D.P.T vide their Dy.No.462/80-~~CS~~<sup>91</sup>(III) dated 3.3.80 advised that she applicant may be absorbed in the vacancy of UDC in the Song and Drama Division, direct as a nominee of the Central (Surplus staff)Cell and there is no need for formal nomination by the Cell. Accordingly the applicant was appointed/absorbed in the Song and Drama Division, as a nominee of the surplus cell. In accordance with the HHA's OM No.19/11/65-BPS dated 22.12.1959 subsequently modified vide their OM No.9/8/63-Estt.(D) dated 30.11.63 and OM No.9/22/68-Estt.(D) dated 6.2.69, when an employee is declared surplus in a particular grade in an office and is redeployed in a grade in another office, he is not allowed to count his service in his previous office towards seniority in the office where he is redeployed. Accordingly, since the applicant was appointed as a nominee of the Central Surplus Cell, she was given seniority taking into account the date of her absorption in the post of UDC ie. 19.10.1979. Shri Subhash Bhatia, who was holding the post of Accounts Clerk, was initially appointed to the post



*[Handwritten signature]*

Amu

of ~~Accounts Clerk~~ Lower Division Clerk on 3.12.1964 and was holding the post of LDC in substantive capacity. On the abolition of the post of Accounts Clerk he was reverted to the post of LDC. Since Shri Bhatia was appointed to the post of Accounts Clerk in the absence of recruitment rules, his appointment to the post was only on adhoc basis.

(b) While Shri Bhatia was ~~not~~ working in the post of Accounts Clerk, his juniors in the grade of LDC, were considered by the D.P.C. for promotion to the post of UDC ignoring the interest of Shri Bhatia. On receipt of a representation from Shri Bhatia, certain administrative



lapse was noticed and the issue was taken up with the ~~DP&T~~ DP&T, who in turn advised vide their u.o. No.364/83-Estt(D) dated 6.4.1983, that 'he would have also been considered for the post of UDC, when his juniors were.

*Handwritten signature and date*

This may be done by a review DEC and his seniority restored on that basis.". Accordingly a review DEC was held and on the basis of its recommendations Shri Bhatia was promoted to the post of UDC with effect from 6.3.1973, the date from

which his junior was promoted as UDC on regular basis.  
(c) There being two sanctioned posts in the grade of Store-keeper available, Shri Das who was senior in the grade.

A45

the abolition of one post of Store-keeper.

PRELIMINARY OBJECTION:

(1) Since the cause of action of the applicant arose as early as 1982, when the seniority list in the grade of UDC was circulated vide Division's circular No.A-23022/6/81-Admn.I dated 11.11.1982, this application is barred by limitation.

(2) The applicant has failed to make his seniors as parties in these proceedings. In view of this, this application is liable to be dismissed for non-joinder of necessary and essential parties.

PARAWISE REPLY.

4. That the contents of para 1 to 4 being matter of informatory needs no comments.

5. That ~~the~~ in reply to the contents of para 5 of the application it is submitted that the application is barred by limitation.

6. That the contents of para 6(1) to 6(3) of the application are not disputed.

7. That the contents of para 6(4) of the application are incorrect as stated and in reply, it is submitted that the facts remains that consequent



*[Handwritten signature]*

A46

upon the introduction of Regional Centres Scheme the three posts ie. one each in the grade of Accountant, Accounts Clerk and Store-keeper were abolished and the post in the grade of Receptionist was kept in abeyance with effect from 1.1.1979. The applicant, who was on deputation with the Haryana Government at that time was repatriated on 18.10.1979 vide their letter No.PRDH(Estt.3) -79/19809-13 dated 18.10.79 giving no time to the respondent to make arrangements to accommodate the applicant. A copy of this letter is being annexed as Annexure -A.1 to this affidavit. On 1.9.1979 the applicant submitted an application (Annexure -A-2) requesting that since her husband had been transferred to Delhi in the Division, she may be accommodated against the post of UDC in the Division as its HQrs. office at Delhi. In accordance with Ministry of Finance, Department of Expenditure's O.M. No.F-10(24)-E(Comd)/



67 dated 17th May 1968, no post can be transferred to the surplus, until and unless the same is abolished. Ministry of Finance's O.M. dated 17th May 1968 is being filed as Annexure no.A.3. It was this reason

which necessitated the revival of the post with effect from 18.10.1979(A/N) (the date from which the applicant was repatriated by Haryana Government, where she was on deputation) and abolished with effect fr

A47

(the date from which the applicant was absorbed in the Song and Drama Division as a nominee of surplus Cell).

The applicant remained without posting with effect from 19.10.1979 till 9th May 1980. The order No.A-41015/1/80-Admn. I dated 9th May 1980, appointing the applicant to the post of Upper Division Clerk with effect from 19.10.1979(F/N). was issued. Keeping in view of the DF&T's advice vide their u.o. No.526/79-CS-III dated 15.11.79, there was no question of sending the applicant to the surplus cell.

A copy of the above letter is being annexed as Annexure A-4- to this affidavit. The division was authorised to absorb her in the vacancy of UDC in the Song and Drama Division direct as a nominee of the Central(Surplus staff) Cell, by DF&T vide their Dy. No.462/80-CS(III) dated 3.3.80. A copy of the said letter is being enclosed as Annexure A-5 to this affidavit.

8. That the contents of para 6(5) and 6(6) of the application are incorrect as stated and in reply it is submitted that keeping the applicant on probation or not does not come in the way of fixation of her seniority and as such need no further comments.

9. That the contents of para 6(7) of the application are not disputed.

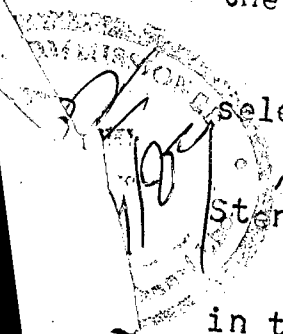
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A48

10. That in reply to the contents of para 6(8) of the application it is submitted that there is no sanctioned post in the Division in the grade of Receptionist.

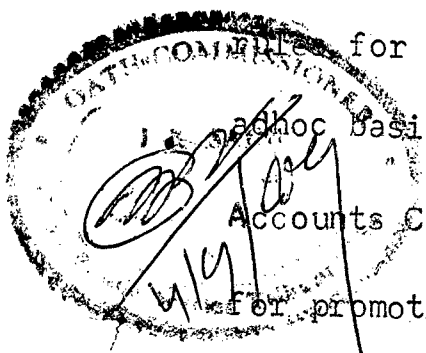
11. That in reply to the contents of para 6(9) of the application it is submitted that according to the Recruitment Rules for the post of Accountant, the UDCs, Store-keepers in the Division having 5 years regular service in the grade are eligible for promotion to the post. The mode of recruitment to the post is 100% by promotion by selection. According to the recruitment rules for the post of Technical Assistant, the mode of recruitment is also 100% by promotion by selection, from amongst, UDCs, Store-keepers and Stenographer Gr. III, having 5 years regular service in their respective grades. In accordance with DPT's OM No.22011/3/76/Estt.(D) dated 24.12.1989, there is fixed zone of consideration for the post to be filled by selection ie. five for one, eight for two, ten for three time for 4 or more. The DP&T's OM dated 1980 is annexed herewith as Annexure no. A-6 to this  
vit.



2

A49

As the applicant was appointed/absorbed as nominee of surplus cell with effect from 19.10.79 to the post of UDC the applicant was not eligible for promotion when Shri Dayajeet Singh was promoted to the post of Accountant ie. with effect from 4.8.80. Here it is to be made clear that the post of Receptionist (an ex-cadre-post) was neither before nor is now even a feeder post for the post of Accountant/Technical Assistant. There being two sanctioned posts in the grade of Store-keeper available and Shri Dayajeet Singh being a senior, he was not affected with the abolition of one post in the grade of Store-keeper. Shri Subhash Bhatia, was initially appointed to the post of LDC on 3.12.1964 and holding this post in substantive capacity. On abolition of the post of Accounts Clerk, Shri Bhatia was reverted to the post of ~~Accounts Clerk~~ LDC. Since Shri Bhatia was appointed to the post of Accounts Clerk (an ex-cadre post), in the absence of recruitment for the post his appointment to the post was only on adhoc basis. While Shri Bhatia was working in the post of Accounts Clerk his juniors in the grade of LDC were considered for promotion to the post of UDC and were promoted to the post ignoring Shri Bhatia. When Shri Bhatia, represented, the administrative lapses came to the notice of the Division and the issue was taken up with the DE&T, who in turn vide their u.o. No.364/83.Estt.(D) dated 6.4.1983 (Annexure-A.7) held that Shri Bhatia should also have been considered for the post of UDC when his juniors were considered, and advised that this should be done by a Review DFC and his seniority restored on that



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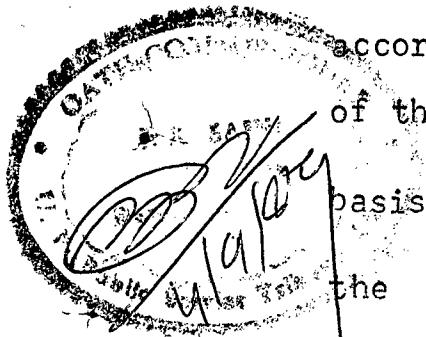
basis. Accordingly Shri Bhatia was promoted to the post of UDC with effect from 6.3.1973, the date from which his junior was promoted as UDC on regular basis. As such the action on the part of the respondent for promotion of Shri Dayajeet Singh and Shri Subhash Bhatia to the post of Accountant is not arbitrary and the respondent has not violated the provision of Articles 14 and 16 as claimed by the applicant.

12. That in reply to the contents of para 6(10) and 6(11) of the application, it is submitted that in view of the reply given ~~in~~ against ~~para~~ 6(9) of the application above and regular appointments can be made only by holding the meeting of the duly constituted DPC in

accordance with the recruitment rules. The appointment of the applicant to the post of Technical Assistant on adhoc basis is purely short-term arrangement made locally to meet the exigencies of work. It was not considered appropriate to disturb the other senior eligible ~~technical assistant~~ <sup>Officials</sup> from other offices of the Division for such a short duration because this work at other station was also of equal importance and could not be ignored.

13. That the reliefs sought by the applicant is not tenable in the eyes of law.

14. That the contents of para 8 to 13 does not require any comments.

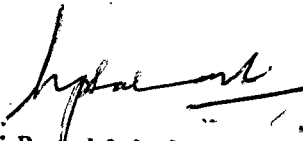


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A51

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

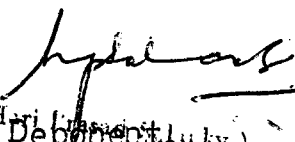
Lucknow,  
Dated: 4<sup>th</sup> Sept 1989.

  
( Hari Prasad Solanky )  
Deponent,  
Regional Deputy Director  
Song and Drama Division  
Ministry of Information & Broad Casting  
Govt. of India  
116-A, Faizabad Road,  
LUCKNOW-226007  
Tele: No. -73214.

Verification.

I, the above named deponent do hereby verify that the contents of para 1 to are true to my own knowledge, those of paragraphs to are believed by me to be true on the basis of records while those of paragraphs a to n are also believed by me to be true on the basis of legal advice. No part of this affidavit is false and nothing material has been concealed.

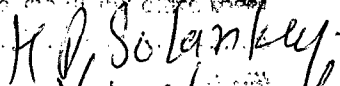
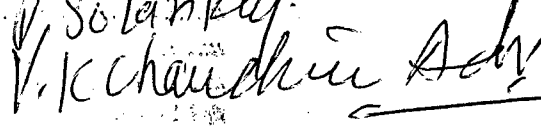
Lucknow  
Dated: 4<sup>th</sup> Sept 1989.

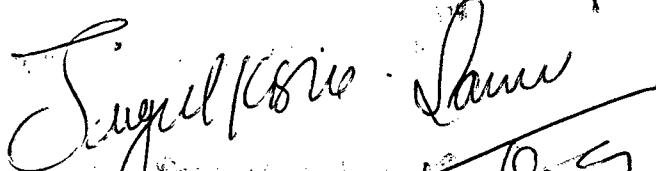
  
( Hari Prasad Solanky )  
Deponent,  
Regional Deputy Director  
Song and Drama Division  
Ministry of Information & Broad Casting  
Govt. of India  
116-A, Faizabad Road,  
LUCKNOW-226007  
Tele: No. -73214.

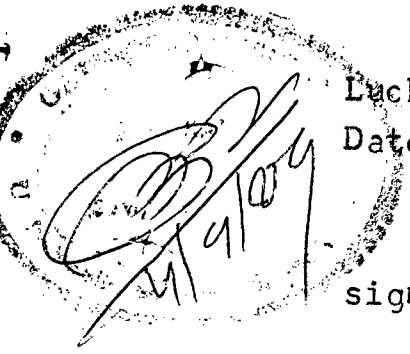
I identify the deponent who has signed before me and is also personally known to me.

