

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause Title A-212 of 1989 UName of the parties Rajesh Singh Applicant.

Versus

Union of India Respondents.Part A.B.C.

Sl. No. Description of documents Page.

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2. Order sheet-
3. Final order dt. 5-1-90
on back of petition
4. Petition
5. Annexures
6. Power
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8. C.M. No. 292/89 (I.R.)
9. C.M. No. 10/90 (U)

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Check

24/6/2011

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

So (T)

P.T.O. →

Rg

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Registration No. 212 of 1989(L).

APPLICANT(S) Brijish Singh & Others

RESPONDENT(S) Union of India & Others.

21/8/89.

Particulars to be examined

Endorsement as to result of examination

- | | |
|---|-----|
| 1. Is the appeal competent ? | yes |
| 2. a) Is the application in the prescribed form ? | yes |
| b) Is the application in paper book form ? | yes |
| c) Have six complete sets of the application been filed ? | yes |
| 3. a) Is the appeal in time ? | yes |
| b) If not, by how many days it is beyond time ? | NA |
| c) Has sufficient case for not making the application in time, been filed ? | yes |
| 4. Has the document of authorisation/ Vakalatnama been filed ? | yes |
| 5. Is the application accompanied by B.D./Postal Stamp of Rs.50/- | yes |
| 6. Has the certified copy/copies of the order(s) against which the application is made been filed ? | yes |
| 7. a) Have the copies of the documents/ relied upon by the applicant and mentioned in the application, been filed ? | yes |
| b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly ? | yes |
| c) Are the documents referred to in (a) above neatly typed in double script ? | yes |
| 8. Has the index of documents been filed and paging done properly ? | yes |
| 9. Have the chronological details of representation made and the outcome of such representation been indicated in the application ? | yes |
| 10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal ? | NA |

12

Particulars to be Examined

Endorsement as to result of examination

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

yes.

yes.

yes.

NA

NA.

No.

yes

yes

yes

yes

yes

yes

yes

yes

yes

yes

dinesh/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

173

O.A. No. 212/89(L)

REGISTRATION No. _____ of 198 .

APPELLANT
APPLICANT

Brijish Singh & ors

VERSUS

DEFENDANT
RESPONDENT

Union of India and ors

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
22/8/89	<u>Hon' Mr. D.K. Agrawal, J.M.</u> The applicants six in number, have not made any application to join together. Counsel for the applicants seeks time to file the same. Allowed. Put up for <u>orders/admission</u> as and when the application is received. J.M. (sns)	OR The case for the applicant filed C.M. No 220/89 (L) for suit petition submitted for order / admission 23/8/89
23/8/89	<u>Hon' Mr. D.K. Agrawal, J.M.</u> Bri P.N. Bajpai counsel for the applicant requests for time. Allowed. Let the case be listed on _____ for <u>admission</u> admission <u>admission</u> application for amendment has been filed Dep J.M. (sns)	OR The learned counsel for the applicant has filed C.M. No 224/89 (L) for amendment submitted for order 25/8/89

AN

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
7/11/89	Hon' Mr. D. K. Agrawal, J.M. Hon' Mr. K. Chayya, A.M. Shri P.N. Bajpai counsel for the applicant. None for appears for the respondents. The applicant's counsel desires an order to the effect that the applicants working as Head Clerks will not be reverted during pendency of this application. Notice of show cause was served to counsel for the respondents who has failed to appear today without any information. Put up this application for disposal tomorrow as the first case in the list of orders. <i>[Signature]</i> A.M. <i>[Signature]</i> J.M. (S.H.S.)	

PS

C M. An. No 10/90/L
in
DA 212/10/L

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
		OR C M. An. No 10/90(L) has been filed by the 4c for the applicant for withdrawal duly signed on this O.P.s Subm

Received by Ref
26/12/90
21/1/91

Dinesh

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

G.A. NO.212 of 1989 (L)

Brajesh Singh & Others Applicant.

Versus

Union of India & Others Respondents.

5.1.1990

Hon'ble Justice K. Nath, V.C.

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

Shri Rakesh Kumar holding brief for the applicant's counsel Shri P.N. Bajpai appears and confirms C.M.An.NO.10/90 in which a prayer has been made for permission to withdraw the case. The original application is dismissed as not pressed.

Sd/-
A.M.

Sd/-
V.C.

// True Copy //

rmm/

✓
Deputy Registrar
Central Administrative Tribunal

Chander
2/1/1990

(A6)

In the Central Administrative Tribunal
Addl. Bench, Alld. Lko. Bench,
Lucknow.

O. A. No. 212 of 1989 (L)

Genl. Secy. to the Tribunal
21/8/89

Deputy Secy. (J)

Brajesh Singh & others Applicants.

Versus

The Union of India & others .. Opp. Parties.
Respondeants.

COMPI LATION - A.

COMPI LATION - B

*Filed to day
may be put up
on 22-8-89
21-8-89*

Dated :- 21.8.89

(P.N. Bajpai)
Advocate.
Counsel for the
applicants.

Address:- 16 Bhairon Ji
Road, Lucknow.

3722

(42)

In the Central Admn. Tribunal Addl. Bench,
Allahabad, Circuit Bench, Lucknow.

O. A. No. 212 of 1989(2)

Brajesh Singh & others

Applicants.

Versus

The Union of Ijdia & others ... Opp. Parties

Compilation - A.

S. No.	Particulars of documents relied upon.	Page No.
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1.	Petition/ Appln. U/s 19 Central Tribunal Act 1985.	1-2
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2.	Annexure No. 7 Record notes of meeting D. 28.3.89	13
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3.	Annexure No. 8 Regularisation List of Senior clerks.	18-
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4.	Vakalatnama	21
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Dated :- 21.8.89

(P.N. Bajpai)
Advocate.
Counsel for the
Applicants.

37/89

(18)

In the Central Admn. Tribunal Addl. Bench,
Addl. Circuit Bench, Lucknow.

O. A. No. 212 of 1989 (L)

PARTIES NAME

1. Brajesh Singh aged about 29 years son of Sri Shri Nath Singh employed as Head clerk office of the Dy. Controller of Stores, N. R. Alambagh Lucknow.
2. Smt. Nasreen Kha, employed as Head clerk.
3. Vidy Prakash Dixit employed as Head clerk.
4. Lalji Tripathi, employed as Head clerk.
5. Rajesh Pratap Singh employed as Head clerk.
6. Abhai Kumar Srivastava employed as Head clerk.

All are employed Head clerk in the office of the Dy. C. O. Stores. N. E. Rely. alambagh Lucknow.

~~xxxx~~ Applicants.

Versus

1. The Union of India through the Secretary Railway Board, New Delhi.
 2. The Dy. Controller of stores, Northern Rely. Alambagh, Lucknow.
 3. The Controller of Stores northern Rly. alambagh Lucknow.
 3. The controller of stores, N. R., Board House, New Delhi.
 4. The General Manager Personnel Manager, Northern Rely. Baroda House New Delhi.
- Dated 21.8.89 Applicants.

31/8/89

(A9)

In the Central Administrative Tribunal

Additional Bench Allahabad

Circuit Bench Lucknow.

O.A No. 212 of 1989 (L)

1. Brijesh Singh, aged about 29 years, S/O Sri Shri Nath / ~~R/o~~ ^{singh} Employed as Head Clerk Office of the Dy. Controller of Stores, Northern Railway, Alambagh, Lucknow.
 2. Smt. Nasreen Khan, employed as Head Clerk
 3. Vidya Prakash Dixit employed as Head Clerk.
 4. Lalji Tripathi, employed as Head Clerk
 5. Rajesh Pratap Singh, employed as Head Clerk.
 6. Abhay Kumar Srivastava, employed as Head Clerk.
- Office of the Dy. Controller of Stores, Northern Railway, Alambagh, Lucknow.

... Applicants.

Vs.

1. The Union of India, through the Secret Railway Board, New Delhi.
2. Dy. Controller of Stores, Northern Railway Alambagh, Lucknow.
3. The Controller of Stores, Northern Railway Baroda, House, New Delhi.

3m

2.

4. The General Manager, Personnel Manager,
Northern Railway Baroda House, New Delhi.

... Opp. Parties/
Respondents.

DETAILS OF APPLICATION

1. Particulars of the applicants:

(i) Name of the Applicants: As given above

(ii) Name of the Father/: Sri ~~Sri~~ Shri Nath
Singh, Sri M. Halgam
Husband: Khan, Sri S.N. Dixit
Sri S. P. Tripathi,
Sri S. B. Singh, Sri
K. D. Srivastava
respectively.

(iii) Designation and : Head Clerks, Office
Office in which of the Dy. Contro-
employed ller of Stores, N.R.
Alambagh, Lucknow.

(iv) Office address : - do -

(v) Address for services : - do -
of all notices.

2. JURISDICTION OF THE TRIBUNAL

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

3. LIMITATION

The application further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE

The Facts of the case are given below.

(a) That the Petitioners appeared in the examination held for the post of Senior Clerk

37m4

by the Railway Services Commission, Allahabad in the month of November, 1982. They were declared successful in the written test and interview. Their names were included in the merit list. They have been given the appointments accordingly, in the month of May, 87 and July, 1988. The appointment orders are filed herewith as Annexures 1, 2 & 3 to this application.

(b) That the Applicants have been promoted on the post of Head Clerks in the office of the O.P.No.2 on 1.3.89, 26.12.88, 26.12.88, 1.3.89, 26.12.88, 1.3.89 respectively. They are still working on this post. The copies of the promotion orders are filed herewith as Annexures 4 & 5 to this application.

(c) That the work and conduct of the Petitioners remained always satisfactory and there is no complaint against them from any corner. The character rolls are blotless.

(d) That ~~the criteria~~ the sources filling the posts of senior clerks is 20% by direct recruitment and 80% by promotion amongst the Junior clerks. The Petitioners were recruited directly by the Railway Services Commission for the post of Senior clerk in the quota reserved for directly recruited candidates.

(e) That the criteria for determining the seniority is given in Chapter III of the Indian Railway Establishment manual. The rule 302 & 306 are relevant, which are quoted as under:

3mm

W2 4

" Seniority in initial recruitment grades 302. Unless specifically stated otherwise, the seniority among the incumbents of a post in a grade is governed by the date of appointment to the grade. The grant of pay higher than the initial pay should not, as a rule, confer on a railway servant seniority above those who are already appointed against regular posts. In categories of post partially filled by direct recruitment and partially by promotion, criterion for determination of seniority should be the date of promotion in the case of a promotee and date of joining the working post in the case of a direct recruit, subject to maintenance of inter-se-seniority of promotees and direct recruits among themselves. When the dates of entry into a grade of promoted railway servants and direct recruits are the same, they should be put in alternate positions, the promotees being senior to the first direct recruits maintaining inter-se-seniority of each group."

XXXX

" 306- Candidates selected for appointment at an earlier selection shall be senior to those selected later irrespective of the dates of posting except in the case covered by paragraph 305 above

(f) That it is clear from the aforesaid provisions that the seniority shall be determined from the date of joining for the direct recruitment and the date of promotion in case of promotees.

(g) That the suitability test of promotion quota was held in the month of July, 1988, but

37m

the result has been pronounced on 22.8.88.

ALB

The copy of the result is filed herewith as Annexure-6 to this Petition.

(h) That according to the criteria for determining the seniority, the persons who had passed the suitability test on 22.8.88 will get the seniority from this date. They could not get the seniority prior to this date. It is pointed out that the passing of the suitability test is necessary to get the regular promotion on the post of senior clerk. It is essential qualification.

(i) That all the persons who had passed the suitability test on 22.8.88 will get the seniority below the applicants as they had passed the examination and suitability test after passing of the examination by the Petitioners. In this connection para 302 & 306 quoted above may be perused.

(j) That it is said that an informal meeting was held in the chamber of the O.P.No.3 on 28.3.89, in which the decision has been taken to give the seniority to the promoted candidates on the post of senior clerk w.e.f. 1.1.84. The records note of discussion have been forwarded by the O.P.No.3 to the O.P.No.2 for compliance. The copy of the record notes along with the forwarding letter is filed herewith as Annexure-7 to this application.

(k) That the decision has been taken against the rules and also against the principles of natural justice. The decision has been taken

Annexure in contravention of para 302 & 306, of Chapter

iii of the Railway Establishment manual.

(1) That the authorities have no power to take the decision against the rules & law. The records notes of discussion is wholly illegal arbitrary and could not be operative in the eye of law.

(m) That the Opp. party no. 3 in compliance of the Annexure-7 issued a list of senior clerks who have been regularised w.e.f. 1.1.84. This list has been issued on 20.7.89. The copy of the list is filed herewith as Annexure-8 to this Application.

(n) That the applicant being aggrieved from the list of regularisation Annexure-8 represented to the O.P.No.3 on 2.8.89, and further on 9.8.89. The representations have been rejected on 8.8.89 which have been served on the applicant on 10.8.89. The copies of the representations and the orders passed thereon are filed herewith as Annexures- 9 to 11 to this application.

(o) That the decision was taken by the O.P.No.2 to 4 for awarding the seniority since 1.1.84, hence now there is no question to make any representation against the regularisation list Annexure-8 to the higher authorities.

(p) That in the meeting dated 28.3.89, it has also been decided that at per Railway Boards instructions, benefits against the re-structure posts is to be given from 1.1.84 irrespective of the date of completion of selection / suitability test. it has also been done in an

37m4

A15

illegal manner.

(q) That the restructuring of group 'C' & 'C' Staff have been done vide Railway Boards Order dated 16.11.84 which is filed herewith as Annexure-12 to this Petition. The case of the Petitioners comes within the category no.7 MINISTERIAL STAFF which is given as under

" 7. MINISTERIAL STAFF (Estt. and other than Estt. excluding (Accounts Staff

<u>Scale (Rs)</u>	<u>Revised Percentage</u>
260-400	20
330-560	35
425-700	30
550-750	10
700-900	5 "

(R) That it is necessary to give the position which was prior to the date of restructuring. The applicants are given the position as under:-

<u>Position as on 31.12.83</u>	<u>Position as on 1.1.1984</u>
20	20
57-1/2	35
13	30
7	10
2-1/2	5

(s) That it is clear from the aforesaid facts that the percentage of the post of senior clerk has been reduced from 57-1/2 to 35 and this difference has been increased in the promotional posts. In this way there is no increase or any benefits due to restructuring.

3744

in the cadre of senior clerk which comes in the posts mentioned at Sl.No.2 . It is considerable that the persons who were not qualified on the date of enforcement of the restructuring could not get any benefit. Moreover the posts has not been increased in this cadre hence no benefit could be given to any person in this way.

(t) That it appears that the decision has been taken on misrepresentation of facts by the Union Leaders for illegal gain of undeserving persons.

(u) That the applicant could not be Junior to the persons mentioned in the regularisation list Annexure-8. The list could not be operative in the eye of law and it could not be implemented for any purpose.

(v) That the Annexure-7 & 8 are liable to be quashed and the implementation is liable to be stayed during the pendency of the application.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS

(i) That the Opp. parties have failed to follow the procedure of determining the seniority which is mentioned in Chapter-III in Railway Establishment manual. The rule-302,3 & 306 has not been taken into consideration at the time of issuing the Annexure -7 & 8.

(ii) That the seniority could not be given to the promotees prior to the date of passing of the suitability test.

(iii) The candidate could not be considered as qualified for the post prior to this date.

(iv) That the decision taken in Annexure-7 is against the rules and also against the principles of natural justice. It is also in contravention of the para 302 & 306 of Chapter -III of the Rly Establishment Manual.

(v) That the authorities and officer bearers of the Union could not take the decision contrary to the rules. The decision taken in Annexure-7 is illegal, arbitrary and mala fide. It could not be operative in the eye of law.

(vi) That the instructions of the Railway Board, if any can not give seniority to any person, prior to the date of the passing of the suitability test.

(vii) That no benefit of restructuring of the group 'C' posts could not be given to the persons who have been regularised after the date of Board's order dated 16.11.1984.

(viii) That there is no increase in the posts of senior clerk, hence there is no question to give any benefits to the persons on this posts.

(IX) That the post of senior clerk has been decreased due to the restructuring in group 'C' cadre. The Opp. parties has wrongly interpreted the provisions of restructuring of the posts of Group 'C'.

(x) That the decision contained in Annexure-7 has been taken on the basis of the

A12

misinterpretation of the provisions . No benefit could be given to the Oop parties, ^{to} through the persons regularised through the Annexure-8.

(xi) That the Annexure-7 & 8 are liable to be quashed and their implementation is liable to be quashed.

~~(xii)~~
6.

DETAILS OF REMEDIES EXHAUSTED

The applicants declare that ~~xx~~ they have availed of all the remedies available to him under the relevant service rules, etc.

(a) That the representations made by the applicants has already been rejected, through the order Annexure-11 to the application.

(b) That the impugned Annexure-7 has been passed with the consent and presence of the O.P.No.2 to 4, hence there is no question to represent further.

(c) That there is no departmental remedy available to the applicants in the present matter.

~~(d)~~ 7 ~~xxxx~~ WHETHER THE MATTER IS PENDING ON THE SAME WAS FILED PREVIOUSLY

(a) That the applicants further declare that the matter regarding which this application has been made is not pending before any court of law or any other authority. It was not previously raised in any court of law.

~~(d)~~ 8 ~~xxx~~ RELIEFS SOUGHT

In view of the facts mentioned in para

37m

6 above the applicant prys forthe following reliefs(s)

(a) That the records notes of the decision of the meeting dated 28.3.89 and the Regulari-
sation list contained in Ann xure-8 may kindly
be quashed, holding that the seniority could
not be allowed to the promoted candidates prior
to the date of passing of the suitably test.

(b) That the Opp.parties may kindly be
directed to prepare the seniority list as per
directions contained in ~~ANNEXURE~~ para 302 &
306 of the Rly. Estabalishment Mannual.

(c) That the applicants may be treated as
senior to the persons who had passed the sui-
tablity test of 22.8.88.

(d) That the cost of the application may be
awarded tothe Petitioners.

(f) That any other relief which this
Hon'ble Tribunal deems fit and proper in the
circumstances of the case, may also be allowed
to the Applicants and against the Opp.parties.

9. INTERIM RELIEFS PRAYED FOR

Pending final decision on the application
the applicant seeks issue of the following in-
-terim order.

(a) The applicants pray that the Ann xure-7
& 8 may not be implemented during the pendency
of the Petition.

(b) That the seniority of the applicants may
not be distrubed on the basis ofthe suitability

XXXXXXXXXXXX

Head Clerk to the party sends clerk and the order of reversal if passed may be directed not to be implemented during the pendency of the application before this Hon'ble Tribunal.

A20

test held on 22.8.88, during the pendency of the application. (1) that the applications Nos 2 and 3 may be directed not to be sent to applicants from the part of 4

10. PARTICULARS OF BANK DRAFT /POSTAL ORDERS IN RESPECT OF THE APPLICATION FEE

Amended
bills date
of 25/8/89
Ruph
25/8/89

- (a) Number of Indian Postal Order(s) 5-029020
- (b) Name of the issuin Post Office M.L. Besh Lucknow
- (c) Date of issue of postal orders 21-8-89
- (d) Post office at which payable G.P.O. L.H. 1st

Dated: 21.8.89

In verification

अभय कुमार श्रीवास्तव
Applicants

I, Abhay Kumar Srivastava S/O Sri Sri H.D. Srivastava, , aged about 30 years working as Head Clerk ,office of the Dy. Controller of Stores, N.R. Alambagh, Lucknow ,resident of Town Singhai , Distt. Lakhimpur, do hereby verify that the contents from para 1 to ,10 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place- Lucknow.

Dated: 21.8.89

अभय

SIGNATURE OF THE APPLICANT

①
②
③
④
⑤
⑥
अभय
एम.एस.एस.एस.
(मो.बा.प.प.प.प.प.)
वृजेश सिंह
श्री.क. नरसीन खान
विद्या.ए.क.बा.प.प.प.प.प.

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow
Brijesh Singh & Others Vs.
The Union of India & Others
Annexure no. 7

Applicants
Respondents

13

(A2)



उत्तर रेलवे
NORTHERN RAILWAY

(19)

Head Office
New Delhi
Dy 4-88

No:- 92-11/UPMU-3-11/4/119

The Dy. Controller of Muz
May. kmv. Uco



Subj. Informal meeting to discuss matters
relating to staff working
under Dy. C/O. kmv. Uco.

Ref:- your letter No. 9616/1117/88/
UPMU/6 per union dt 20/3/89
to Genl Secy UPMU & copy
this office

In reference to the above
a photo copy of the record notes
of discussion of informal meeting
held with Genl. Secy UPMU in
the chamber of Cos. on 28/3/89
are sent herewith for perusal and
further necessary action.