(VK CHAUDHARI)  
Advocate.

Solemnly affirmed before me on \_\_\_\_\_ at \_\_\_\_\_ am/pm at Lucknow by the deponent who is identified by Shri VK Chaudhari, Advocate, High Court.

  
4/9/89



C.10/89  
6-20/89

Annexure

A-I  
~~109~~  
A52

PUBLIC RELATIONS DEPARTMENT HARYANA

OFFICE ORDER

Smt. Krishna Jafri, working as staff Reporter in the grade of B. 250-26-003 is hereby reverted to her parent department viz. Song and Drama, Division Ministry of Information and Broadcasting Govt. of India, 15/16 Subhash Marg, New Delhi with immediate effect.

A. M. B. (P)

SAMA DIVISION  
Date: 23/10/79  
1979

R. S. VARMA  
Director Public Relations Department  
Haryana.

No. PRDH (Catt-3)-79/18809-13 dated, Chandigarh the 18/10/79

A copy is forwarded for information and necessary action to:-

1. Smt. Krishna Jafri Staff Reporter. She is relieved from her duty w.e.f. 18-10-1979 (AM) and directed to report duty to Director (Administration) Song and Drama, Ministry of Information & Broadcasting, G.O.I. New Delhi
2. The Assistant Director (Admn.) Song and Drama Division, Information and Broadcasting 15/16 Subhash Marg, New Delhi. Her service record A/ and LPC will be sent shortly.
3. Joint Director (Press)
4. Bill Clark.
5. E-10

*Handwritten notes:*  
The part of receipt book in which name was kept was changed by Smt. Jafri. All the receipts should be allowed to her.

OFFICE OF THE DIRECTOR  
PUBLIC RELATIONS DEPARTMENT  
HARYANA  
CHANDIGARH  
4/10/79

*Handwritten signature*  
Administrative Officer,  
Director Public Relations Haryana,  
Chandigarh.

*Handwritten signature*

Annexure

(A2/3)

A53

To

The Director,  
Song and Drama Division,  
Darya Ganj,  
New Delhi.

Sir,

S, Ho JT (R-)

With due respect I beg to submit that I am a permanent Receptionist in the Song and Drama Division in the Scale of U.D.C. and at present I am on deputation to Haryana Govt. as Staff Reporter. My husband Sh. Vilayet Jafri who was officiating as Deputy Director, Song and Drama Division, Chandigarh has been demoted and he has joined as Senior Script Writer Song and Drama Division at Headquarters, New Delhi.

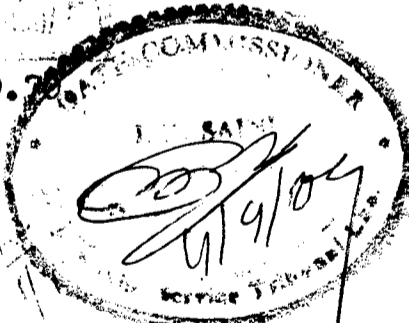
The arrangements of my deputation to Govt. of Haryana was made on the basis of the Circular issued by the Ministry of Information & Broadcasting, Govt. of India. Now with the posting of my husband back to Delhi I want to join back to my parent Division, But I understand that my post of Receptionist on which I am permanent has been abolished, although I have not been conveyed anything in writing.

It is for your kind information Sir that in 1976 I was transferred to C&A Section to officiate as U.D.C. I worked as U.D.C. to the best satisfaction of my Superiors in C&A Section and Admn. Section till my deputation to Govt. of Haryana in September, 1978.

Considering the facts mentioned above it is very humbly requested that I may very kindly be absorbed as U.D.C. in the Song and Drama Division, at headquarters.

Yours faithfully,

Dated 1.9.79



Krishna Jafri

(Krishna Jafri)  
1437, Sector 34-C,  
Chandigarh.

Please find out  
in the file

DDK/L  
22/9/79

553  
1-9-79  
Supd

Signature

ASM

30

No.F-10(24)-E(Coord)/67  
Government of India  
Ministry of Finance  
Department of Expenditure

New Delhi, the 17th May, 1968.

OFFICE MEMORANDUM

Subject : Posts required in the Central (Surplus Staff) Pool in the Ministry of Home Affairs for accomodating the surplus personnel transferred to it.

The undersigned is directed to invite a reference to the Department of Expenditure O.M.No.F.10(1'S)-E(Coord)/66, dated the 24th September, 1966 on the above subject and to state that the President has been pleased to decide that clauses (1) to (3) of para 1 of the above O.M. will be revised as under :-

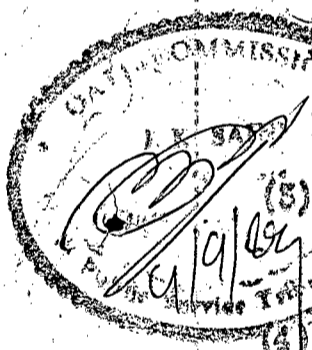
- (1) The posts held by the surplus personnel before transfer to the Central pool will
  - (i) in the case of temporary posts be deemed to have been transferred and created in the Central Pool by the competent authority, on the same scales of pay and conditions with effect from the date of the transfer; and
  - (ii) in the case of permanent posts, be deemed as terminated and corresponding supernumerary permanent posts will be deemed as created in the pool by the competent authority with effect from the date of transfer on the same grade and designation and with the same scale of pay and conditions.

(2) The duration of the posts thus created in the Central Pool will in all cases be for a maximum period of six months unless the incumbents are transferred from the Pool earlier within that period on their appointment to regular vacancies elsewhere, or on their retirement by opting for voluntary retirement in terms of the Ministry of Finance O.M.No.F.12 (94) V/66 or on their services being terminated earlier otherwise by the Central (Surplus Staff) Cell in the Ministry of Home Affairs.

(3) The persons transferred to the pool will be deemed to have been appointed to the posts in the Pool by the competent authority with effect from the date of their transferr to the pool.

(4) In the case of permanent surplus personnel whose liens will be retained against the supernumerary permanent posts in the Central Pool for a maximum period of six months from the date of their transfer to the pool their liens will stand terminated on the expiry of that period even if they are not confirmed in the new posts in which they are deployed within that period.

(5) Permanent officers, officiating in higher (temporary permanent) posts will, on their being declared supernumerary in the posts held in officiating capacity and transferred to the Central Pool, continue to retain their power substantive grades in their parent office until they acquire lien in any higher grade in the recipient organisation to which they may be posted by the Central Cell. In cases, however, where there is already a substantive lien holder in the post declared surplus and ~~minimum~~ another person is officiating therein, the administrative Department/office will be required to ensure that a timely warning



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A53

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and opportunity is given to the substantive lien holder to revert to this permanent post and to avail of the redeployment facilities provided by the Central pool so as to avoid the contingency of the termination of the lien with the abolition of the permanent post in the parent office. In the event of the lien holder not reverting to his substantive post and the officiating person in that post only being transferred to the Central pool as surplus, the permanent post will be abolished in the parent office and lien of the substantive person ~~shall~~ terminated and an equivalent temporary post on the same scale of pay and conditions deemed as created in the Central pool with effect from the date of transfer of the officiating Government servant to the Central (Surplus Staff) Cell. If, however, the lien holder reverts to his substantive post and it results in rendering another person also surplus in a lower post in the chain, the benefits attached to transfer to the Central pool will be admissible only to the lien holder initially declared surplus as it is not the intention that two or more persons should avail of these benefits against one surplus post.

(6) In cases referred to in clauses (4) and (5) above, where the permanent surplus personnel have their liens terminated but they continue under the service of the Government, they will be deemed to have been retired on compensation pension/gratuity, as admissible under the relevant rules, with effect from the date of abolition of the post and re-employed. Their pay on re-employment should be regulated in accordance with the provisions of Article 514 of the CSR and other issued on the subject.

2. The ~~above~~ modifications shall take effect from the date of their original O.M. viz. the 24th September, 1966, but past cases which have already been settled need not be reopened.
3. Ministry of Commerce etc. are requested to note and issue suitable instructions to all concerned under them.

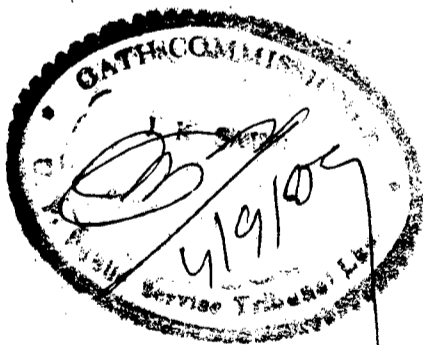
SD/-

( J. B. SAHA )

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

To

All Ministries/Depts. of the Govt. of India etc. etc.



CS III may please take over the details of adjustment of a surplus person on the abolition of post.

5/11/79

D.No 7526/CS 4

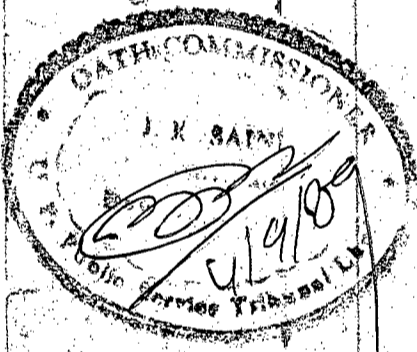
6/11/79 CS III

PKS  
6/11/79

CS III Section

Reference preceding notes.

2. From the preceding notes (pp. 40-41/18) it is observed that the post of Receptionist held by Smt. Jaffri became surplus as a result of the Regional Centres Scheme framed by the Ministry of Information and Broadcasting and the post was kept in abeyance as Smt. Jaffri was away on foreign service. As the said Scheme appears to be as a measure of administrative reform adopted by the Ministry of Information and Broadcasting, Smt. Jaffri seems to be eligible for redeployment elsewhere through the Central (Surplus Staff) Cell. She can be surrendered to the said Cell after the permanent post of Receptionist held by her (which is presently in abeyance) is abolished in accordance with the provisions of



To work effect from the date of her transfer to this Cell

*[Signature]*

P.T.O

Department of Personnel & P.R.  
CS-III Section A57

Reference preceding note.

2. Smt. Jaffie may be absorbed in the vacancy of U.D.C in the Song and Drama Division direct as a nominee of the Central (Surplus Staff) Cell. In such cases of absorption, the recruitment rules of the post, against which the surplus employee is proposed to be absorbed, stand automatically amended in accordance with para 8 of the Ministry of Home Affairs' notification no. 1/2/66-cc dated the 30th November, 1967.

In view of the above, the question of appointing Smt. Jaffie on ad-hoc basis and subsequently regularising her appointment on formal nomination by the Central (Surplus Staff) Cell, as proposed in D.F.A. does not arise.

19/11/80  
19/11/80  
19/11/80

21/11/80  
21/11/80  
21/11/80

Ministry of Information & Broadcasting

Please see

5 (205) /ms  
29/11/80  
Htc

1815 accy  
29.2.80

US (C/S)

Delapena  
3/3/80

Ministry of Information & Broadcasting

D.P. & P.R. Dy. No. 462/80-CS-III dt. 3-3-80

(A)  
Smt. Jaffie  
PA 113/5

Jaffie

Annexure - AE

Department of Personnel & A.R.O.M.No.22011/3/76-Estt(D) dated 24.12.80 to  
all Ministries/Departments.

Subject: Principles for promotion to 'Selection' Posts.

Large number of clarifications are being sought by the various Ministries/Departments on various aspects while preparing a panel for posts to be filled on the basis of Selection. The various points raised are as below :-

1. The absence of clearly defined limits in the matter of fixation of the zone of consideration has led to lack of uniformity of practice between the various DPCs;
  2. In a number of cases the meetings of the DPCs are not held annually as required even though there were vacancies resulting in the bunching of ~~xxxxxx~~ vacancies which in turn enlarged the field of choice and upset the relative seniority positions in the higher grade on account of supersessions.
  3. In a number of cases some of the senior officers even though included in the panel for promotion do not get promotion due to their being away from the parent department and at the same time are also not eligible for proforma promotion under the NBR due to the application of the one to one correspondence or due to the fact that they are being the junior most in the panel there is no junior in the panel below them and this has resulted in their reconsideration by the next DPC thereby resulting in loss of seniority to them;
  4. In certain cases Recruitment Rules are amended when a panel already prepared is still in operation and therefore whether the panel can still be operated after the amendment.
2. All the above aspects have been carefully considered and ~~with~~ the following instructions are issued for the guidance of all Ministries.
3. Zone of consideration for promotion to posts filled by Selection.

Reference is invited to the Ministry of Home Affairs (now Department of Personnel & A.R) O.M.No.1/4/55/RPS dated 16.5.57 laying down certain principles for promotion. In the operation of these principles it has been observed that the absence of clearly defined limits on the extent of the field of choice has led to lack of uniformity in the practices being followed by the DPCs. Similarly it is felt that a large field of choice might result in excessive supersessions. Again, despite repeated instructions of the Government to hold DPCs annually there have been quite a few cases of delays resulting in vacancies being bunches. This would enlarge the field of choice and upset the relative seniority positions in the higher post with reference to the positions which would not have resulted had the DPCs met at the appropriate time. In view of these considerations it has been decided in consultation with the UPSC as under in supersession of this Department's O.M.No. 1/4/55-RPS dated 16.5.57 and all other memoranda having any bearing on the matter herein dealt with.