Dy. C/O

C. P. Singh
Controller of Muz

Copy to:- SPO/union Hd. Cos. office New
Delhi in reference to the letter
20/3/89 referred to above along with
photo copy of record notes.

Dy. C/O

C. P. Singh
Controller of Muz

3/11/89

True copy
attached
P. Singh
21-8-89

No - 12-2/1/URMU - S.R/4/SSG dt 29.3.89

Record Notes of discussion in Informal Meeting
held with General Secretary, U.R.M.U. in the
chamber of C.O.S. on 28/3/89

were
The following/present:

1. Shri N.Viswanathan, C.O.S.
2. " Naubat Lal, C.M.M(M)
3. " S.K. Mathur, C.P.S.S./SSB
4. " M.P. Juneja, Dy. COS(G)
5. " Atul Kumar, Dy.COS/AMV
6. " Bhagwan Dass, SPO(Union).
6. Shri P.N. Sharma, G.S./URMU
7. " R.L. Tiwari, Presid-ent.
8. " S.P. Yadav, Office Bearers of URMU
9. " Manoo Ram, in
10. " B.N.Dewadi AMV
11. " S.A. Naseem Depot.

Para.I - Daily outturn of Ticket Counters of TPP/AMV/LKO.

The Union pointed out that outturn in AMV Printing Press A used to be 18,000 Nos when it was increased to 26,000 Nos. The Union referred a letter from the Rly.

Board addressed to all G.M.s, Indian Railways in regard to the outturn fixed for 20,000 on the basis of the Study Report in which it was suggested that the outturn should be 22,000 Nos. The Railway Board finally decided that it should be only 20,000 Nos and not 22,000 Nos.

as it will sacrifice the efficiency in counting. In view of these orders, the Union requested that the outturn in AMV printing press should also be 20,000 Nos.

The Union was told by CPSS/SSB that the outturn of 20,000 counting tickets was prescribed for the Tiruchi and Mysore Ticket Printing units as their outturn was lower and it was felt that an increase of outturn to 22,000 tickets will sacrifice the efficiency of counting. The outturn of 20,000 tickets was prescribed for system of counting prevalent in Tiruchi and Mysore Ticket Printing units and is not applicable to the other printing units.

The Union at this stage pointed out that since the interpretation given is that the outturn of 20,000 Nos. has not been fixed by the Railway Board for all Railways and that it is only for Mysore and Tiruchi, the Union would like to raise this issue before the Railway Board, for corrective interpretation of the Railway Board orders where the outturn 20,000 Nos. is to be followed by all the printing presses or only by the two printing

3522

True copy
Attended
P.B. Jha
21-8-09

A28 15

Para-II - Regularisation of Sr. Clerks with retrospective effect
i.e. 23-4-83.

① During discussion it was pointed out by the General Secretary that due to court cases of seniority dispute, suitability test for filling up the vacancy of Senior Clerks existing prior to 1/1/84, (upgraded as a result of restructuring) could not be filled up and on regular basis. It was only some time in 1988 when suitability test was held. During this period the vacancies other than as a result of restructuring were filled up on ad hoc basis.

② After discussion it was decided that as per Railway Board's instructions, benefit against the restructured posts is to be given from 1.1.84 irrespective of the date of completion of selection/suitability test. Accordingly, all those staff who are to be fixed up ~~and~~ restructured posts may be given the benefit of regular service with arrears as due from 1.1.84.

③ Since there were certain persons who are senior to those who are now to be fixed against restructured posts from 1.1.84, who are working on ad hoc basis against vacancies prior to 1.1.84, cannot be made junior to those given benefit from 1.1.84. As such, such of the staff who are seniormost and working on ad hoc basis against vacancies prior to 1.1.84 and have subsequently passed the suitability test may also be treated as regular from 1.1.84. Also resultant vacancies of senior grade clerks as a result of filling up the restructured posts of higher grade in that line, i.e. Supdt., A.S., Head Clerk will also be given benefit from 1.1.84. The staff who are working against vacancies after 1.1.84 will be given the benefit of regularisation from the date of issue of the suitability list.

Para-III - Medical Examination of Khalasis under Dy. COS/AMV/BKO.

In Chapter X of the Indian Railways Establishment Manual khalasis against item 10 have been classified in C-1 category whereas against item No. 6, they have been medically classified in C-2. This aspect may be further examined.

The Union, however, pointed out that in the Stores Depot AMV, the promotions towards the Artisan categories is only to the tune of 10% and all other khalasis to the tune of 90% seek promotion to the categories in which the Medical classification is only C-2. The Union, therefore, requested that the medical classification for khalasis in Stores Depot/AMV should

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Dy. Secy.
P. S. Jha
21-8-89

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should be in C-2. This will be further examined keeping in view that the AMV depot is covered under Factory Act.

Para. IV - Regularisation of DSK-III at par with SSB Depot.

This has been agreed and orders will be issued accordingly by Dy. COS/AMV.

Para.V. - Sanctioned Strength of 'P' Branch under Dy.COS/AMV

Upto 31 posts in the strength of 'P' Branch, there is no dispute as the same are vetted by the Finance. It was decided that as for 2 posts transferred to 'P' Branch for the purpose of Man-Power Planning Cell may be transferred to the General non 'P' as this cell is not functioning in the 'P' Branch. With regard to two posts of clerks - one each transferred under LWI/Store and Time Keeper, -with the consent of both the local unions, this issue may be discussed jointly in the office of Dy. COS/AMV and decision taken with mutual agreement. In case of agreement that should be implemented. In case there is disagreement, the matter may be referred to C.O.S. for final decision.

Para VI - Regularisation of Cl.IV staff promoted on Adhoc basis as clerks Gr. Rs. 950-1500 against promote Quota under Dy. COS/AMV/LKO.

It was explained by Dy. COS/AMV, who was present in the meeting, that these Class IV staff was promoted as clerk Grade Rs. 260-400(RS) after issuing a specific notice on 14-6-84 that the purely adhoc stop gap arrangements were to be made by calling applications from all eligible staff. He could not explain as to what were the circumstances under which a regular selection could not be held by calling the applications and holding written test as well as Viva Voce as per extant instructions. More so when for making ad hoc arrangements also, Viva Voce test was conducted.

This ad hoc arrangement continued for sufficiently long time and it has not been possible to hold the selection even upto the date. During all these five years, the persons who were promoted on ad hoc basis are continuously officiating without break to the entire satisfaction of the administration. //General Secretary URMU pointed out that in a recent past in a number of similar cases, we have received directions from CAT to

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Submitted -
P. N. Jha
21/8/87

ADS

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regularise the staff officiating on ad hoc basis. Similarly, the administration at its own and in individual cases have given decision for regularising similarly adhoc working staff, for example, MCCs of Delhi & LKO Divisions, Reservation Clerks, Adhoc Typists, ^{GR & B.S.} DRM Office LKO etc. He, therefore, desired that since these persons have been officiating on adhoc basis continuously for more than 3 years it was agreed that these persons will also be considered for regularisation by obtaining the sanction of the G.M. General Secretary further desired that pending a decision on the above lines, fresh selection which is under way may be pending and only selection can be held against balance vacancies.

37/11/89

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Submitted

P. N. Jha

21-8-89

NORTHERN RAILWAY

Office order No. E/20

Dated 20-7-1989

In terms of item 2 of minutes of Informal meeting held with General Secretary URMU in Chamber of COS on 28.3.89 circulated vide COS/NDLS letter No. 92-S/1/URMU staff/4/SSG dated 17.4.89 the following senior Clerks who were working as Clerks prior to 1.1.84 and passed suitability test last on 22.8.88 or prior to this, are regularised as Senior Clerk with effect from 1.1.84, provisionally irrespective of the date of passing selection/suitability test.

S/Shri.	
1) D.P. Pandey	Sr. Clerk/CB
2) Ram Gulam Yadav	HC/AMV
3) Jawahar Lal	"
4) S. Karamkar	" /DSL/AMV
5) Padhey Shyam	HC/AMV
6) Panna Lal Seth	"
7) Bal Kishore	"
8) C.K. Pandey	"
9) K.N. Malviya	"
10) Gulshan Lal	"
11) Puttu Lal Yadav	"
12) Ram Shanker	DSK/CNB
13) R.D. Saxena	HC/AMV
14) L.N. Sharma	S/Clerk Retired.
15) Rama Shanker II	HC/AMV
16) Radhey Lal Yadav	HC/AMV
17) J.B. Shukla	"
18) C.N. Tripathi	DSK/III/CB
19) Sankatha Pd.	Sr. Clerk/DSL/CB
20) T.N. Shukla	Sr. Clerk/CB
21) R.S. Pandey	Sr. Clerk/DSL/CB
22) Mohd. Yemin	" /AMV
23) V.N. Asthana	" "
24) Kamta Pd.	HC/AMV
25) Parsu Ram Singh	DSK/III/CB
26) Mohan Lal Singh	S/Clerk/AMV
27) Sadhu Ram Pandey	S/Clerk/SEN (C)/CNB
28) L.S. Pandey	Sr. Clerk/AMV
29) Sohan Lal	" "
30) Chandra Pal Singh	" "
31) Mannu Ram (SC)	DSK/III/MGS
32) Kailash Pandey	DSK/III/MGS
33) Shyam Sunder (SC)	HC/CB
34) Jag Mohan Lal (SC)	HC/AMV
35) Bhai Lal (SC)	"
36) Ram Nath (SC)	"
37) Shiv Kumar Misra (I)	DSK/III/AMV
38) K.D. Tripathi	"
39) D.C. Shrivastava	Sr. Clerk/AMV
40) Meher Fatima	Sr. Clerk (Transferred to C. Railway)
41) N.K. Sharma (SC)	HC/CNB
42) Hari Nath Ram (SC)	HC/AMV

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Two copy
Attended
21-8-89

43. Kartar Singh (SC)	HC/CNB
44. S. Paswan (SC)	HC/MGS
45. Bishambhar Dayal (SC)	DSK/AMV
46. Rakchha Ram	DSK/III/AMV
47. Shoo Behari	"
48. Shree Ram	" / CNB
49. Lalji Pasi (SC)	" / AMV
50. Girja Shanker (SC)	" / AMV
51. M.D. Paul	HC/AMV
52. S.P. Dass	DSK/III/AMV
53. A.K. Adhikari (SC)	HC/AMV
54. Shitla Pd. Pandey	S/Clerk
55. Mohd. Sajid	DSK/III (Working at Iraq.)
56. Ayazuddin Siddique	DSK/III/CNB
57. H.S. Maurya	" / AMV
58. A.K. Malviya	HC/AMV
59. Virendra Rai	DSK/MGS
60. Rajindra Pd.	DSK/III/AMV
61. K.K. Sharma	HC/AMV
62. S.K. Rai	S/Clerk
63. Zulfiquer Hussain	DSK/CB
64. Smt. Saroj Bala Soni	S/Clerk/CB
65. Kunwar Ramesh Singh	DSK/III/AMV
66. Sudhir Kumar	HC/AMV
67. Hausala Pd. Singh	HC/AMV
68. M.P. Verma	DSK/III/AMV
69. Tripurari Lsl. Srivastava	S/Clerk/AMV
70. V.K. Verma	" "
71. Ram Tahal Tewari	HC/AMV
72. Chhedy Lal Singh	DSK/III/CNB
73. Mohd. Qaiser Siddique	DSK/III/AMV
74. Satendra Kumar	SDC/AMV
75. Om Prakash Singh	Sr. Clerk/DSK/CB
76. Z.A. Kidwai	DSK/III/CB
77. A.K. Danesh	Sr. Clerk/MGS
78. Dilip Kumar Srivastava	S/Clerk/MGS now under DRM as Clerk.
79. D.S. Maurya	S/Clerk/AMV now under DRM/LKO.
80. S.P. Naik	S/Clerk/AMV
81. Delta Prasad	DSK/III/AMV (Adhoc)
82. Sunil Kumar Singh	Sr. Clerk/CB
83. K.C. Joshi	DSK/III/CNB (Adhoc)
84. Niaz Ahmad	DSK/III/MGS (Adhoc)
85. S.P. Singh	S/Clerk/AMV
86. K.C. Saxena	LWI/AMV (Adhoc)
87. S.S. Bajpai	S/Clerk/AMV
88. Kashi Prasad	S/Clerk/AMV
89. Smt. Nirja Vohra	Sr. Clerk/CNB
90. P.K. Bajpai	DSK/III/CNB (Adhoc)
91. Ramji Pal	S/Clerk/CB
92. Ram Abhilash Sharma	DSK/III/AMV (Adhoc)
93. V.S. Singh	Sr. Clerk/CB
94. Naveen Kumar	DSK/III/DSL/CB (Adhoc)
95. Mohd. Yunus	S/Clerk/AMV
96. S.C. Tripathi	HC/Clerk/AMV
97. Smt. Kanta Kumari	S/Clerk/CNB

3/1/89

True copy
 Attached
 P. Singh
 21/01/89

98. Smt. Shahim Anjin-Siddique
99. Anil Kumar Gupta II
100. Kailash Nath Misra
101. Kalleo Khen
102. Samiullah
103. O.S. Verma
104. Ner Singh
105. Anil Kumar (I)
106. Indu Pola
107. Smt. Reeta Vincent
108. Mohd. Mehboob
109. G.L. Bajpai
110. Mohd. Illias Anwar
111. Shiv Kumar Misra II
112. K.K. Sharma
113. B.L.B. Prajapati
114. R.K. Gautam

- Sr. Clerk/CH
- HC/AMV
- DSK/III/CB (Adhoc)
- Sr. Clerk/AMV
- " "
- HC/AMV
- Sr. Clerk/AMV
- " "
- " "
- " "
- DSK/III (Adhoc) / AMV
- DSK/III/AMV
- Sr. Clerk/AMV
- HC/AMV
- HC/AMV
- HC/AMV
- S/Clerk at Iraq

Note :- *

for Dy. Controller of *Alambagh/Lucknow*

Copy to the following for necessary action :-

- 1) SDO (W) Alambagh and Charbagh
- 2) DCOS/CB, ACOS/Charbagh
- 3) ACOS/ETD/CNB, (4) ACOS/DSL/AMV (5) ISPS/TPP/AMV
- 6) Branch Secretary URMU and NIMU

* Keeping in view the decision given by Hon'ble Supreme Court on 1.5.89 in SLP 11488, the posts have been kept vacant. The incumbents will also be entitled for all benefits including arrears with effect from 1.1.84 after completion of certain formalities as per rules on the subject.

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*True copy
submitted
J. S. Singh
21/8/89*

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महोदय
In the Central Admn. Tribunal, Delhi Bench
Sec. Bench (Delhi Bench) Sec. Bench

वादी अपीलान्त

प्रतिवादी रेस्पाडेन्ट



कालतनामा

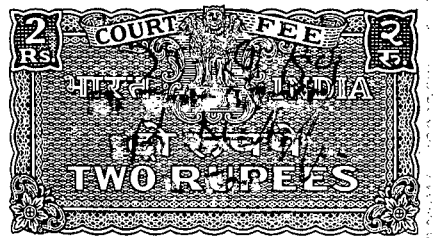
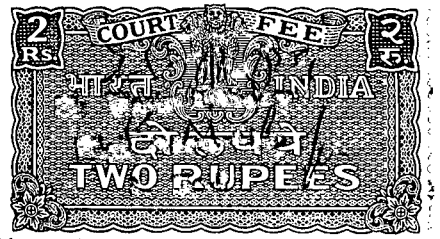
Brigish Singh

टिकट

वादी

John Singh & Co. + others

बनाम



नं० मुकद्दमा

सन्

पेशी की ता०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री प्रयाग नारायण बाजपेई
एडवोकेट एवं श्री कार्तिकेय बाजपेई एडवोकेट भैरो जी
रोड, लखनऊ महोदय

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या मुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या हमारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करें—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिये यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आये।

1. अफ़्जल अली खान 4- राजेश कुमार सिंह
2. बिद्या प्रकाश दीक्षित 5- बृजेश निहल
3- लालजी निहल 6- नरेश शर्मा
साक्षी (गवाह) साक्षी (गवाह)

दिनांक 21 महीना 8 सन १९८९ ई०

Accepted
21-8-89

In the Cent4a 1 Admn. Tribunal Addl. Bench,
Allahabad, Circuit Bench, Lucknow:

O. A. No.

of 1989

Brijesh Singh & others Petitioners.

Versus

The Union of India & others .. Respondants.

C O M P I L A T I O N - "B"

S. No. Particulars of documents relied on Page No

1.	Appointment order	<u>Annexure 1.</u>	1-2
2.	Appointment order	<u>Annexure No. 2</u>	2-3
3.	Appointment order	<u>Annexure No. 3</u>	6-7
4.	Promotion order	<u>Annexure No. 4</u>	8
5.	Promotion	<u>Annexure No. 5</u>	9
6.	Copy of result.	<u>Annexure No. 6</u>	10-12
7.	Copy of representation	<u>Annexure No. 8</u>	13
8.	Copy of Representation	<u>Annex. No. 10</u>	14
9.	Copy or order.	<u>Annexure No. 11</u>	15
10.	Copy of Restructur- ing orders	<u>Annexures No 12</u>	15.17

Dated :- 21.8.89

(P.N. Bajpai)
Advocate.
Counsel for the
applicants.

3724

In the Central Administrative Tribunal
 Additiona Bench Allahabad
 Circuit Bench Lucknow
 Brijesh Singh & Others ... Vs ...
 The Union of India & Others ...
 Annexure no. 1

Applicants
 Respondents

उत्तर रतवे

प्रथम कार्यवाही
 ब. हा. नं. ८०६८/८८
 दिनांक ८. ७. ८८

पत्र संख्या- 220इ/1138-63 मती.

Sh. Dy. C.O.S.

N. Kly. Amiv-4 Ko.

विषय- Sr. Clerk ... वे. मान. 1200-2040. (संवे.) के पद पर नियुक्ति ।

निम्नलिखित व्यक्तियों को जिनका वयन Sr. Clerk ... के पद के हित किया गया है । सामान्य शर्तों के अधीन Sr. Clerk ... वे. मान. 1200-2040... (संवे.) के पद पर नियुक्ति कर दी जाये । जहां तक उसके आवरण और पूर्ववत सत्यापन का प्रश्न है इसके लिए मंजूरी प्राप्त कर ली गई है कि सत्यापन नियुक्ति के बाद किया जा सकेगा है ।

क्र.सं.	नाम	आवेदन पत्र सं.	पैरिट नं.	पैनल नं.	दि.मं.आ. आबटिक.
1.	Sh. Abhay Kumar Srivastava	260	RRS/ALD	25.10.88	Dy. C.O.S. / Amiv-4 Ko.
2.	Sh. Brijesh Singh	340	- do -	- do -	- do -
3.	Sh. Arinash Chandra Shukla	392	- do -	- do -	- do -
4.	Sh. Lalji Tripathi	402	- do -	- do -	- do -

28C Form will follow.

डाक्टरी स्वस्थता प्रमाण पत्र सहित उपर्युक्त अभ्यर्थियों के मूल आवेदन पत्र उनके संलग्न एवं सत्यापन पत्र आवश्यक कार्यवाही तथा रिकार्ड के लिए भेजे जा रहे हैं । कृपया इसकी पावती भेजें । इसे कार्यालय को सूचित करें जिस तारीख को उपरोक्त की नियुक्ति की गई है ।

संलग्न/यथोक्त.

कृते महामंडलधिक (को.को.)

..... को एक प्रति (कार्यालय में)
 के कार्यालय में अपनी नियुक्ति के लिए उपस्थित हो।

एन.के. 76.88.

35 मं. 25-8-87

True copy
 25-8-87

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow

Brijash Singh & Others ...

Applicants

The Union of India & Others ...

Respondents

Annexure no. 82

NORTHERN RAILWAY

Office of the Dy. Controller of Stores, Alambagh/Lucknow.

No. 208

Dated 30-7-88

श्री अभय कुमार शर्मा
सुपुत्र श्री ०. डी. शर्मा

Reg. :- Temporary appointment.

Nature of Appointment

Grade

अस्थाई याचक लिपि
1200-2050 (PB)

Rate of pay per Month Rs

1200/-

1. I am prepared to offer you a post in Grade and rate of pay specified above plus usual dearness allowance subject to your passing the prescribed Medical Examination by an authorised Medical Officer of this Railway and (for subordinate staff) on production of your original certificates and satisfactory proof in support of your age, such as birth, or Matriculation Certificate etc.
2. It must be clearly understood that the appointment is terminable and on 14 days' notice on either side except that no such notice will be required on return to duty of the absentee in whose place you may be engaged in which case your services will automatically terminate from the date of former resumed duty. Also no such notice will be required if the termination of service is due to your mental or physical incapacity or to your removal or dismissal for serious misconduct.
3. You will not be eligible to any pension nor any benefit under the State Railway Provident Fund or Gratuity Rules or to any absentee allowances beyond those admissible to temporary employees under the rules in force from time to time during such temporary service.
4. You will be held responsible for the charge and care of Govt. money, goods and Stores and all other property that may be entrusted to you.
5. You will be required to take an oath of allegiance to the Indian Dominion in the form prescribed below:-
"I अभय कुमार do swear/Solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution of India as by law established and that I will carry out the duties of my office with loyalty, honestly and with impartiality (so help me God.)
NOTE :- Candidates objectors to oath taking may strike out the word "swear" from the above declaration.
6. You will conform to all rules and regulations applicable to your appointment.
7. If you are appointed to the above post, you shall, if so required, be liable for military service in the Railway Engineer Units of the Territorial Army for a period of 7 years in the Territorial Army and 8 years in the Territorial Army Reserve or for such periods as may be laid down in this behalf from time to time.