ASG

(a) The Departmental Promotion Committee (DPC) shall for the purpose of determining the number of officers who should be considered from out of those eligible officers in the feeder grade(s) restrict the field of choice as under, with reference to the number of clear regular vacancies to the number of clear vacancies proposed to be filled in the year.

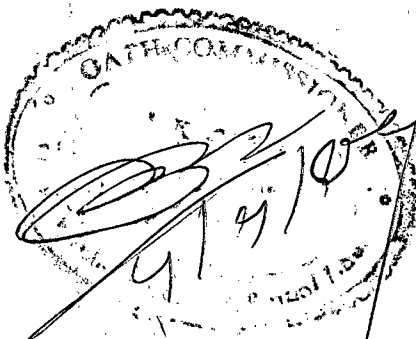
| No. of vacancies | No. of officers to be considered    |
|------------------|-------------------------------------|
| (1)              | (2)                                 |
| 1                | 5                                   |
| 2                | 8                                   |
| 3                | 10                                  |
| 4 or more        | three times the number of vacancies |

(b) Where, however, the number of eligible officers in the feeder grade (s) is less than the number in Col. (2) above, all the officers so eligible should be considered.

(c) Where adequate number of SC/ST candidates are not available within the normal field of choice as above, the field of choice may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice, should also be considered against the vacancies reserved ~~for them~~ for them.

Officers belonging to SC/ST selected for promotion against vacancies reserved for them from out of the extended field of choice under sub para (c) above, would however be placed en block below all the other officers selected from within the normal field of choices.

XXXXXXXXXXXXXXXXXXXXXXXX



Department of Personnel & A.R.  
(C.R.D Section)

A60

The case under consideration is regarding counting of service rendered in an ex-cadre post of Accounts clerk by Shri Subhash Bhatia, UDC in the Song and Drama Division, towards the seniority in the UDC grade.

2. It may be stated that Shri Bhatia was appointed as LDC w.e.f. 3.12.64 in the above cited organisation. He was concerned in the same grade w.e.f. 3.12.65. Subsequently he was appointed as Accounts Clerk against an ex-cadre post carrying the same scale of pay as that of UDC grade w.e.f. 11.5.70 and held that post up till 20.7.79. The post of Accounts Clerk was abolished due to certain administrative reasons and Shri Bhatia was reverted to the post of LDC. Because at that time there was no vacant post of UDC available, Shri Bhatia was promoted as UDC only w.e.f. 30.10.79. He thus remains reverted to LDC from 31.7.79 to 29.10.79.

3. It has been stated that post of the Council is an ex-cadre post. Under the normal rules, an individual holding the ex-cadre post cannot be considered when persons junior to him are considered for promotion to the next higher grade within the cadre. Shri Bhatia who continued to have on lien on the post of LDC should thus have been considered for the post of UDC at the time when his juniors were being considered and promoted to the higher grade if found fit by the DPC.

4. The Ministry of Information & Broadcasting were requested to send a copy of the recruitment rules for the post of Accounts Clerk. It has been stated by them that the recruitment rules under reference have not been framed. Sir Shri Bhatia is holding it as ex-cadre post of Accounts Clerk there was no question of his confirmation against that post. The fact remains that had Shri Bhatia not been appointed to post of ex-cadre post of Accounts Clerk, he would have been considered along with his juniors to the higher grade of UDC. On abolition of the post of Accounts Clerk Shri Bhatia had to be reverted to his permanent post of LDC on which he had held a lien.

5. It has also been intimated by the Ministry of Information & Broadcasting subsequent to the appointment of Shri Bhatia to the post of Accounts Clerk, the next two junior UDCs were promoted in the UDC grade w.e.f. 1.6.71 and 6.3.73 respectively whereas Shri Bhatia has been promoted as UDC w.e.f. 30.10.79 on ad-hoc basis and thus became junior to the two above incumbents. In the light of the position explained above it may be stated that Shri Bhatia should not have been ignored for promotion on regular post to the post of UDC, had he not been holding the ex-cadre post of Accounts Clerk at that time. This seems to be purely an administrative laps and not the fault of the individual concerned. It is, therefore, for consideration to agree to the proforma seniority being granted to Shri Bhatia from the date his immediate next juniors were promoted to the post of UDC.

4/9/83

Adi  
14/14  
1836/11/025  
S.D.D.A.  
014

(G. Lal)  
SECTION OFFICER

Dir. (E)

In the absence of...  
his appointment...  
has been...  
for the...  
has...  
has...

12/14/83  
3000  
12/14/83

1 A61

Before the Central Administrative Tribunal, U.P.,  
Allahabad Bench, at Lucknow.

O. A. No. 163 of 1989 (L)



Smt. Krishna Jafri ..... Applicant  
 Versus  
 Union of India & others ..... Opp. Parties

REJOINDER AFFIDAVIT

I, Smt. Krishna Jafri, aged about 45 years,  
Wife of Sri Vilayat Jafri, R/o 34, Gulistan Colony,  
Lucknow, do hereby solemnly affirm and state on oath,  
as under:-

1. That the deponent is applicant in the aforesaid claim petition and she has read and understood the contents of the counter affidavit under reply.
2. That the contents of paragraphs 1 & 2 of the counter affidavit need no reply.
3. That in reply to the contents of paragraph 3(a) of the counter affidavit it is submitted that three posts in the grade of Accountant, Accounts Clerk and Store Keeper were abolished and as alleged by the Opposite Parties the post in the grade of Receptionist was kept in abeyance, w.e.f. 1.1.79 in reply to this it is submitted that the deponent



Jafri

Filed today  
19/11/89

A62

was also sent to the surplus cell being the nominee of the cell. It is clarified here that only the post can be sent to the surplus cell, not the person and in case of the deponent post was kept in abeyance and the deponent was made the nominee of the surplus cell.

It is further submitted that vide his application dated 1.9.79 the deponent requested for her absorption on the post of U.D.C. Since the post of the receptionist was kept in abeyance and wrongly the deponent was made nominee of the surplus cell.

In Paragraph 3(a) of the counter affidavit under reply, the opposite parties have wrongly used the word "appointed". It is further submitted that only the post can be declared surplus, not an employee.

It is further necessary to submit that the deponent remained without posting from 19.10.79 to 9.5.80 being the nominee of the surplus cell and when the opposite parties realised their mistake that only the post can be surplus, not the person, the opposite parties paid the entire salary of the period the deponent was nominee of the surplus cell. Accordingly, the deponent is continuing in service without any break and her 12 years' seniority cannot be arbitrarily ignored.

4. That in reply to the contents of paragraph 3(b) of the counter affidavit, it is submitted that clear discrimination can be seen that Sri S.C.Bhatia who was L.D.C. at the time of appointment of the deponent



Sapri

A63

on the post of receptionist which was the post of similar grade and scale to U.D.C., has been made senior to the deponent.

5. That the contents of paragraph 3(c) of the counter affidavit needs no reply.

6. That in reply to the contents of paragraphs 1 and 2 of the counter affidavit under the heading of preliminary objections, it is submitted that by means of this claim petition deponent has prayed for direction to promote her on the post of Technical Assistant and also to consider the deponent in the D.P.C. which is going to meet, to make promotion on the post of Technical Assistant on which the deponent is working on ad hoc basis,

7. That in reply to the contents of paragraph 4 of the counter affidavit the contents of paragraphs 1 to 4 of the claim petition are reiterated as correct.

8. That in reply to the contents of paragraph 5 of the counter affidavit the contents of paragraph 5 of the claim petition are reiterated as correct.

9. That the contents of paragraph 6 of the counter affidavit need no reply.

10. That in reply to the contents of paragraph 7 of the counter affidavit it is submitted that the opposite parties themselves have admitted that by



Sayni

Ally

keeping the post of Receptionist in abeyance the deponent was wrongly made the nominee of surplus cell without abolishing the post.

It is further submitted that the post of Receptionist was kept in abeyance on 1.1.79, the deponent was repatriated on 13.10.79 and remained without posting till 9.5.80 as being the nominee of the surplus cell but deponent was paid entire salary of this period when the opposite parties realised that only the post can be declared surplus, not the employee and the deponent was assigned the work of U.D.C. since 9th May, 1980 which she was doing since 1976. It is further submitted that while allowing the deponent to work on the post of U.D.C. w.e.f. 19.10.79, though the deponent was working on the post of U.D.C. since 1976, arbitrarily the opposite parties placed the deponent on probation for the period of one year, deponent represented against placing of the deponent on probation and which was allowed by the Opp. Parties and the probation period of the deponent was cancelled. Photo stats of the letters dated 7.4.81 and 14.9.81 are being annexed as ANNEXURES 4 & 5 to this rejoinder affidavit. *Rejection*



*Ally*

11. That in reply to the contents of paragraph 8 of the counter affidavit the contents of paragraphs 6(5) and 6(6) of the claim petition are reiterated as correct.

A 65

12. That the contents of paragraph/~~XXX~~<sup>9</sup> of the counter affidavit need no reply.

13. That in reply to the contents of paragraph 10 of the counter affidavit the contents of paragraph 6(8) ~~XXX~~ of the claim petition are reiterated as correct.

14. That in reply to the contents of paragraph 11 of the counter affidavit the contents of paragraph 6(9) of the claim petition are reiterated as correct and it is submitted that since joining the deponent has worked without any break in service and deponent has been paid the entire salary due under law and by not counting her length of service on the post of receptionist, is arbitrary and is violative of Articles 14 & 16 of the Constitution.

15. That in reply to the contents of paragraph 12 of the counter affidavit the contents of paragraphs 6(10) and 6(11) of the claim petition are reiterated as correct and it is submitted that arbitrarily the opposite parties have not counted her length of service on the post of Receptionist which was the post of same scale and grade of U.D.C. and the persons junior to the deponent have been arbitrarily promoted.

16. That in reply to the contents of paragraph 13 of the counter affidavit it is submitted that on the grounds disclosed in the claim petition the claim petition deserves to be allowed.



*Safin*

A66

17. That the contents of paragraph 14 of the counter affidavit need no reply.

18. That on the facts and grounds mentioned in the claim petition and this affidavit, this petition deserves to be allowed with costs.

*Safri*  
Deponent

Lucknow: Dated:  
October 17, 1989.

VERIFICATION

I, the abovenamed deponent, do hereby verify that the contents of paragraphs 1 to 18 of the rejoinder affidavit are true to the personal knowledge of the deponent; and those of paragraphs 1 to 18 of the same are believed to be true on the basis of legal advice received. No part of it is false and nothing material has been concealed. So help me God.

*Safri*  
Deponent

Lucknow: Dated:  
October 17, 1989.

I personally know and identify the deponent who has signed before me.

*Sandeep Singh*  
Advocate

Solemnly affirmed before me on 17-10-89 at 11-30 a.m. by the deponent Safri who is identified by Sri Sandeep Singh Advocate, High Court, Lucknow Bench, Lucknow.

I have satisfied myself by examining the deponent that she understands the contents of this affidavit which have been read and explained to her by me.

*[Signature]*  
OATH COMMISSIONER

H.C. Bench Lucknow  
No. 4672/89  
Date 17-10-89



CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE C.C.P. & M OA 163/89 OF 1990

NAME OF THE PARTIES Smt. Krishna Jaisi Applicant

Versus

Kripa Sagar & others. Respondent

Part A.

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|--------|--|--------------|
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| 2      | Judgement copy date 18.1.92 (18-11-92) | A 7 to 9 ✓   |
| 3      | Petition                               | A 10 to 23 ✓ |
| 4      | Annexure                               | A 24 to 34 ✓ |
| 5      | Power                                  | A 35 ✓       |
| 6      | CA / M.P. / Power                      | A 36 to 53 ✓ |
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| 18     |  |              |

**CERTIFICATE**

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

Dated .....

Counter Signed.....

Signature of the  
Dealing Assistant

Section Officer/In charge

Central Administrative Tribunal  
Lucknow Bench

INDEX SHEET

Cause Title cont. 8/90 of 1993

Name of the Parties Smt. Koushna Jafri Applicant  
Versus  
Sri Kripa Sagar and others Respondents.

Part A, B, C.

| Sl. No. | Description of Documents | Page                               |
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| ③       | Petition                 | A <sub>10</sub> to A <sub>23</sub> |
| ④       | Annexure                 | A <sub>24</sub> to A <sub>34</sub> |
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B. File

Petition, Annexure,  
CA.

B<sub>54</sub> to B<sub>85</sub>—

C. File

M. P.

C.C.P. No 0/90(L) (1)  
m  
• OA 163/89(L)

(A1)

(1)  
30.8.90

Hon. Mr. P.C. Jain - A.M.  
Hon. Mr. J.P. Sharma - J.M.