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True Copy
Attended
21/8/87

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8. If you intend taking up the appointment on these conditions, please signify your acceptance and return this from, a duplicate copy of which is enclosed for retention by you. In the event of your acceptance please call at this office within a fortnight from the date of receipt of this letter at the latest, failing which this offer will lapse and will be renewed.

9. (For subordinate staff only, you will be required to produce two certificates of character in the form enclosed from two Gazetted officers of the Central or a provincial Government or from a Stipendiary Magistrate, A certificate from an Education Authority or an Honourary Magistrate, will not suffice. You are required to fill up the attached annexures "A" and "Y".

10. In all matters not specifically provided for herein, or in the recruitment rules, you will be Governed by the provisions of the Indian Railway codes and other extent orders as amended/issued from time to time.

(Signature & Designation of)
the appointing authority.)

I accept the offer on the terms detailed above. *Amiya Kumar Srivastava*

Dated: the 30-7-88

Signature of Candidate
(Or left thumb impression
if illiterate)

CHARACTER CERTIFICATE

Certified that I have know Shri-----Son of..

Shri-----for the last _____ Years _____ Months and

that to the best of my knowledge and belief he bears a reputable character and has no antecedents which render him unsuitable for Government Employment.

2. Shri-----is/ is not related to me.

Place -----

Signature
Designation

Date-----

E/117

E/117

Pandey
27.3.84

37m

True copy
21/8/89

A33

In the Central Adm. Tribunal,
Additional Bench, Allahabad,
Circuit Bench, Lucknow.
Brijesh Singh Applicants.
Versus
The Union of India & others...OPP. Parties
Annexure No. 2

Northern Railway

to the D. Controller of Stores, Alambagh, Lucknow.

Dated: ..20

To: Mr. H. C. Bhatia
..... Mr. D. L. Singh
..... Mr. D. L. Singh
..... Mr. D. L. Singh

Reg: Temporary appointment.
Nature of appointment. *Semi-cadre*
Grade *R, 1201-250 P.S.*
Rate of pay per mensem *Rs. 1201 P.M.*

1. I am prepared to offer you a post in Grade and rate of pay specified above plus usual Dearness Allowance subject to your passing the Prescribed Medical Examination by an authorised Medical Officer of this Railway and (for subordinate staff) on production of your original certificates and satisfactory proof in support of your age, such as birth of Matriculation Certificate etc.

2. It must be clearly understood that the appointment is terminable and on 14 days' notice on either side except that no such notice will be required on return to duty of the absentee in whose place you may be engaged in which case your services will automatically terminate from the date of former resumes duty. Also no such notice will be required if the termination of service is due to your mental or physical incapacity or to your removal or dismissal for serious misconduct.

3. You will not be eligible to any pension nor any benefit under the State Railway Provident Fund or Gratuity Rules or to any absentee allowances beyond those admissible to temporary employees under the rules in force from time to time during such temporary service.

4. You will be held responsible for the charge and care of Govt. money goods and stores and all other property that may be entrusted to you.

5. You will be required to take an oath of allegiance to the Indian Dominion in the form Prescribed below:-

"I H. C. Bhatia do swear/solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution of India as by law established and that I will carry out the duties of my office loyalty, honestly and with impartiality (So help me God).

NOTE: Cessionations objectors to oath taking may strike out the word "Swear" from the above declaration.

6. You will conform to all rules and regulations applicable to your appointment.

7. If you are appointed to the above post, you shall, if so required be liable for military service in the Railway Engineer Units of the Territorial Army for a period of 7 years in the Territorial Army service and 8 years in the Territorial Army Serve or for such periods as may be laid down in this behalf from time to time.

E/117

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True Copy

Attested

20/9/89

ASU

-2-

If you intend taking up the appointment on these conditions please signify your acceptance and return this form. A duplicate copy of which is enclosed for retention by you. In the event of your acceptance please call at this office within a fortnight from the date of receipt of this letter, at the latest, failing which this offer will lapse and will not be renewed.

9. (For subordinate staff only, you will be required to produce two certificates of character in the form enclosed from two Gazetted Officers of the Central or a provincial Government or from a Sudder Magistrate, A certificate from an Education Authority or an Honorary Magistrate, will not suffice. You are required to fill up the attached Annexure 'A' and 'Y'.

10. In all matters not specifically provided for herein, or in the recruitment rules, you will be governed by the provisions of the Indian Railway rules and other extent orders as amended/issued from time to time

(Signature & Designation of the appointing authority)

I accept the offer on the terms detailed above.

Dated: The _____

Vidya Prapash D...
Signature of Candidate
(Or left thumb impression if illiterate)

CHARACTER CERTIFICATE

Certified that I have know Shri- - - - -
son of Shri- - - - - for the last- - - - - years
- - - - - months and that to the best of my knowledge and belief he
bears a reputable character and has no antecedents which render him
unsuitable for Government Employment.

2. Shri- - - - - is/is not related to me.

Signature
Designation

Place- - - - -

Date- - - - -

AKS
8/2

E/1174

3522

True copy
Submitted
P. S. S. S.
21/8/09

A35

Northern Railway

Office of the D. Controller of Stores, Alambagh, Lucknow.

No. 20,600.....

Dated: 22-5-37.

To: Smt. Nasreen Khan

D/o Sh. Abdul Haseeb Khan

260, Astabul.

Charbagh, Lucknow.

Re: Temporary appointment.

Nature of appointment. Ty Sr. Clerk

Grade Rs. 1200 - 2040 (RP)

Rate of pay per mensem Rs. 1200/- PM.

1. I am prepared to offer you a post in Grade and rate of pay specified above plus usual Dearness Allowance subject to your passing the Prescribed Medical Examination by an authorised Medical Officer of this Railway and (for subordinate staff) on production of your original certificates and satisfactory proof in support of your age, such as birth or Matriculation Certificate etc.

2. It must be clearly understood that the appointment is terminable and on 14 days' notice on either side except that no such notice will be required on return to duty of the absentee in whose place you may be engaged in which case your services will automatically terminate from the date of former resumed duty. Also no such notice will be required if the termination of service is due to your mental or physical incapacity or to your removal or dismissal for serious misconduct.

3. You will not be eligible to any pension nor any benefit under the state Railway provident Fund or Gratuity rules or to any absentee allowances beyond those admissible to temporary employees under the rules in force from time to time during such temporary service.

4. You will be held responsible for the charge and care of Govt. money goods and stores and all other property that may be entrusted to you.

5. You will be required to take an oath of allegiance to the Indian Dominion in the form Prescribed below:-

"I Nasreen Khan do swear/solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution of India as by law established and that I will carry out the duties of my office loyalty, honestly and with impartiality (So help me God).

NOTE: Cessionists objectors to oath taking may strike out the word "Swear" from the above declaration.

6. You will confirm to all rules and regulations applicable to your appointment.

7. If you are appointed to the above post, you shall, if so required be liable for military service in the Railway Engineer Units of the Territorial Army for a period of 7 years in the Territorial Army service and 3 years in the Territorial Army Reserve or for such periods as may be laid down in this behalf from time to time.

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True Copy
21/8/37

P36

8. If you intend taking up the appointment on these conditions please signify your acceptance and return this form, a duplicate copy of which is enclosed for retention by you. In the event of your acceptance please call at this office within a fortnight from the date of receipt of this letter, at the latest, failing which this offer will lapse and will not be renewed.

9. (For subordinate staff only) you will be required to produce two certificates of character in the form enclosed from two Cerebral Officers of the Central or a provincial Government or from a District Magistrate, a certificate from an Education Authority or an Honorary Magistrate, will not suffice. You are required to fill up the attached Annexure 'A' and 'Y'.

10. In all matters not specifically provided for herein, or in the recruitment rules, you will be governed by the provisions of the Indian Railway codes and other extent orders as amended/issued from time to time.

(Signature & Designation of the appointing authority)

[Signature]

I accept the offer on the terms detailed above.

N. Khan
Signature of Candidate
(Or left thumb impression if illiterate)

Dated: The 22-5-87

CHARACTER CERTIFICATE

Certified that I have know Shri- - - - -
son of Shri- - - - - for the last- - - - -years
- - - - -months and that to the best of my knowledge and belief he
bears a reputable character and has no antecedents which render him
unsuitable for Government Employment.

2. Shri- - - - - is/is not related to me.

Signature
Designation

Place- - - - -

Date- - - - -

AKS
8/2

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Tam copy
Blank
[Signature]
21-8-89

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow

Brijesh Singh & Others ...

Applicants

Vs.
The Union of India & Others ...

Respondents

Annexure no. 4

Northern Railway.

Office of the
Dy.C.O.S./AMV

O/Order No. E/ 46
Dated: 01.3.1989

The following arrangements are ordered w.e.f. 01.3.89. The arrangements are provisional and subject to Court decision. They have opted for promotion in Ministerial side.

1. S/Shri Sunil Kumar Chaturvedi, Sr. Clerk ETD/CNB, Abhai Kumar Srivastava, Brijesh Singh, Ram Chandra Yadav, Avinash Chandra, Lal Ji Tripathi and Radhey Shyam, Sr. Clerks, Alambagh are appointed to officiate as Hd. Clerk on pay Rs. 1400/- p.m. in scale Rs. 1100-2300 (RPS).
2. Shri Gur Bachan Singh, Sr. Clerk T.P.P./AMV is appointed to officiate as Hd. Clerk on pay Rs. 1440/- & 40/- (OP) = 1480/- p.m. in scale Rs. 1400-2300 (RPS).
3. Shri S. Karmaker, Sr. Clerk Diesel, Alambagh is appointed to officiate as Hd. Clerk on pay Rs. 1470/- + 50/- (OP) = 1520/- p.m. in scale Rs. 1400-2300 (RPS).

for Dy. Controller of Stores,
N.Rly., Alambagh, Lucknow.

Copy to the following for information :-

1. The S.A.O.(W)/AMV.
2. The ACOS/ETD/CNB and ASPS/TPP/AMV.
3. Hd. Clerk Bills, Alambagh, Lucknow.
4. Hd. Clerk Leave & Pass/AMV.
5. O.S. (L), O.S. (G), Sr. DSK/CD & CRS.
6. Parties concerned.

3/2/89

True copy
attached
P. Singh
21/8/89

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow

Brijesh Singh & Others ...

Applicants

Vs.
The Union of India & Others ...

Respondents

Annexure no. 3

NORTHERN RAILWAY:

Office of the, Dy. Controller of Stores,
N. Railway, Alambagh/Lucknow.

Office Order No.E/6

Dated: 10-1-1989

The following arrangements are ordered w.e.from 26.12.'88.
The arrangements are provisional and subject to Court
decision. They have opted for promotion in ministerial
side.

1. Shri Ram Gulam Yadav, Sr. Clerk who was allowed seniority vide Office Order No.E/10 Dated: 21.1.'88, is appointed to officiate as Hd. Clerk on pay Rs.1,380/- + Rs.60/-(O.P) = Rs.1,440/- P.M. in Scale Rs.1400-2300(RP).
2. S/Shri Kamta Prasad (SC), A.K. Adhicary (S.C.), Anil Kumar, I, (S.C.) and J.C. Soren(S.T.) Sr.Clerks are appointed to officiate as Hd.Clerk on pay Rs.1,400/- P.M. in Scale Rs.1400-2300(RP).
3. Shri Rajesh Pratap Singh, Smt. Nasreen Khan and Shri Vidya Prakash Dixit, Graduate Clerks, appointed prior to 22-8-'88 are appointed to officiate as Hd.Clerks on pay Rs.1,400/- P.M. in Scale Rs.1,400-2300(RP).

for Dy. Controller of Stores,
N.Rly. Alambagh/Lucknow.

Copy to the following :-

1. The S.A.O.(W), N.Rly. Alambagh & Charbagh, Lucknow.
2. The H.C./Bills, Alambagh, Lucknow.
3. The Parties Concerned.
4. Section Incharges Concerned.

3500
Raj.10/1/89

Copy
Submitted.
J. Singh
21/1/89

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow

Brijesh Singh & Others ...

Applicants

The Union of India & Others ...

Respondents

Annexure no. 6

NORTHERN RAILWAY

Office order No. E/172 Dated 22-8-1988.

As a result of suitability test for the post of Sr. Clerk (G) grade Rs. 1200-2040 (RPS) held in this office on 21.7.88 and 17.8.88, the following employees has passed the test. This is provisional and is subject to the decision in the court cases.

GENERAL

1. Shri D.P. Pandey Clerk-CB
2. Shri Gur Bachan Singh offg. Sr. Clerk (Adhoc) TPP/AMV
3. Shri Brij Nath -do- DSL/AMV
4. Shri S. Karmakar -do- Sr. Clerk
5. Shri Ram Gulam Yadav -do- SDC
6. Shri Radhey Shyam -do- SDC
7. Shri Panna Lal Nath -do-
8. Shri Pal Kishore -do-
9. Shri C.R. Pandey -do-
10. Shri K.N. Malviya -do-
11. Shri Gulshan Lal -do-
12. Shri Panna Lal offg. DSL/III (Adhoc) CB
13. Shri Ram Shankar I offg. SDC (Adhoc)/AMV
14. Shri L.D. Saxena -do-
15. Shri L.D. Sharma offg. Sr. Clerk (Adhoc)/AMV
16. Shri Ram Shankar II offg. DSL/III (Adhoc) CNB
17. Shri Radhey Lal offg. Sr. Clerk (Adhoc)/AMV
18. Shri J.B. Shukla offg. SDC (Adhoc)/AMV
19. Shri C.N. Tripathi -do-
20. Shri Sankata Pd. offg. Sr. Clerk (Adhoc)/CB
21. Shri T.N. Shukla -do-
22. Shri R.S. Pandey -do- Adhoc DSL/CB
23. Shri Mohd. Yamin offg. SDC (Adhoc)/AMV
24. Shri V.N. Pathara offg. Sr. Clerk (Adhoc)/AMV
25. Shri Parvati Ram Singh offg. DSL/III (Adhoc)/CB
26. Shri Mohan Lal -do- SDC/AMV
27. Shri Suman Ram Pandey -do- SEN/C/CRB
28. Shri L.S. Pandey offg. Sr. Clerk (Adhoc)/Alambagh
29. Shri Sohan Lal offg. Sr. Clerk (Adhoc)/AMV
30. Shri Chandra Pal Singh offg. SDC (Adhoc)/AMV
31. Shri Kallish Pandey offg. Sr. Clerk
32. Shri Ruchha Ram -do- DSL (Adhoc)/AMV
33. Shri S. V. Kumar Misra I offg. SDC (Adhoc)/AMV
34. Shri K.R. Tripathi -do-
35. Shri D.C. Srivastava offg. Sr. Clerk (Adhoc)/CB
36. Shri Shiv Bahari offg. DSL/III (Adhoc)/AMV
37. Shri Shiv Ram -do- AD/AMV
38. Shri Sheetla Pd. Pandey offg. Sr. Clerk/CB (Adhoc)
39. Shri Ayazuddin Siddique offg. DSL/III/CNB
40. Shri L.S. Kauriya offg. Sr. Clerk (Adhoc)/AMV
41. Shri Virendra Pd. -do- AD/AMV
42. Shri S. V. -do- AD/AMV
43. Shri Prakash Hussain -do- AD/AMV
44. Shri S. V. -do- AD/AMV
45. Shri S. V. -do- AD/AMV

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Submitted
J. M. Jha
24/8/89

45.	Shri M.P. Verma	Offg. Sr. Clerk (Adhoc)/AMV	
46.	Shri Tripurari Lal Srivastava	Offg. SDC (Adhoc)/AMV	
47.	Shri V.K. Verma	Offg. SDC (Adhoc)/AMV/Sr. Clerk	
48.	Shri Chhotey Lal Singh	Offg. Sr. Clerk (Adhoc)/AMV/CNB	
49.	Shri Mohd. Qaisar Siddiqui	Offg. Sr. Clerk (Adhoc)/DSL-CB	
50.	Shri Satendra Kumar	Offg. SDC (Adhoc)/AMV	
51.	Shri Om Prakash Singh	Offg. Sr. Clerk (Adhoc)/DSL-CB	
52.	Shri Zahed Ashad Qudwai	-do-	
53.	Shri A.K. Daniel	Offg. Sr. Clerk (Adhoc)/VYN	
54.	Shri D.K. Srivastava	Offg. Sr. Clerk (Adhoc)/VYN	
55.	Shri S.P. Naik	Offg. Sr. Clerk (Adhoc)/AMV	
56.	Shri Lalita Pd.	Offg. Offg. Sr. Clerk (Adhoc)/AMV	
57.	Shri K.C. Joshi	Offg. Sr. Clerk (Adhoc)/AMV/CNB	
58.	Shri Hossain Ahmad	-do-	
59.	Shri Saty Pd. Singh	Offg. SDC	
60.	Shri K.C. Saxena	Offg. Sr. Clerk (Adhoc)/AMV	
61.	Shri S.S. Bajpai	Offg. Sr. Clerk (Adhoc)/TPP/AMV	
62.	Shri Kishor Pd.	Offg. Sr. Clerk (Adhoc)/AMV	
63.	Shrimati Geeta Vohra	-do-	
64.	Shri P.K. Bajpai	-do-	
65.	Shri Ramji Pal	-do-	
66.	Shri Jai Ashilakh Chaurasia	-do-	
67.	Shri Vijai Shanker Singh	-do-	
68.	Shri Hameed Kumar	-do-	
69.	Shri Mohd. Yunus	-do-	
70.	Shrimati Kanta Kumari	Offg. Sr. Clerk (Adhoc)/CMB	
71.	Shri. Shabin Ayum Siddiqui	-do-	
72.	Shri H.D. Mishra	Offg. Sr. Clerk	
73.	Shri Fallon Khan	Offg. Sr. Clerk (Adhoc)/AMV	
74.	Shri Samiullah	-do-	
75.	Shri Bar Singh	-do-	
76.	Shri. Ramesh V. Charan	-do-	
77.	Shri Mohd. Mahboob	-do-	
78.	Shri Mohd. Ilyas	-do-	
79.	Shri A.K. Saxena Sinha	Clerk	
80.	Shri Pats Ahmad	Offg. SDC Clerk (Adhoc)/AMV	
81.	Shri Prem Pal Singh	-do-	
82.	Shri Rajesh Patharia	-do-	
83.	Shri A.K. Shankhar	-do-	
84.	Shri Ravindra Kumar	-do-	
85.	Shri G. Zahoor Ahmad	Clerk	
86.	Shri Chandra Sanyal	Clerk	
87.	Shri Hemu Gupta	-do-	
88.	Shri Chhagan Paul Pandey	Clerk	
89.	Shri N.K. Sarawat	Clerk	
90.	Shri S.H. Pandey	Clerk	
91.	Shri Ram Arora	Clerk	
92.	Shri Pankaj Kumar Sriv.	Clerk	
93.	Shri Ravi Kumar Saxena	Clerk	
94.	Shrimati Vijai Laxmi Saxena	Clerk	
95.	Shri. Mohd. Qaisar Siddiqui	-do-	
96.	Shri. Jai Ashilakh Chaurasia	-do-	
97.	Shri. D.K. Tewari	-do-	
98.	Shri D.K. Mishra	-do-	

(...3...)

3/11/89

True copy
 signed
 P. B. Mohr
 2/11/89

Am

-3-

S.C.

1. Shri Jawahar Lal II Offg. HC (Adhoc)/AMV
2. Shri Ramta Pd. " Sr. Clerk (Adhoc)/AMV
3. Shri Mannu Ram Offg. DSK/III (Adhoc)/VYN.
4. Shri Shyam Sunder Offg. HC (Adhoc)/CB.
5. Shri Jug Mohan Lal Offg. HC (Adhoc)/AMV.
6. Shri Bhai Lal Offg. HC (Adhoc)/AMV
7. Shri Ram Nath Offg. HC (Adhoc)/AMV.
8. Shri R.K. Sharma -do- -do-/CNB
9. Shri Hari Nath Ram -do- -do-/AMV.
10. Shri Kartar Singh -do- -do-/CNB.
11. Shri S. Padwan -do- -do-/VYN.
12. Shri Bishanbhar Dayal Offg. DSK/III/AMV (Adhoc)
13. Shri L. S. Patel -do- -do-/AMV
14. Shri S. P. Das -do- -do-/AMV
15. Shri A.K. Golewari Offg. Sr. Clerk (Adhoc)/AMV.
16. Shri Asha Kumar Offg. Sr. Clerk (Adhoc)/AMV
17. Shri Anil Kumar I -do- -do-/AMV
18. Shri Anil Kumar II -do- -do-/AMV
19. Shri Anil Kumar Offg. Sr. Clerk (Adhoc) SEN (C)/CNB.