OR

Smt. K. Sagar officia.  
has filed C.C.P. (Contempt)  
No 0/90(L) for initiating  
the proceedings for contempt  
of court against two  
persons for wilfully dis-  
obedience of H.M.  
(Tribunal judgement  
dt 21.12.89 passed by H.M.  
Justice K. Nath, V.C &  
Hon. K. Ojha, A.M. &  
OA 163/89(L)  
Submitted for order

Shri Sandeep Dixit advocate  
for the applicant. He prays for one days  
time to move a petition for amendment  
of the C.C.P. and also to simultaneously  
file requisite nos of copies of  
amended C.C.P. If it may be listed  
again after the above are filed.

le  
J.M.

Ce.  
A.M.

le for the applicant  
has filed M.P. No. 390/90  
for amendment & also  
filed amended copy  
Submitted for order  
21/5/90

(2)

Hon. Mr. P.C. Jain, A.M.  
Hon. Mr. J.P. Sharma, J.M.

A 6/90

Shri Sandeep Dixit, Advocate is present for the petitioner.  
M.P. No. 390/90(L) for amendment to C.C.P. No. 8/90(L)  
is allowed.

The petitioner has filed copies of amended C.C.P.  
Issue notice to the respondents in the C.C.P. to file a  
reply within 4 weeks of the date of receipt of the  
notice. The petitioner may file rejoinder, if any, within  
2 weeks thereafter. Personal presence of the respondents  
is dispensed with for the present.  
Dismissing case on 3-8-90 for further orders.

le  
J.M.

Ce.  
A.M.

OR  
has been passed  
on  
6/6/90  
A

CA filed today  
(3) 26/8  
3-8-90

(S.M.)  
No sitting. Adj. to 3-x-90

(2)

(A2)

OA 163/91 C

(14)

7-8-91

No. 817/91 to 49.91

(B)

4-9-91

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

No RA filed

Shri Sandeep Dixit for Applicant  
Shri V.K. Chaudhary for Respondents.

3/9/91

The question to be determined in this Contempt Petition is as to whether the applicant is entitled to the salary of Technical Assistant with effect from 13-7-89. The learned counsel for Respondents is not prepared to state before us as to how they have passed orders for payment of salary of Technical Assistant with effect from 18-11-90 only. Let record be produced before us so also an officer of the Department with full facts and figures may be produced before us to explain why the applicant has been denied the salary of Technical Assistant with effect from 13-7-89 in view of the length of service of the applicant and the orders of the Tribunal in respect thereof to Court his vice in contumacy will effect from 18-11-68.

Let orders on 2-10-91.

A copy of the order may be given to learned counsel for Respondents for official use.

Remnd  
Order  
Copies  
D.P. Murthy  
for K. Chaudhary  
11/9/91, 22

[Signature]

[Signature]  
A.M.

De  
J.M.

C.C.A. NO. 8/90(L)  
IN  
O.A. NO. 167/89(L)

13-12-91

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

Get this case on 28-12-91  
for hearing

30-12-91

No setting Adj to 7-2-92

V.C.

7-2-92

No setting adj to 17-3-92

17-3-92

No setting adj to 22-4-92

22-4-92

22-4-92

No setting adj to 14-5-92

14-5-92

No setting adj to 28-5-92

28-5-92

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

Sd. Krishna Jafri - applicant is  
Present in person and prays for  
adjournment. Allowed.  
Case is adjourned for  
hearing on 23-7-92.

(Sd.)

A.M.

V.C.

Central Administrative Tribunal

Lucknow Bench.

Lucknow

Contempt Petition No. 8/90

In

O.A. No. 163 of 89

Smt. Krishna Jafri

Petitioner

versus

Kripa Sagar and others

Respondents.

Shri Umesh Chandra Counsel for Applicant.

Shri V.K. Chaudhari Counsel for Respondents.

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

The petitioner who succeeded before this Tribunal, has again approached the Tribunal with the prayer that the order of the Tribunal has been flouted and thereby respondents committed the contempt of the order earlier passed by this Tribunal on 21.12.89 in O.A. No. 163 of 1989. The O.A. No. 163/89 was decided and it was directed to the opposite parties "to consider the case of the applicant for regular promotion to the post of Technical Assistant and for that purpose to count the entire length of service of the applicant from 18.11.68 whenever the question of promotion to the post of Technical Assistant arises. In case any appointment has been made to the post of Technical Assistant during the pendency of this petition in view of the interim order dated 13.7.89, the opposite parties will issue suitable amendment within six weeks of receipt of a copy of this order." The

grievance of the applicant is that the first part of the order has not been given effect to. Copy of the order which is placed on record, which has been passed after giving appointment to the applicant reads as follows:

"3. Her seniority in the grade of Technical Assistant shall also be determined on the basis of the select list recommended by the review D.P.C. and also minimum period of regular service in the grade for promotion to the next higher grade shall be taken into account w.e.f. 19.12.1989."

The grievance is that the direction has not followed in as much as the seniority should have been recalculated and the same has not been done. The order indicates that she will become junior.

2. The respondents stated that they have given effect to the order of the Tribunal. The record, as directed by this Tribunal has been produced by the learned counsel for the respondents which indicates that the D.P.C. took into consideration the direction given by the Tribunal that her entire length of service from 18.11.68 is to be counted and before seniority is to be counted she is to be considered senior most in that grade. Earlier D.P.C. met in the year 1989

lu

wherein the position of the applicant was that her name did not figure in the D.P.C., but taking into consideration all the facts the name of the applicant was placed in the D.P.C. of 1990 and she was selected.

3. Shri Umesh Chandra, learned counsel for the applicant contended that the order indicates that due seniority has not been given to the applicant and she has been deprived of the benefit of the order and the language of the order is not very clear. Further the proceedings of the D.P.C. which has taken into consideration the directions of the Tribunal, should have also been reflected in the order. It appears that erroneously the language of the order indicates something otherwise and accordingly there appears to be no intention for committing contempt by the opposite parties and have not committed contempt except that the language of the order is not clear. Accordingly the respondents will make the position clear within a period of three months from the date of receipt of a copy of this order and issue a supplementary order making factual position clear. With these observations the Contempt petition is consigned and the notices are discharged.

*[Signature]*  
A.P.

*[Signature]*  
V.C.

Shakeel/-

Lucknow: dated 18.11.92.

A10

Amended

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT  
BENCH AT LUCKNOW.

CRIMINAL MISE. CASE NO. 8 OF 1990.

Smt. Krishna Jafri, aged about 45 years, wife of  
Sri Vilayat Jafri, resident of 34, Gulistan Colony,  
Lucknow.

.. Applicant.

- Versus -

1. Sri Kripa Sagar, Director News, All India Radio  
Broad casting House Parliament Street,  
New Delhi.
2. Sri H.P. Sinlanki, Deputy Director, Song and  
Drama Division, 15/16, Subhash Marg Deniaganj,  
Lucknow.
3. Sri L. Laxmi Narayan, Joint Secretary,  
Ministry of Information and <sup>Broad</sup> ~~Board~~ Casting  
Government of India, Shastri Bhawan, New Delhi.
4. Sri Mohan Lal, Deputy Director

Filed today  
3/15

CP/S. Affi

Sefri

(AII)

2.

(Admin), Song and Drama Division, Subhas Marg,  
Daryaganj, Lucknow.

-- Opposite-parties.

CONTEMPT PETITION UNDER SECTION 17 OF THE CENTRAL  
ADMINISTRATIVE TRIBUNAL ACT-1985

- - - -

1). That the aforesaid applicant filed a claim petition O.A. No.163 of 1989 (i) before the Hon'ble Tribunal praying the following reliefs:-

i). This Hon'ble Tribunal may be pleased to direct the opposite parties to promote the applicant to the post of the Technical Assistant on regular basis by counting her entire length of service commencing from 18.11.1968 when she was appointed as receptionist.

ii). This Hon'ble Tribunal may also be pleased to direct the respondents to treat the applicant as the senior most upper Division Clerk and quash the seniority list dated 18th May 1989.

iii). This Hon'ble Tribunal be further pleased to direct the respondents to suitably modify the order dated 4th May 1989 and to promote the applicant as Technical Assistant by giving her

Sd/-

A12

3.

retrospective benefit of pay and seniority in a manner consider to Sarvsri S.C. Bhatia and Daya Jeet Singh.

iv). This Hon'ble Tribunal may be pleased to grant such other relief as is considered just and proper.

2). That on 21.12.1989 the Hon'ble Tribunal was pleased to allow the claim of the applicant and it was observed that to consider the applicant for regular promotion to the post of Technical Assitant and for purpose to count the entire length of service of the applicant from 18.11.1968.

3) It was further directed that if in case any appointment has been made to the post of Technical Assitant during the pendency of this petition in view of the interim order dated 13.7.1989 the opposite parties will issue suitable amendment within 6 weeks of receipt of this order.

A photostat of the judgment dated 21.12.1989 passed by Hon'ble Justice K.Nath and Hon'ble K.Obayya Member (A) is being annexed as ANNEXURE NO.1 to this application.

ANNEXURE NO.1

3). That the copy of the order dated 21.12.1989 was served on the opposite party No.2 along with an application dated 25.12.1989 and same was received in the

Sarvsri

A13

4.

office of opposite party No.2 on 26.12.89. A photostat of the application dated 26.12.1989 received by opposite party No.2's office is annexed herewith as ANNEXURE NO.2 to this application.

ANNEXURE NO.2

4). That the copy of the order dated along with the application 25.12.1989 was also send to the opposite party No.1 and through courier service on 25.12.1989. A photostat of the receipt dated 25.12.1989 is annexed as ANNEXURE NO.3 collentini-y to this application.

ANNEXURE NO.3

5). That instead of complying the order/ judgment dated 21.12.1989 the opposite party No.4 issued a letter dated 1.2.1990 with regard to modification of the earlier letter dated 13.12.89 which is the order of promotion of juniors to the post of Technical Assistant that the appointments to the post of Technical Assistant would be subject to final decision of the decision of O.A. case No.163 of 1989(1) Smt. Krishna Jafri - Versus- Union of India whereas the judgment/order was passed on 21.12.1989 much before the order of modification dated 1.2.1990 was issued.

6). That the order dated 1.2.1990 has been passed deliberately and wilfully as to violate the

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order passed by this Hon'ble Tribunal as when the case has been finally disposed of instead of complying the order dated 21.12.1981 another letter is issued to make the appointments subject to the final decision of the case No.168 of 1989(L). A letter dated 1.2.90 is being annexed as ANNEXURE NO.4 to this application.

ANNEXURE NO.4

7). That the judgment/order dated 21.12.1989 was communicated to the opposite parties on 26.12.1989 and six weeks have expired on 6.2.1990 from the receipt of the order but the opposite parties has neither issued the suitable amendment and nor have considered the entire length of the applicant while making promotions already made during the pendency of the application.

7(i) That the opposite parties have neither considered the applicant for the regular promotion to the post of Technical Assistant nor have put the case of the applicant before the Departmental Promotion Committee.

7(ii). That in wilful disobedience of the order and judgment dated 21.12.1989 the opposite parties have neither made the suitable amendment in the promotion made during the pendency of the claim petition nor have considered the applicant for promotion to the post of Technical Assistant as have been directed by the Hon'ble Tribunal.

*Supra*

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8). That the opposite parties were fully aware of the order/judgment dated 21.12.1989 passed by this Hon'ble Tribunal and have deliberately and wilfully violated and are continuing to violate the order passed by this Hon'ble Tribunal.

9). That in view of the facts and circumstances mentioned here-before it is manifest that the opposite parties have committed gross contempt to this Tribunal and it is necessary in the interest of justice to punish them suitably.

*gafm*

- P R A Y E R -

WHEREFORE, it is, respectfully prayed that this Hon'ble Tribunal may be pleased to punish the opposite parties for committing contempt of court by violating the order dated 21.12.1989 passed by this Hon'ble Tribunal by not making suitable amendment with regard to ~~appix~~ appointments made during the pendency of this petition both in six weeks of receipt of a copy of the order dated 25.12.1989.

Lucknow dated:  
May ,1990.

Advocate,  
Counsel for the applicant.

A 16

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH,

LUCKNOW.

A f f i d a v i t

In

Criminal Misc. Case No. of 1990.

Smt. Krishna Jafri .. Applicant.

-Versus-

Sri Kripa Sagar, Director News,  
All India Radio Broadcasting  
and others --Opposite-parties.

I, Smt. Krishna Jafri, aged about 45 years,  
wife of Sri Vilayat Jafri, resident of 34, Gulistan  
Colony, Lucknow, do hereby solemnly affirm and state  
on oath as under :-

1). That the deponent is the applicant and  
as such is she is well conversant with the facts of  
the contents of paragraphs 1 to 9 of the accompanying  
application.

Jafri

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2.