The following employees have failed in the test.

GLP/PA.

1. Shri Ram Nand Yadava Offg. Sr. Clerk (Adhoc) TPP-AMV
2. Shri Tej Bahadur Singh Offg. DSK/III (Adhoc) VYN.
3. Shri Pankaj Kumar Pandey -do- -do-/AMV.
4. Shri Anand Lutt Mishra -do- -do-/AMV.
5. Shri T. N. Tewari Offg. SDC (Adhoc)/Alambagh.
6. Shri Shalendra Kumar Gupta Offg. Sr. Clerk (Adhoc)/CNB.

S.C.

1. Shri Padam Lal Offg. HC (Adhoc)/Charbagh.

22.8.85.

Sr. Controller of Stores,
10/10/85.

Copy to the following for information :-

- 1) The Secy (AMV-CB).
- 2) The Secy (AMV-VYN).
- 3) The Secy (AMV-CB), LTD-CNB, DSK-VYN-VGS.
- 4) The Secy (AMV-CB) (C)/Kampur.
- 5) The Secy (AMV-CB) (C)/Kampur.
- 6) The Secy (AMV-CB) (C)/Kampur.

37m

True copy
Submitted
A. S. Sharma
24/8/85

442

सेवा में,

उप संचालक नियंत्रक
 उत्तर रेलवे, आलमबाग, लखनऊ

महोदय,

विषय:- वेतनमान 330 - 560 आर.पी.ए. 1200 - 2040 के लिपिकों की
 वरीयता:-

उप संचालक नियंत्रक, आलमबाग उ०रे० मजदूर यूनियन स्टोर शाखा उ०रे० आलमबाग
 लखनऊ तथा संचालक नियंत्रक उ०रे० की दिल्ली के बीच दिनांक 28.3.89 को
 औपचारिक धार्ता हुई जिसमें पैरा 11 में यह निर्णय लिया गया कि जो वरिष्ठ
 लिपिक की योग्यता परीक्षा (Suitability Test) अगस्त सन 1988 में पास किया
 उनकी वरीयता सन 1984 से मानी जाय।
 यहाँ यह उल्लेखनीय होगा कीहम प्राथमिक गुण वरिष्ठ लिपिक वेतन मान
 1200 - 2040 का सेलेक्शन रेल भारती परिसर में पास करके वरिष्ठ लिपिक के पद
 पर दिनांक 22-1-88 के पूर्व से कार्यरत है।

रेल सेवा आयोग से जो लिपिक 1200 - 2040 का सेलेक्शन पास करके आये है
 को प्रचलित नियमानुसार यदि पहले उच्च परीक्षा पास करके कार्य में लगे गये है अतः ये
 उन समस्त वरिष्ठ लिपिकों से वरिष्ठ होंगे जो उनके बाद वरिष्ठ लिपिक 1200.2040
 की परीक्षा पास करेंगे।

अतः हम प्राथमिक को जैसी सूचना मिलती है कि अगस्त 1988 के पूर्व वरिष्ठ
 लिपिक की परीक्षा पास करके जो वरिष्ठ लिपिक के पद पर लगे है उनकी उन वरिष्ठ
 लिपिकों से वरिष्ठ किया जा रहा है जो वरिष्ठ लिपिक की परीक्षा अगस्त 1988 में
 पास किया है, जो न्याय की दृष्टि से उचित है।

आशा है कि आप प्राप्ति की गयी वरीयता के सम्बन्ध में सूचित
 करेंगे।

दिनांक 2.8.1989

आलमबाग
 आलमबाग कार्यालय
 लखनऊ

11/8/89
 OS/L

अनुरोध

प्राथमिक गुण

1. दामोदर प्रसाद
2. निरंजन कुमार दीक्षित
3. ब्रजेश सिंह
4. विद्या प्रसाद सिंह

True Copy
 A. K. Singh
 21/8/89

सेवा में,

श्री अतल कुमार,
उप मंडार नियंत्रक, उ०रे० आलमबाग,
लखनऊ

विषय:- वेतनमान स्०330-560 संशोधित वेतन मान स्०1200-2040 के लिपिकों की वरीयता ।

सन्दर्भ:- हम प्रार्थना का उक्त विषय के सम्बन्ध में प्रार्थना-पत्र दिनांक 02-8-89

.....

ग्रुप "सी" सर्वग की पुनर्संरचना दिनांक 01-1-84 से क्रियान्वयन के सम्बन्ध में आपका ध्यान रेलवे बोर्ड के पत्राक संख्या पी.सी.-111/84/यू०पी०जी०/9 नये दिल्ली दिनांक 16-11-84 के पैरा -4 की ओर आकृष्ट करना चाहूंगा जिसमें स्पष्ट उल्लेख है कि दिनांक 01-1-84 से वेतन नियतन का लाभ उन अतिरिक्त पदों को मिलेगा जो पुनर्संरचना से बढ़ती हैं, जिसको उसी पैरा के अन्तिम पंक्ति-धों से स्पष्ट किया गया है कि समस्त रिक्त पदों को 01-1-84 से वेतन नियतन का लाभ होगा जो पुनर्संरचना के कारणा बढ़ी हैं ।

अतः उक्त आदेशानुसार वेतन मान स्०330-560 अब स्०1200-2040 में पुनर्संरचना के कारण दिनांक 01-1-84 को कोई पद नहीं बढ़ा और न ही वर्ष 1988 में परीक्षा लेकर पीछे से लाभ देने का आदेश है ।

परन्तु अब आपके कार्यालय आदेश संख्या ई/201 दिनांक 20-7-89 तथा संशोधन आदेश संख्या ई/205 दिनांक 25-7-89 द्वारा निम्नलिखित विस्तृतियां उत्पन्न हो गई हैं :-

- 1- जो प्रत्याशी 1200-2040 का सेलेक्शन रेलवे कमीशन से प्राप्त करके आये हैं व इस कार्यालय में दिनांक 22-8-88 के पहले से कार्यरत हैं को उन कुछ प्रत्याशियों से कनिष्ठ किया जा रहा है जो इस कार्यालय द्वारा योग्यता परीक्षा दिनांक 22-8-88 में प्राप्त किये हैं ।
- 2-इंस्टीट्यूटिस्टमेन्ट मैनुअल के पैरा 306 में स्पष्ट उल्लेख है कि पहला पीछा पैनल बाद के घोषित पैनल से वरीयता सूची में तदैव उमरे रहेगा ।
- 3-प्रशासन ने उच्चतम न्यायालय के निर्णय की भाँति अनदेखी की है जिसमें स्पष्ट उल्लेख है कि तदर्थ ॥ एडाटाक ॥ नियुक्ति को कोई वरीयता नहीं मिलती है ।

अतः हम प्रार्थना का आपसे निवेदन है कि रेलवे बोर्ड के आदेश के अनुकूल कार्यवाही करके अपने कार्यालय के आदेश संख्या ई/201 दि० 20-7-89 व संशोधन आदेश संख्या ई/205 दि० 25-7-89 के निर्णय पर पुनः विचार कर सही वरीयता सूची बनवाने के आदेश देने की कृपा करें ।

आशा है कि आप उक्त सन्धी विस्तृतियों का विचारण करवाकर न्याय संगत आदेश से सूचित करने की कृपा करेंगे जिससे हम लोगों की आर्थिक हानि न हो ।

3. अतल कुमार की संज्ञा
4. विद्या कुमार की संज्ञा

प्रार्थना
1. एल.एस. वि.प्र.
2. (प्रशासन वि.)

प्रतिलिपि:- १॥ महाप्रबन्ध कार्मिक, उ०रे० बडौदा हाउस, नई दिल्ली को सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।

२॥ मंडार नियंत्रक उ०रे० बडौदा हाउस, नयी दिल्ली को सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।

३॥ रिकेटरी उ०रे० मेन्स युनियन स्टोर्ट गारवा आलमबाग लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।

अनप

True copy
21/8/89

अतल कुमार
लखनऊ

(प्रशासन)

दि 9/8/89

In the Central Administrative Tribunal
 Additional Bench Allahabad
 Circuit Bench Lucknow

Brijesh Singh & Others ...

Applicants

The Union of India & Others ...

Respondents

Annexure no. 11

11/11



उत्तर रेलवे
 NORTHERN RAILWAY

961/E / C Rms / Corrs / Loco

8-8-89

मनेजी लालजी सिंघानी

जयपुर रेलवे स्टेशन
 जयपुर रेलवे स्टेशन

जयपुर रेलवे स्टेशन
 जयपुर रेलवे स्टेशन

जयपुर रेलवे स्टेशन
 जयपुर रेलवे स्टेशन

उत्तर रेलवे स्टेशन
 उत्तर रेलवे स्टेशन

जयपुर

20-11-89
 जयपुर रेलवे स्टेशन

जयपुर रेलवे स्टेशन
 जयपुर रेलवे स्टेशन

In the Central Administrative Tribunal
Additional Bench Allahabad
Circuit Bench Lucknow

Brijesh Singh & Others ...

Applicants

Vs
The Union of India & Others ...

Respondants

Annexure no. 12

Page 5

GOVT. OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

356

No. PCIII/84/UPG/9

New Delhi, dated 16-11-84.

The General Managers,
All Indian Railways,
CLW, DLW & ICF.

Sub:- Cadre review and restructuring of
Groups 'C' & 'D' staff.

....

Restructuring of certain Group 'C' & 'D' cadres have been under consideration in consultation with the staff side on the Committee of the Departmental Council of the JCM (Railway) for sometime. The Ministry of Railways have ~~deputed~~ ^{decided} with the approval of the President to restructure certain categories of Groups 'C' & 'D' as detailed in the Annexure enclosed.

2. While implementing these orders specific instructions given in the foot note under the different categories should be strictly and carefully adhered to.

3. For the purpose of restructuring, the cadre strength as on 1.1.1984 will be taken into account and will include Rest Given and Leave Reserve Posts.