2). That the contents of paragraphs 1 to 9 of the accompanying application are true to the own knowledge of the deponent.

*Safu*

Lucknow dated:  
May ,1990.

Deponent.

VERIFICATION.

I, the above named deponent do hereby verify that the contents of paragraphs 1 and 2 of this affidavit are true to my own knowledge. No part of it is false and nothing material has been concealed so help me God.

*Safu*

Lucknow dated:  
May ,1990.

Deponent.

I, identify the deponent who has signed before me.

Advocate.

Solemnly affirmed before me on  
at a.m./p.m. by  
the deponent who is identified by  
Sri  
Advocate, High Court, Allahabad.

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

(A18)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH  
AT LUCKNOW.

C.C.P No 0/90(L)

CRIMINAL M.S.C. CASE NO. OF 1990

or  
OA 168/199(L)

Smt. Krishna Jafri, aged about 45 years, wife of  
sri Vilayat Jafri, resident of 34, Gulistan Colony,  
Lucknow.

-- Applicant.

- Versus -

1. Sri Kripa Sagar, Director News All India  
Radio Broadcasting House Parliament street,  
New Delhi.
2. Sri H. P. Singhani, Deputy Director Song  
and Drama Division, 15/16, Subash Marg Deniaganj,  
Lucknow.
3. Sri L. Laxmi Narayan, Joint Secretary  
Ministry of Information and Broad Casting  
Government of India Shastri Bhawan, New Delhi.
4. Mohan Lal, Deputy Director,

*Filed today*

*Noted for 30.5.90  
Ranjit Ch  
J. Singh  
D. Singh  
20/5*



*Jafri*

*T.C.  
Sandeep Dixit  
AW*

A19

(Admin), Song and Drama Division , Subhas Marg,  
Subhash Marg, Dariya Ganj, Lucknow.

--Opposite-parties.

CONTEMPT PETITION UNDER SECTION 17 OF THE CENTRAL  
ADMINISTRATIVE TRIBUNAL ACT - 1985

- - - -

The above named applicant begs to submit  
as under:-

1). That the aforesaid applicant filed a  
claim petition O.a. No. 163 of 1989 (i) before the  
Hon'ble Tribunal praying the following reliefs:-

i). This Hon'ble Tribunal may be pleased  
to direct the opposite parties to promote the applicant  
to the post of the Technical Assistant on regular  
basis by counting her entire length of service  
commencing from 18.11.68 when she was appointed  
as receptionist.

ii). This Hon'ble Tribunal may also be pleased  
to direct the respondents to treat the applicant as  
the senior most upper Division Clerk and quash  
the seniority list dated 18th May 1989.

iii). This Hon'ble Tribunal be further  
pleased to direct the respondents to suitably  
modify the order dated 4th May 1989 and to promote the  
applicant as Technical Assistant by giving her



*Saxena*  
T.C.  
*Sandeep Dixit*  
*AW*

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retrospective benefit of pay and seniority in a manner consider to Sarvari S.C. Bhatia and Daya Jeet Singh.

iv). This Hon'ble Tribunal may be pleased to grant such other relief as is considered just and proper.

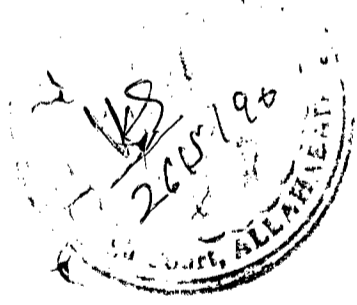
2). That on 21.12.1989 the Hon'ble Tribunal was pleased to allow the claim of the applicant and it was observed that to consider the applicant for regular promotion to the post of Technical Assistant and for purpose to count the entire length of service of the applicant from 18.11.1968.

3). It was further directed that if in case any appointment has been made to the post of Technical Assistant during the pendency of this petition in view of the interim order dated 13.7.89 the opposite parties will issue suitable amendment within 6 weeks of receipt of copy of this order.

A photostat of the judgment dated 21.12.89 passed by Hon'ble Justice K. Nath and Hon'ble K.Obayya Member (A) is being annexed as ANNEXURE NO.1 to this application.

ANNEXURE NO.1

3). That the copy of the order dated 21.12.89 was served on the opposite party No.2 along with an application dated 25.12.89 and same was received in the



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T. C.  
Sandeep Dixit  
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office of opposite party No.2 on 26.12.1989. A photostat of the application dated 26.12.1989 received by opposite party No.2's office is annexed herewith as ANNEXURE NO.2 to this application.

ANNEXURE NO.2

4). That the copy of the order dated along with the application dated 25.12.1989 was also send to the opposite party No.1 and 3 through courier service on 25.12.1989. A photostat of the receipt dated 25.12.1989 annexed as ANNEXURE NO.3 collectively to this application.

5). That instead of complying the order/ judgment dated 21.12.1989 the opposite party No.4 issued a letter dated 1.2.1990 with regard to modification of the earlier letter dated 13.12.89 which is the order of promotion of juniors to the post of Technical Assistant that the appointments to the post of Technical Assistant would be subject to final decision of the decision of the o.a. case No.163 of 1989(1) Sat. Krishna E Jafri -Versus Union of India whereas the judgment/order was passed on 21.12.89 much before the order of modification dated 1.2.1990 was issued. A photostat of this letter dated 1-2-90 is being annexed as Annexure 4 to this application



Jafri

T.C.  
Sandeep Bhatt  
A.C.

6). That the order dated 1.2.1990 has been passed deliberately and wilfully as to violate the

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order passed by this Hon'ble Tribunal as when the case has been finally disposed of instead of complying the order dated 21.12.1981 another letter is issued to make the appointments subject to the final decision of the Case No.168 of 1989(L).

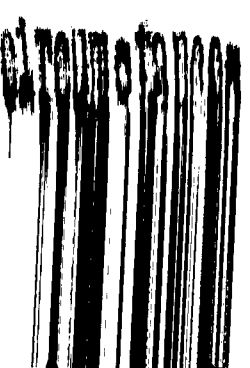
7). That the judgment/order dated 21.12.1989 was communicated to the opposite parties on 26.12.1989 and six weeks have expired on 6.2.1990 from the receipt of the order but the opposite parties has neither issued the suitable amendment and nor have consulted the entire length of the applicant while making promotions already made during the pendency of the application.

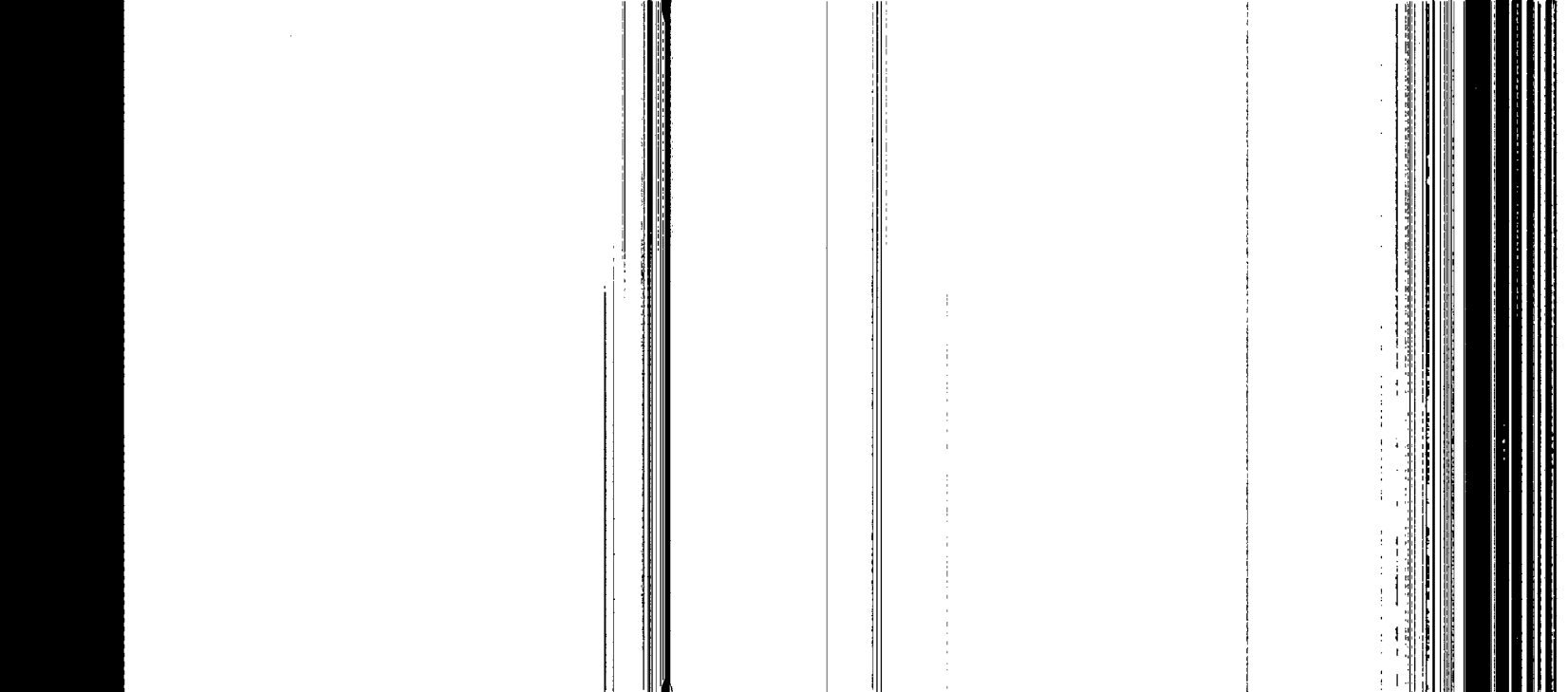
8). That the opposite parties were fully aware of the order/judgment dated 21.12.1989 passed by this Hon'ble Tribunal and have deliberately and wilfully violated and are continuing to violate the order passed by this Hon'ble Tribunal.

9). That in view of the facts and circumstances...

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20/5/90

Supri





(A22)

5.

order passed by this Hon'ble Tribunal as when the case has been finally disposed of instead of complying the order dated 21.12.1981 another letter is issued to make the appointments subject to the final decision of the Case No.163 of 1989(L).

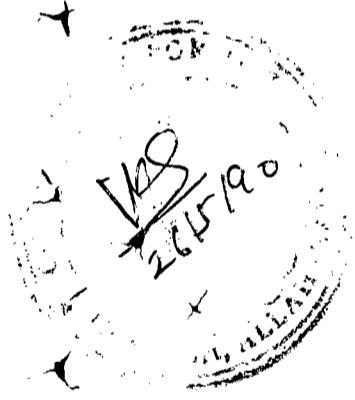
7). That the judgment/order dated 21.12.1989 was communicated to the opposite parties on 26.12.1989 and six weeks have expired on 6.2.1990 from the receipt of the order but the opposite parties has neither issued the suitable amendment and nor have consulted the entire length of the applicant while making promotions already made during the pendency of the application.

8). That the opposite parties were fully aware of the order/judgment dated 21.12.1989 passed by this Hon'ble Tribunal and have deliberately and wilfully violated and are continuing to violate the order passed by this Hon'ble Tribunal.

9). That in view of the facts and circumstances mentioned here-before it is manifest that the opposite parties have committed gross contempt to this Tribunal and it is necessary in the interest of justice to punish them suitably.

P R A Y E R .

WHEREFORE, it is, respectfully prayed



*Supri*  
*T.C. Sandeep Dixit*

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that this Hon'ble Tribunal may be pleased to punish the opposite parties for committing contempt of court by violating the order dated 21.12.1989 passed by this Hon'ble Tribunal by not making suitable amendment with regard to appointments made during the pendency of this petition both in six weeks, of receipt of a copy of the order dated 25.12.1989.

*Copy*

*Sandeep Singh*

Advocate,  
Counsel for the applicant.

Lucknow dated:  
May ,1990



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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH AT LUCKNOW.

Registration O.A. No.163 of 1989 (L)

Smt. Krishna Jafri ..... Applicant

Versus

Union of India & Others ..... Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.

Hon. K. Obayya, Member (A)

(By Hon. Justice K. Nath, V.C.)

This application under Section 19 of the Administrative Tribunals Act, 1985 is for a direction to the opposite parties to count her entire length of service commencing from 18.11.68 for the purposes of promotion to the post of Technical Assistant.

2. On 18.11.68 the applicant was appointed as a Receptionist in the scale of Rs. 130-300 in the Song and Drama Division of the Information and Broadcasting Division. On 20.3.72 she was confirmed as Receptionist.

3. On 26.8.78 she was sent on deputation to the Public Relations Department of the Haryana State Government. She was re-registered to the parent Department on 18.10.79.

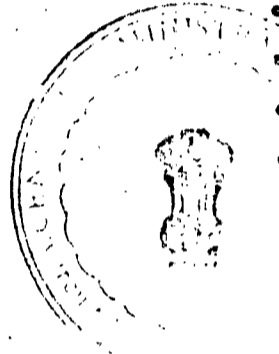
4. In the meantime the post of Receptionist which was held by her was placed in abeyance on 1.1.79. It was ultimately abolished on 19.10.79. But in the meantime, the applicant having returned to the parent Department from deputation on 18.10.79, the

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post of Receptionist in abeyance was revived for one day i.e. for 18.10.79 retrospectively by an order dated 3.3.81, Annexure-3 which order also sustained the post ~~with effect from 18.10.79~~ the order with effect from 19.10.79. In fact and in law, therefore, the applicant had held the post of Receptionist on 18.10.79. However, since the post of Receptionist was no more available from 19.10.79, the applicant <sup>had</sup> moved an application, Annexure-A2 dated 1.9.79 with a prayer to be absorbed as UDC in the scale of Rs. 130 - 300 in the Eng and Drama Division with the statement that she had already officiated as UDC on transfer in the C & A Section since 1976. On 9.5.80 an order was issued by the opposite parties appointing her as UDC ex cadre with effect from 19.10.79 as a nominee of the Central (service staff) Pool in the Ministry of Home Affairs. The applicant protests to be treated as a nominee of the Pool and has contended that her appointment in the Department has remained continuous since registration on 18.10.79.



5. On 7.4.81, order Annexure-4 was passed placing the applicant on two years probation on the post of U.D.C. retrospectively from 9.5.80; that the order however was recalled by order dated 14.9.81, Annexure-5.

6. However the applicant continued to work on the post of U.D.C. The next promotion in line is to the post of Technical Assistant in the ~~603231~~ scale of Rs.210 - 425. The grievance of the applicant is

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*W.S.*  
26/5/80

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that the opposite parties are not prepared to give benefit to her of the service rendered by her from 18.11.68 for the purposes of promotion to the post of Technical Assistant.

7. The case of the opposite parties is that services on the post of Receptionist and of the earlier period are not to be counted for seniority because she had become surplus on the abolition of the post of Receptionist. Her appointment on the post of U.D.C., according to the Department, would be treated as a new appointment and only that period of service would run for the purposes of seniority as is rendered in the post of U.D.C.

8. We have heard Shri Unesh Chandra, learned counsel for the applicant and Shri V.K. Chaudhary for the opposite parties and have gone through the record.

9. The stand of the opposite parties, that on account of the abolition of the post of the Receptionist the previous services could not be counted or that the applicant should be treated as surplus, does not seem to be sound. Although the post of Receptionist was kept in abeyance with effect from 1.1.79, it was revived on 18.10.79 even for a day since the applicant returned from deputation and therefore as on 18.10.79 she may not be considered to have continued to hold the post in continuity of her all past service. While on the one hand, when the post of Receptionist <sup>was</sup> abolished with effect from 19.10.79, simultaneously she was appointed as U.D.C. and since then she has continued to work on that post.



*Refer*



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10. The posts in question are governed by Song and Drama Division class III and IV posts, Recruitment Rules, 1969. The Rules framed under Article 309 of the Constitution of India state that they governed the method of recruitment to class III and class IV posts in the Song and Drama Division. Rule 3 states that <sup>the</sup> number of posts, classification and Scales under the Rules are those set out in the Schedule. Sl.No.3 of the Schedule describes the post of Technical Assistant in the scale of Rs. 210 - 425. Sl. No.7 mentions the post of U.D.C. in the scale of Rs.130 - 300. Sl.No.10 mentions the post of Receptionist in the scale of Rs.130 - 300. ~~Such~~<sup>Certain</sup> features are apparent from these Rules. In the first place, the post of U.D.C. and Receptionist are in the same scale. Secondly, all these posts are governed by one set of Rules relating to the Division. On the face of it, all these posts would constitute the strength of the service and therefore the class III<sup>Cadre</sup> of the service is defined in the Fundamental Rules. The mention in the order dated 9.5.80 that the applicant was appointed to the post of U.D.C. ex cadre would not make much difference. It is well settled that the Govt. have an inherent power to create a <sup>post</sup> policy or keep in abeyance any of the posts. If the post of U.D.C. on which the applicant is to be accommodated, was in addition to the strength under Rules and therefore was treated as an ex cadre post, it would, nevertheless, be a post within the Rules. This situation coupled with the fact that the applicant's entire length of service from

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18.11.68 to her appointment as U.D.C. on 19.10.79 with the intermediate stages of a staff reported on deputation with the Govt. of Haryana and one day's appointment on the post of Receptionist on 18.10.79 establishes a continuity of service in a class III <sup>cadre</sup>. It is well settled that continuous service in a <sup>cadre</sup> class III counts for seniority which would be relevant for the purposes of consideration for promotion.



11. The concept of affording a new and fresh appointment as UDC is inconsistent with the action of the opposite parties in first placing the applicant on probation and then cancelling the probation. The learned counsel for the opposite parties tried to explain that because the applicant had been Receptionist and confirmed as Receptionist and because the scale of pay of the Receptionist was the same as the scale of pay of U.D.C., therefore it was not necessary to place the applicant again on probation for the post of U.D.C. and consequently the order of probation was cancelled. This condition only establishes the situation that the post of Receptionist and UDC has been treated at par and since they are all posts governed by the same set of Rules and must be held to be included in the same class III <sup>cadre</sup> ~~post~~ in which all the posts are included, there is no reason why the benefit of the continuous length of service from the date of first appointment as Receptionist to the date of appointment as UDC and beyond, may not be given for the purposes of promotion to the next higher post.

12. The petition therefore succeeds. The opposite

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parties are directed to consider the case of the applicant for regular promotion to the post of Technical Assistant and for that purpose to count the entire length of service of the applicant from 18.11.68 whenever the question of promotion to the post of Technical Assistant arises. In case any appointment has been made to the post of Technical Assistant during the pendency of this petition; in view of the interim order dated 13.7.89, the opposite parties will issue suitable amendment within six weeks of receipt of a copy of this order. Parties shall bear their costs.

Member (A)

Vice Chairman

Dated the 21st Dec., 1989.

RKM

*certified copy*  
*12/12/89*  
(K. K. Parashar) 7/3 7/11/89  
Private Secretary  
Central Administrative Tribunal  
ALMABEAM

*Sudhanu*

*KS*  
*28/15/89*  
COMPTROLLER GENERAL OF ACCOUNTS

Before the Central Administrative Tribunal (A 30)

Cr. M. Case No. 1990  
Smt. Krishna Jafri

vs.  
Kripa Sagar & others.

Application  
App. No. 1

To,

Annex-2

The Director,  
Song and Drama Division,  
15/16, Subhash Marg,  
Daryaganj,  
New Delhi-110002

Subject:- CAT case no.163 of 1989(L-Smt.Krishna Jafri  
verses Union of India and others).

Sir,

I invite your kind attention on the subject mentioned above. The judgement of the case was pronounced on 21.12.89 immediately after the arguments were concluded. The union of India was represented by its standing Counsel Shri V.K.Chaudhery.

Orders promoting four U.D.C's to the post of Technical Assistant on regular basis issued are also to be revised as directed by the Central Administrative Tribunal, Lucknow. The CAT on 13.7.89 by an interim order directed that any promotion made shall be subject to the final orders in the case.

68  
My seniority from 18.11.68 be counted and all promotions etc. which would have been due to me during all these years may please be restored to me and the D.P.C. should consider my case for regular promotion in accordance with the Tribunal's Judgement and order within 6 weeks. As a sequel to the selection made by the D.P.C., my adhoc promotion to the post of Technical Assistant has come to an end, but since the D.P.C. proceedings without considering my case by not reckoning my seniority with effect from 18.11.68 are rendered illegal, my reversion from the post of Technical Assistant, to that of U.D.C automatically also becomes illegal and I continue as Technical Assistant and should be treated as such till such time as regular selection takes place.

Yours faithfully,

Dated 26th December, 1989  
Enclosures:- Certified copy of  
Judgement.

(Krishna Jafri)  
Technical Assistant  
Song and Drama Division,  
Lucknow

Copy to Shri L.Laxmi Narayan, Joint Secretary  
Ministry of Information & Broadcasting, Government of India  
Shashtri Bhawan, New Delhi for kind information and with the  
request for an immediate necessary action.

Copy to Dy. Director, Song and Drama Division, Lucknow.

(KRISHNA JAFRI)

Amnara N.3

**Falpara India Courier**  
**COURIER POINT Consignment Note**

FROM (SENDER)

*From: Kishore Chandra, 341, Gole Market, New Delhi*

SENDER'S NAME/DEPT.

*Govt. Secy.*

SENDER'S SIGNATURE

TEL. No.:

CUSTOMER ACCOUNT

NON-NEGOTIABLE CONSIGNMENT NOTE SUBJECT TO STANDARD CONDITIONS OF CARRIAGE AVAILABLE ON REQUEST THE CARRIER SPECIFICALLY LIMITS ITS LIABILITY TO A MAXIMUM OF Rs. 1000 PER CONSIGNMENT FOR ANY CAUSE

DESCRIPTION

*1000*

RECEIVED BY COURIER POINT

*1000*

DATE

*25/11/84*

TIME

*10 P.M.*

ORIGIN

DEST'N

DESPATCH

NUMBER

TO (RECEIVER)

*1000 Govt. Secy. Dept. New Delhi*

ATTN:

TELEPHONE

TELEX

DECLARED VALUE

WEIGHT

ITEMS

TOTAL AMOUNT

*1000*

*1000*

*1*

*1000*

CASH  CREDIT

RECEIVER'S NAME & SIGNATURE

*SIVA RAM*

DATE

*27/11/84*

TIME

*P.M.*

P.O.D.

*1000*

*Safe*

Before the Central Administrative Tribunal (A3)

Case No. 1990  
Smt. Krishna Jafri

vs.  
Kripa Sagar & others  
Applicant  
Opp. Party

Amex N. 4  
No: A. 32016/2/89-Admn. I  
Song and Drama Division  
Ministry of Information & Broadcasting  
\*\*\*\*\*

15/16, Subhash Marg,  
Darya Ganj, N. Delhi-110002  
Dated 1st Feb., 1990

CORRIGENDUM

The following may be treated as added as para-2  
to this Division's order of even number, dated 13th December, 1989 :-

" 2- The appointment by promotion of the above  
officials to the post of Technical Assistant  
are subject to the decision of Central Administrative  
tribunal in case No: 163 of 1989(L) (Smt. Krishna Jafri  
V/S U.O.I. & Others "

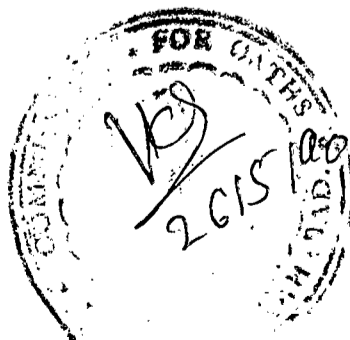
  
( MOHAN LAL )  
DEPUTY DIRECTOR (AMN.)

Copy to:-

1. S/Sh. M. K. Raina, N.M. Parmar, J.S. Jaggi and  
Smt. Manika Dey, U.D.C. (Lucknow), U.D.C. (Pune),  
Technical Asstt. (LUCKNOW) and U.D.C. (Calcutta),  
respectively.
2. Personal file of each individual concerned.
3. Deputy Director, S&D. Divn, Pune/Calcutta/Sringgar  
Bhopal and Lucknow.
4. Assistant Director, S&D. Divn, Nainital.
5. All centres of the Song and Drama Division.
6. All Officers/Sections, S&D. Divn, H.d&Ars.
7. All Pay and Accounts Offices, in accounts with  
S&D. Divn.
8. Guard file (Admn. I)

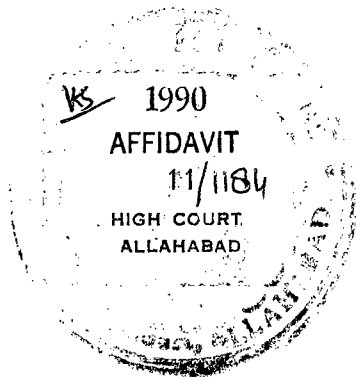
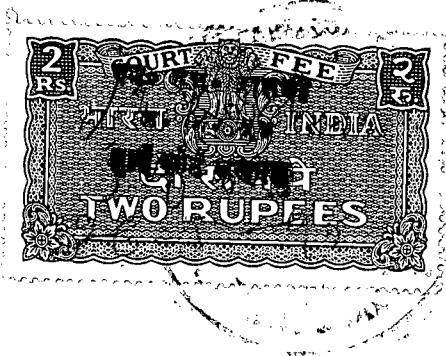
  
( MOHAN LAL )  
DEPUTY DIRECTOR (AMN.)

Jafri



A33

Before the Central Administrative Tribunal,  
Circuit Bench, Lucknow.



A f f i d a v i t

In

Criminal Misc. Case No. of 1990

Smt. Krishna Jafri

-- Applicant

- V e r s u s -

sri Kripa Sagar, Director News  
All India Radio Broadcasting  
and others

-- Opposite-parties

Jafri

I, Smt. Krishna Jafri, aged about 45 years,  
wife of Sri Sri Vilayat Jafri, resident of 34,  
Gulistan Colony, Lucknow, do hereby solemnly affirm  
and state on oath as under:-

1). That the deponent is the applicant and  
as such is she is well conversant with the facts of  
the contents of paragraphs 1 to 9 of the accompanying  
application.



A34

2.

2). That the contents of paragraphs 1 to 9 of the accompanying application are true to the own knowledge of the deponent.

*Safri*

Deponent.

Lucknow dated:  
May 26, 1990

VERIFICATION.

I, the abovenamed deponent do hereby verify that the contents of paragraphs 1 and 2 of this affidavit are true to my own knowledge. No part of it is false and nothing material has been concealed so help me God.

*Safri*

Deponent.

Lucknow dated,  
May 26, 1990.

I, identify the deponent who has signed before me.

*Sandeep Dixit*  
Advocate.

Solemnly affirmed before me on 26/5/90 at 1.30 a.m./p.m. by the deponent *Smt. Krishna Jafri* who is identified by *Sri Sandeep Dixit* Advocate, High Court, Allahabad.

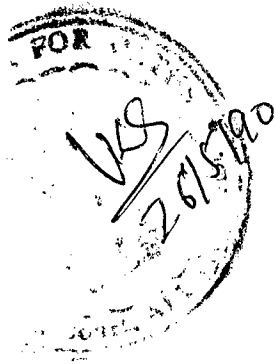
I have satisfied myself by examining the deponent who understands the contents of this affidavit which have been read out and explained by me.

*Rshukla*  
Shukla  
Advocate

JUDICIAL COMMISSIONER  
High Court, Allahabad.

Lucknow Bench.

No. *11/1184*  
Date *26/5/90*



A35

ब अदालत श्रीमान ..... महोदय  
Lucknow:

(वादी) अपीलान्त ..... का वकालतनामा  
प्रतिवादी (रेस्पान्डेन्ट) श्री.....



श्री - Koushima Jafar

वादी (अपीलान्त)

बनाम

श्री Koushima Jafar

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकद्दमा ..... सन् १९ ..... पेशी की तारीख ..... १९ ..... ई०

ऊपर मुकद्दमा में अपनी ओर से श्री .....  
सन्दीप दीक्षित स्वयं

एडवोकेट/वकील  
..... महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करे या कोई कागज दाखिल करे या लौटावे या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करे या सुलहानामा या इकवाल दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करे और तसदीक करे या मुकद्दमा उठावे या कोई रुपया जमा करे या हमारे विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त कर वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर .....  
Jafar

साक्षी गवाह

साक्षी [गवाह]

दिनांक

सहीना

सन् १९८ ..... ई०

Accepted  
Sandeep Jafar  
Arun Jafar  
D. Jafar

नाम अदालत  
नं० मुकद्दमा  
नाम फरीकन

(A36)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

C.M. Appn. *Veron*  
C.C.P NO. 8 of 1990 (L)

in

C.A No.163 of 1989(L)

Smt Krishna Jaf *Veron* ... Applicant

-versus-

Shri Kirpa Sagar & others ... Respondents

APPLICATION FOR DROPPING THE CONTEMPT  
PROCEEDINGS AGAINST THE RESPONDENTS.

The Respondents begs to submit as under:-

1. That for the facts, reasons and circumstances mentioned in the accompanying counter affidavit of the Respondent no.1, it is expedient in the interest of justice that the contempt proceedings started against the Respondents may be dropped.

P R A Y E R.

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may very kindly be pleased to drop the contempt proceedings started against the Respondents in the ends of justice.

*Chaudhary*

(VK CHAUDHARI)

Addl Standing Counsel for Central Govt  
Counsel for Respondents.

Lucknow,

Dated: 26 July, 1990.

A37

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

C.C.P. No:8 of 1990(L)

in

O.A. No:163 of 1989(L)

Smt. Krishna Jafri ..... Applicant

-Versus -

Shri Kirpa Sagar & Others ..... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENTS

I, Kirpa Sagar, aged about 55 years,  
son of Sh. Piarey Lal,  
at present posted as Director (News Services Division)

Stamp: Kirpa Sagar  
Date: 17/7/90  
Signature: Kirpa Sagar

All India Radio, Broadcasting House, Parliament  
Street, New Delhi do hereby solemnly affirm and  
state as under:-

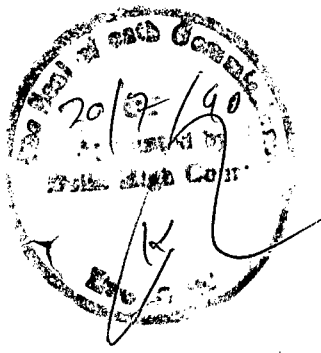
1. That the deponent is Respondent No:1 in the afore-mentioned contempt application/petition.
2. That the deponent is well conversant with the facts of the case, he has read and understood the content of the contempt petition filed by the petitioner as well as the facts deposed to herein under in reply thereof.
3. That the contents of Para 1(i) to (iv) of the contempt petition are matters of record and need no comments.

Kirpa Sagar

Contd.....p2

A38

- 4. That the contents of para 2 of the application are admitted to the extent that the Hon'ble Tribunal was pleased to direct the opposite parties to consider the claim of the applicant for regular promotion to the post of Technical Assistant and for that purpose to count the entire length of service of the petitioner from 18.11.1968, whenever the question of promotion to the post of Technical Assistant arises.
- 5. That the contents of para 3 of the contempt petition are not disputed
- 6. That the contents of para 3 (unnumbered para 4 and para 4 (unnumbered para -5) of the contempt petition are not disputed
- 7. That in reply to the contents of para 5 (unnumbered para 6) of the contempt petition it is submitted that immediately on the receipt of the full copy of the judgement in the case, the opposite parties examined the complete issues and on the advice of the Ministry of Law issued corrigendum dated 1st Feb., 1990 exactly in accordance with the directives of this Hon'ble Tribunal to suitably modify the orders of promotion order dated 13.12.1989.



contd.....p.3

*Kispa...*

A 39

8. That the contents of para 6 (un-numbered para -7) of the contempt petition are misconceived and are denied. Nothing has been done, as alleged by the petitioner. The opposite parties have given due consideration to the judgement of this Hon'ble Tribunal in the case OA No:163 of 1989(L), and issued modifications of their earlier order dated 13.12.1989 vide order dated 1.2.90.

9. That in reply to the contents of para 7 (unnumbered para 8) of the contempt petition it is submitted that the opposite parties has already suitably modified the order dated 13.12.1989 within stipulated time. As such the contents of this para are denied.

10. That in reply to the contents of para 8 & 9 (re-numbered para 9 and 10) of the contempt petition, it is submitted that the contents of these paras are misconceived and the opposite parties have already taken action as indicated in reply to para 6 (re-numbered as para 7 above).

11. That it is pertinent to mention that against the judgement given by this Hon'ble Tribunal in the aforesaid case dated 21.12.1989 the Union of Ind had already preferred a Special Leave Petition to the Supreme Court i.e. S.L.P. No:5660 of 1990, which was listed for admission hearing on the very opening day of the Hon'ble Supreme Court i.e. on 9.7.90 alongwith application for stay of operation of this Tribunal's judgement.



*Kispathar*

Contd.....p.4

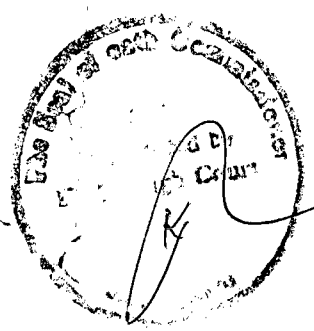
A40

12. That, however, as the promotion order dated 13.12.1989 was issued during the pendency of the case filed by the applicant and the Department should have mentioned that fact in the promotion order that the promotions will be subject to the final decision of the case filed by Smt. Krishna Jafri, therefore suitable modification/corrigendum was issued on 1.2.90.

13 That the deponent also undertakes that since the SLP of the Union of India has been dismissed, the case of Smt. Krishna Jafri for regular promotion to the post of Technical Assistant shall be considered and for that purpose the entire length of service of the applicant shall be counted from 18.11.1968, by a review DPC and further action taken accordingly as per the directives of Hon'ble Tribunal.

14. That there is no willful or deliberate omission or act on the part of the Respondents to dis-obey or to show dis-regard to the order passed by this Hon'ble Tribunal, they have all respect and regard to this Hon'ble Tribunal.

15. That the deponent also tenders unconditional apology and leaves the matter on the mercy of this Hon'ble Tribunal and undertakes to comply the directions given by this Hon'ble Tribunal considering all the facts and circumstances mentioned above.



*Handwritten signature*

A41

16. That the Contempt petition filed by the applicant is pre-matured and is liable to be dismissed at this moment.

*Kirpa Sagar*

New Delhi

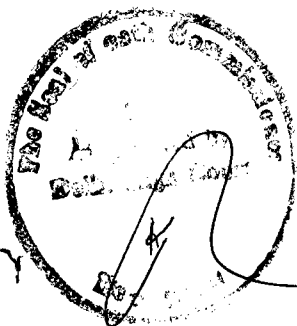
Deponent.

Dated:

I, the deponent named above do hereby verify that the contents of paragraphs 1 & 2 of the affidavit are true to my personal knowledge and those paras 3 to 12 of the affidavit are believed to be true on the basis of information gathered as well as per records and those of para 13 to 16 of this affidavit is also believed to be true on the basis of legal advice. Nothing material fact has been concealed and no part of it is false.

*Kirpa Sagar*

Deponent



I identify the deponent who has appeared in my presence.

*B. R. Sarin*

(बलदेव राज सरीन)  
(B. R. SARIN)

सहायक सचिव (अ.प्र.)  
Assist. Secy. (Adm.)

गीत और नाटक विभाग, संगीत और नाटक विभाग  
Song and Drama Div., Dept. of Culture

Solemnly affirmed before me on 20-7-90

at 11.20 am/pm by the deponent Shri Kirpa Sagar identified by Sh. B. R. Sarin, Asst. Director (Adm.) Song & Drama Division

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

Oath Commissioner.

ATTESTED

Oath Commissioner DELHI

20 JUL 1990

Filed for 9.8.90 (Amr)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

C.M. Ahluwalia vs. 1990  
C.C.P. No. 8 of 1990(L)

in

O.A. No. 163 of 1989(L)

Smt Krishna Jafri

... Applicant

-versus-

Shri Kirpa Sagar & others

... Respondents

APPLICATION ON BEHALF OF RESPONDENTS 2, 3 & 4  
FOR ADOPTING DEFENCE TAKEN BY RESPONDENT NO. 1

The Respondents Nos. 2, 3 & 4 beg to submit as

under:-

1. That the above mentioned contempt application the Respondents nos. 1 ie. Shri Kirpa Singh has filed his counter affidavit disclosing all the facts and circumstances under which the judgement of this Hon'ble Tribunal could not be implimented in toto.

2. That the Respondent nos. 2, 3 & 4 have nothing to say except what have been stated by the Respondent no. 1 in his counter affidavit and they intend to take the defence taken by the Respondent no. 1.

3. That the Respondent appearing this Hon'ble

praxxi

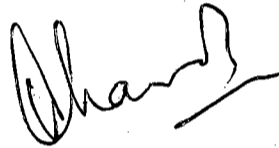
Handwritten notes on the left margin, including "A.P." and "26/7/90".

A43

Practitioner and they are condoning their unconditional apology and leave themselves on the mercy of the Hon'ble Tribunal.

P R A Y E R.

X. It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased that the Respondents 2, 3 & 4 be very kindly be allowed to adopt the defence taken by the Respondent no.1 in his counter affidavit.



(VK CHAUDHARI)  
Addl Standing Counsel for Central Govt.,  
Counsel for ~~Opp~~ Respondents.

Lucknow,

Dated : 26 July, 1990.

# VAKALATNAMA

Ann

In the Hon'ble High Court of Judicature at Allahabad

At  
Lucknow Bench

OA 1031/890

..... Smt. Krishna Zafar ..... Plff./Applt./Petitioner/Complainant

Verses

..... Smt. Krishna Zafar ..... Defent./Respt./Accused

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

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

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

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

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

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

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

To take execution proceedings.

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

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

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

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

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

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

Accepted subject to the terms of fees.

Client

Kishor

**VAKALATNAMA**

(Ans)  
3A 163/8916

<sup>est</sup>  
In the Hon'ble High Court of Judicature at Allahabad

At

Lucknow Bench

.....Shri Krunal Kumar..... Plff./Applt./Petitioner/Complainant

Verses

.....Krupa Raju..... Defent./Respt./Accused

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.....High Court, Lucknow Bench

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To take execution proceedings.

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

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Accepted subject to the terms of fees.

Client

[Signature]

# VAKALATNAMA

08163/09  
AMG

In the Hon'ble High Court of Judicature at Allahabad

At

Lucknow Bench

..... Smt Krishna Zafar ..... Plff./Appl./Petitioner/Complainant

Verses

..... Pr. Sagun ..... Defent./Respt./Accused

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

Shri V. K. CHAUDHARI, Advocate, .....

.....High Court, Lucknow Bench

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

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

Accepted subject to the terms of fees.

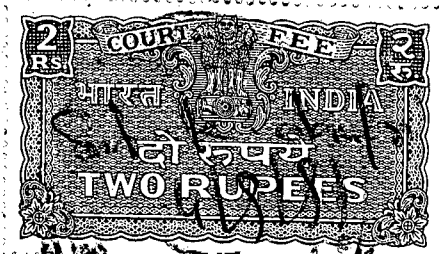
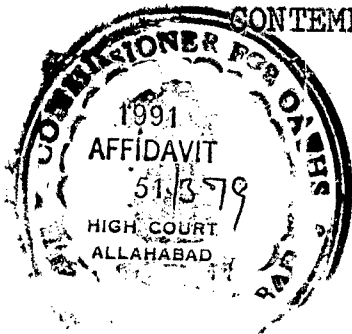
Client

[Signature]

A47

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH  
LUCKNOW

CONTEMPT APPLICATION NO. 8 OF 1990



SHRIMATI KRISHNA JAFRI ... APPLICANT

VERSUS

SHRI KRIPA SAGAR & OTHERS ... OPPOSITE PARTIES

SUPPLEMENTARY AFFIDAVIT

I, Smt. Krishna Jafri, aged about 46 years, wife of Shri Vilayat Jafri, resident of 34, Gulistan Colony, Lucknow, do hereby solemnly affirm and state on oath as under:-

1. That the deponent is the applicant herself in the aforesaid contempt application and filing this supplementary affidavit to bring subsequent facts which have taken place during the pendency of the contempt application.

2. That all the facts, deposed to hereinafter, indicate that the opposite parties have wilfully disobeyed the judgment and order dated 21.12.1989, passed by this Hon'ble Tribunal and they have the scant respect for the orders passed by this Hon'ble Tribunal.

3. That as is evident from Annexure No.2 to the contempt application, the order and judgment dated 21.12.1989 was duly served upon the opposite parties on 25.12.1989 and 26.12.1989.



*Jafri*  
T.C.  
*Sandeep Singh*  
*Aev*

A48

.2.

4. That on 18.11.1990 the deponent has been promoted to the post of Technical Assistant by the opposite party No.4 after 6 months of the filing of the contempt application. A photostat copy of the promotion order dated 18.11.1990 is being annexed hereto as ANNEXURE NO. 5.

6. That a perusal of the promotion order dated 18.11.1990 indicates that the opposite parties have scant respect for the judgment and order passed by this Hon'ble Tribunal and are determined to wilfully disobey the orders and judgment dated 21.12.1989.

Para 2 of the promotion order indicates that seniority of the applicant has been fixed with effect from 19.12.1989, denying her the arrears of salary fell due from 13.7.1989, date on which the interim order was passed, and furthermore, when specific direction was issued to count the entire length of service.

7. That deponent again on 23.11.1990 represented to the opposite parties indicating that by means of the judgment and order dated 21.12.1989 the Tribunal has specifically directed that the entire length of service be counted and also she should be promoted with effect from 13.7.1989 instead of 19.12.1989. A photostat copy of the representation dated 23.11.1990 is being annexed hereto as ANNEXURE NO.6.

8. That again on 9.1.1991 the deponent sent a reminder to the opposite parties. A photostat copy of the reminder dated 9.1.1991 is being annexed hereto as ANNEXURE NO.7.

T.C. Sanyal  
Sandeep Singh  
Adv



Aug

.3.

9. That on 26.2.1991 the opposite party No.7 rejected the representation of the applicant, which further establishes that the opposite parties have no respect for the court and they do not wish to comply the orders of the court on one or the other pretext. A photostat copy of the memorandum dated 26.2.1991 is being annexed hereto as ANNEXURE NO.8.

10. That a perusal of the memorandum dated 26.2.1991 shows that this is the admitted case of the opposite parties that they have not yet fixed the seniority of the applicant as directed by the Tribunal and further has denied the claim of the applicant for promotion with effect from 13.7.1989 inspite of the specific direction of the Tribunal.

11. That the opposite parties have wilfully disobeyed the orders and judgment of the Tribunal and further they do not inclind to comply the same though the period specified by the Hon'ble Tribunal has already expunged and are liable to be punished for contempt.

T.C.  
Sandeep Mittal  
Advocate



LUCKNOW  
DATED 4.9.91

*[Signature]*  
DEPONENT

VERIFICATION

I, the above named deponent do hereby verify that the contents of paragraphs and of this affidavit are true to my own knowledge. No part of it is false and nothing material has been concealed so help me God.

I identify the deponent who has signed before me.

*[Signature]*  
Advocate

4.9.91

*[Signature]*  
(Deponent)

(A)  
A507

15/16, Subhash Marg,  
Darya Ganj, New Delhi-2.

Dated the 10th Nov.'90.

**ORDER**

In pursuance of this office order No.A-32016/2/89-Adm.I, dated 1st Feb.'90, Smt. Krishna Jafri, U.D.C., Song and Drama Division Lucknow is appointed by promotion to the post of Technical Assistant in the scale of pay of Rs.1400-40-1800-EB-50-2300 on regular basis with effect from the date she takes over the charge of the post.

2. On her promotion the pay of Smt. Jafri shall be fixed under FR.27 at the stage it would have reached had she been promoted w.o.f. 19.12.1989 i.e. the date on which Sh. J.S. Jaggi, took over the charge of the post at Lucknow, but no arrear shall be paid.

3. Her seniority in the grade of Technical Assistant shall also be determined on the basis of the select list recommended by the review DPC and also minimum period of regular service in the grade for promotion to the next higher grade shall be taken into account w.o.f. 19.12.1989.

4. On promotion to the post of Technical Assistant Smt. Krishna Jafri, is posted at Lucknow.

5. Consequent upon promotion of Smt. Krishna Jafri to the post of Technical Assistant and her posting at Lucknow, Shri J.S. Jaggi, Technical Assistant, presently working at Lucknow is transferred to Bhopal Regional Office of the Division with immediate effect in his same capacity. The transfer of Shri Jaggi is in public interest and he shall be eligible for all transfer benefits.

*(Signature)*  
( Mohan Lal )  
Deputy Director(Adm.)

Copy to:-

1. Smt. Krishna Jafri, U.D.C./Sh. J.S. Jaggi, Tech. Assistant, Song & Drama Division, Lucknow (Through D.D. Lucknow).
2. Personal file of each individual concerned.
3. Deputy Director, S&DD, Lucknow and Bhopal.
4. Pay & Accounts Office in accounts with S&DD, Bhopal and Lucknow.
5. All Officers/Sections at the Orgs.
6. Sh. M.K. Raina, S.C. Narwal, Tech. Assistant, S&DD, N. Delhi.
7. PA to Director/Jt. Director/Dy. Director(Adm.) for folder.
8. File No. A-32016/2/89-Adm.I,
9. Guard file(Adm.I)

*(Signature)*  
( Mohan Lal )  
Deputy Director(Adm.)

*Jafri*  
T.C.  
*Sandeshant*  
*AW*

4. 11. 91

Before Central Administrative Tribunal Lucknow  
CM-C 2/91

(5)

K. Jafri vs Krishna Jafri Annex 6

To,

The Director,  
Song and Drama Division,  
15/16, Subhash Marg,  
New Delhi-110002

Sub: With regard to compliance of order passed in CAT  
Case No.163 of 1989 (Smt. Krishna Jafri vs. Union  
of India & others

\*\*\*\*\*

Sir,

In continuance of my earlier representation dated 26.12.89, it is submitted that the Hon'ble Central Administrative Tribunal, Circuit Bench at Lucknow by means of judgement and order dated 21.12.89 was pleased to direct to consider my case for regular promotion & seniority to the post of Technical Assistant and for the purpose. The Hon'ble Tribunal was further pleased to direct that entire length of service from 18.11.68 be counted; but the same has not been done yet.

In compliance of the further direction, in view of the interim order dated 13.7.89, though I have been promoted to the post of Technical Assistant w.e.f. 19.12.89 but in the most arbitrary manner. I have been denied the arrears from the date i.e. 19.12.89, I had been reverted as I was working as adhoc Technical Assistant from 18.5.89, but have been given seniority from 19.12.89 by means of the promotion order dated 18.11.90.

It is further pointed out that the Hon'ble Tribunal has specifically directed to consider my case for promotion after considering my entire length of service from 18.11.68 to the post of Technical Assistant, whenever the post of Technical Assistant arises and I became eligible to be considered i.e. after completing the 5 years service on the post of U.D.C.

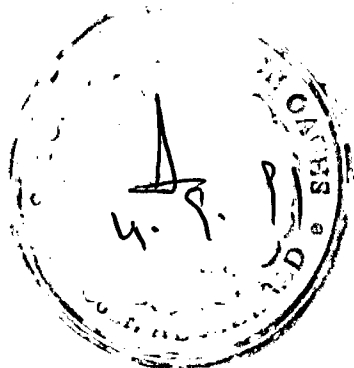
So it is requested that as per the direction issued by the Hon'ble Tribunal my seniority may be fixed accordingly and I may also be paid arrears from 19.12.89, the date, I was reverted but have been allowed seniority.

Yours faithfully,

K. Jafri

( KRISHNA JAFRI )  
Technical Assistant  
Song & Drama Division,  
Lucknow.

T. C. Sandeep  
Dated: 23.11.90



Before the Central Administrative Tribunal Lucknow (6)  
CM-C. 2/90  
K. Jafri vs. Kripa Sagar Kohli Anna (TAS)

To,  
The Deputy Director (Admn.),  
Song and Drama Division,  
New Delhi.

Through : Proper channel.

Sub.: With regard to compliance of order passed  
in CAT in Case No. 163 of 1989 (Smt.  
Krishna Jafri v/s Union of India and  
others).

Sir,

I had submitted a representation on  
dated 23.11.90 for re-fixation of my seniority  
and payment of arrears in accordance with the  
orders passed by the Hon'ble Central Administrative  
Tribunal in case No. 163 of 1989.

I have not received any reply till date.  
I would request your goodself to kindly look  
into the matter and expedite the action taken at  
the earliest possible.

Yours faithfully,

*K. Jafri*  
(Krishna Jafri)  
Technical Assistant

Dated the  
Lucknow 9th Jan '91

.....

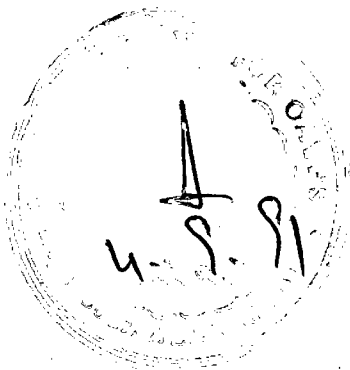
Endt.No. 1/84/68-SAD

Jan. 9, 1991

Forwarded, in original, to the Deputy  
Director (Admn.), Song and Drama Division, New  
Delhi for his kind perusal and necessary action  
at his end at the earliest possible.

*B.P. Sinha*  
(B.P. Sinha) 107,  
Deputy Director

*Jafri*  
*T.C.*  
*Sandeep*  
*Aw*



Before the Central Administrative Tribunal Lucknow  
C.A. No. 1/90  
Smt. K. Jafri vs. Kripa Sagar & others Appeal

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No: A-32016/1/90 (Imm. I)  
Song and Drama Division  
Ministry of Information & Broadcasting  
\*\*\*\*\*

15/16, Subhash Marg,  
Darya Ganj, N. Delhi-110002

Dated 26th Feb., 1991

131  
VI-391

M E M O R A N D U M

With reference to her application dated 23-11-90, regarding payment of arrears for her notional promotion to the post of Technical Assistant (w.e.f. 19.12.89 to 20.11.90) and seniority in the grade, Smt. Krishna Jafri, Technical Assistant, Song and Drama Division, Lucknow, is hereby informed that, her representation has been examined by the Division as well as <sup>Ministry</sup> Ministry/DP&T, but in view of instructions contained in DP&T's O.M. No: 22011/5/86-Estt. (D) dated 10.4.89, it is not possible to pay her arrears for the aforesaid period. However, her Seniority in the grade of Technical Assistant, shall be fixed/protected, as already mentioned ~~mentioned~~ in para 3 of this Office's Order of even number dated 19th November, 1989, appointing her to the post of Technical Assistant.

T. Jafri  
Sandeep Chit  
A53

(Signature)  
(T. JAFRI LAL)  
DEPUTY DIRECTOR (ADMN.)

✓ Smt. Krishna Jafri,  
Technical Assistant,  
Song and Drama Division,  
LUCKNOW. (Through Dy. Director, S&DD, Lucknow).