4. Staff selected and posted against the additional higher grade posts as a result of restructuring will have their pay fixed under Rule 2018-B(FR-22)RII w.e.f. 1.1.1984. The benefit of fixation effective from 1.1.1984 will also be applicable to the chain/resultant vacancies. In effect, the benefit of fixation from 1.1.1984 should be given against all vacancies which arise from restructuring.

5.1 The existing classification of the posts covered by these restructuring orders, as "Selection" and "Non-selection" as the case may be, remains unchanged. However for the purpose of implementation of these orders, if an individual railway servant becomes due for promotion to only one grade above the grade of the post held by him, at present, on a regular basis, and such higher grade post is classified as a "Selection" post, the existing selection procedure will stand modified in such a case to the extent that the selection will be based only on scrutiny of service records without holding any written and/or viva voce test. Under this procedure, the categorisation 'Outstanding' will not exist.

5.2 In case, however, as a result of these restructuring orders, an individual railway servant becomes due for promotion to a grade more than one grade above that of the post held by him at present on a regular basis, the benefit

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H. S. Jha
21/11/89

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of the modified procedure of selection as aforesaid will be applicable only to the first such promotion (if that post happens to be a 'Selection' post) the second and subsequent promotions, if any, will be based only on the normal rules relating to filling in of 'Selection' or 'Non-Selection' posts (as the case may be).

✓ 5.3 Vacancies existing on 1.1.1984 and those arising on that date from this cadre restructuring should be filled in the following sequence:-

- ✓ 1) from panels approved on or before 15.11.1984 and current on that date; and
- ii) balance in the manner indicated in paras 5.1. & 5.2 above.

5.4 For such of the posts in the Annexure to this letter as fall in "Safety Categories", the instructions contained in this Ministry's letter No. E(NG)I-83-PM2-8 dated 7.10.83 will apply mutatis mutandis for promotions against vacancies covered by these restructuring orders.

6. The existing rules and orders in regard to reservation for SC/ST will continue to apply while filling up additional vacancies in the higher grades arising as a result of restructuring.

7. The Non-functional selection grade posts, if any, created in the categories covered by these orders should be adjusted against the upgraded posts. Any holders of non-functional selection grades not so adjusted will continue to retain such grades as personal to them till the next review. Details of such cases should be reported to the Board by 1.4.1985-

8. In all the categories covered by this letter even though more posts in higher scales of pay have been introduced as a result of restructuring, the basic function duties and responsibilities, attached to these posts at present will continue, to which may be added such other duties and responsibilities as considered appropriate.

9. The Board desire that restructuring and posting of staff after due process of selection should be completed expeditiously.

10. The Railways will carefully assess requirement of funds on account of this restructuring for the year 1984-85 and include ~~there~~ in the Revised Estimates for 1984-85 and Budget Estimate for 1985-86 by telegraphic advice to Addl. Director, Finance (B), Railway Board.

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Submitted
P. Is for

21/8/89

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21/1/73
P47

7. MINISTERIAL STAFF (Estt. and other than Estt. excluding Accounts Staff)

Grade (Rs)	Percentage
260-400	20
330-560	35
425-700	30
700-900	10
900-1000	5

8. Welfare/Personnel/HR/Publicity/Statistical/Shipping Inspectors

Relief Note 8/4/73 NDLs
Letter no 561 E/255-98-Gel-
PC (RUV) dt- 3/5/85

The above cadres which are structured currently on varying percentages in terms of this Ministry's letter No. POUH/78/UPG/8 dated 1.1.79 and 1.6.79 are now restructured on a common percentage:-

Grade (Rs)	Revised %age
425-640	30
425-700	30
550-750	40
700-900	30

NOTE:- Grade Rs 425-700 is applicable only to the category of Statistical Inspectors.

9. LEGAL STAFF

550-750	45
700-900	55

10. PARA-MEDICAL CADRES

1. Health & Malaria Inspectors

330-560	35
425-640	30
550-750	25
700-900	10

2. LABORATORY STAFF

380-560	30
425-700	30
550-900	40

3. X-Ray Staff

260-400	30
330-560	70 (+)

NOTE:- (+) 20% of posts in grade Rs 330-560 will be placed in

37/24

True copy
Submitted
J. S. Jha
21/8/89

A.D.

In the Central Administrative Tribunal Additional Bench Allahabad
Circuit Bench Lucknow.

O.A. No. 212 of 1989 (L)

C.M. An. 282/1989 (L)

Brajesh Singh and others ... Petitioners

Vs.

The Union of India & Others Opp. parties.

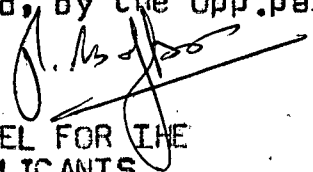
Application for Interim Relief.

The Petitioner respectfully begs to submit as under:-

For the facts, circumstances and reasons disclosed in the Affidavit filed herewith, and also in the original application, it is most respectfully prayed that the implementation of record notes dated 18.10.89 which is filed herewith as Annexure="C" to the Affidavit may kindly be stayed, and the Status quo may be ordered to be maintained in respect of the seniority on the post of senior clerk, may kindly be maintained, by the Opp. parties.

Dated: 31.1.89

6-11-89

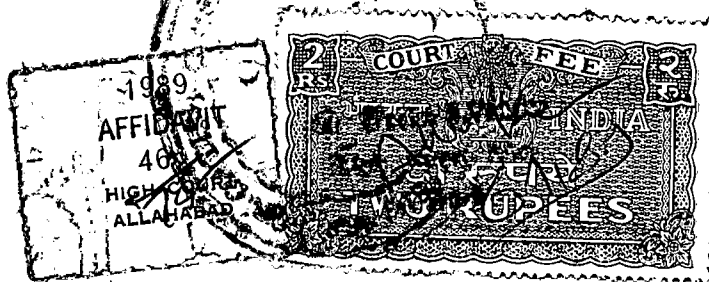

COUNSEL FOR THE
APPLICANTS.

449

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

Circuit Bench, Lucknow.

O.A. No. 212 of 1989(L)



Brajesh Singh and Others

...

Petitioners

Vs.

The Union of India & Others

...

Opp. parties.

Affidavit

I, Abhay Kumar Srivastava, aged about 30 years
S/o Sri K.D. Srivastava, R/O Towns, Singahi, Distt.
Lakhimpur Kheri, do hereby solemnly affirm as under:-

1. That the deponent is the petitioner no. 6 in the
above noted petition/ Application. He is also parokar
on behalf of the Applicant no. 1 to 5.

2. That the above noted application has been moved
for quashing the record notes of decision of the meeting
dated 28.3.89 contained in Annexure-87. It has been
further requested to hold that the seniority could not
be allowed prior to the date of passing of the suitability
test.

3. That the applicants also requested to get the
seniority above the persons who passed the suitability
test on 22.8.88.

4. That the opp. parties on receipt of the information
of the above noted application kept the orders dated
20.7.89 and 25.7.89, pending till further orders.

In other words the compliance of record notes dated
28.3.89 has been quashed/stayed. The copy of the order



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is filed herewith as Annexure= 'A' to this Affidavit.

5. That the orders were passed to give the seniority w.e.f. 1.1.84, through the record notes prepared in the meeting dt. 28.3.89. The orders issued in this regard were challenged in this application noted above.

6. That the authorities have come to the conclusions that the illegalities were committed in passing of the orders dt. 20.7.89 and 25.7.89, hence to avoid the further complications kept the orders pending.

7. That according to the rules and practice prevailing in the department, the seniority is being determined in case of promotees from the date of passing of the suitability test which is condition precedent to get the regular promotion. The Applicants were treated senior on the basis of the principle than the promotees. One Sri Ram Ghulam Yadav was treated as Junior to the Applicant on the basis of the date of passing of the suitability test, but the department had given him the seniority above the applicants, treating his seniority above the applicant. The copy of the order is filed herewith as Annexure='B' to this application.

7. That the order Annexure='B' was issued without giving an opportunity to the applicants, hence the applicant represented against the order Annexure='B', which is still pending.

8. That the authorities kept the matter pending on the one side and on the other side a formal meeting has been held with general secretary URMU in the chamber of C.P.O. on 28.10.89. It has been decided in the meeting that the all the clerk who were appointed to officiate as senior clerk by Dy. C.O.S. Lucknow, in the year 1983, vide order dated 23.4.83 and they are



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continuing as such without break will be regularised from the date of completing 3 years continuous services on adhoc basis. The copy of the record notes of meeting are filed herewith as Annexure=C to this application.

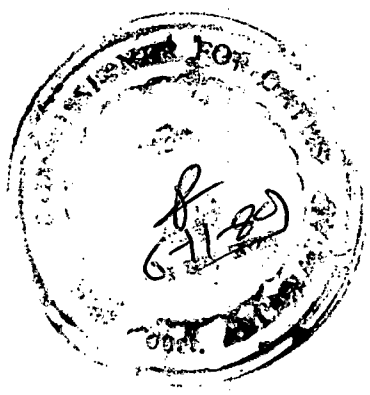
9. That the Annexure=C refers the order of promotion dated 23.4.83, in which the promotions were made for 3 months only w.e.f. 19.4.83. This appointment was neither extended by the competent authority nor the fresh orders were passed. In this way the persons were allowed to continue without any lawful authority, and they could not get any benefit of these services. The persons concerned must be treated as reverted w.e.f. 19.7.83. The copy of the order is filed herewith as Annexure 'D' to this affidavit.

10. That the authorities and the office bearers of the Union colluded to each other for the illegal gain of the promoted senior clerks.

11. They have considered that the success was not possible due to the record notes of meeting dated 28.3.89, hence they have adopted an other way to make the applicants junior to the persons who had passed its suitability test on 22.8.88.

12. That the applicants want to point out that their recruitment was made against the vacancies of 1980-81. The written examination was held on 19.9.82. The result has been declared on 25.10.85. The appointments have been issued, in the year 1987-88. In this way the delay has been committed by the Department in giving the appointment to the applicants.

13. That the authorities wants to revert the applicants any how from the post of Head clerk to the



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post of senior clerk.

14. That if the seniority could be given to the promoted persons from the date of their completing three years services or before the date of passing of the suitability test. The applicant may be given the seniority from the year 1980-81 when the posts fell vacant.

15. That the applicant will suffer a great irreparable loss, if the seniority will be given to the persons, prior to the date of their regularisation. In this way the applicants shall be treated as ~~senior~~ junior to the persons promoted and passed the suitability test in the month of Aug. 1988. Further they will be reverted from the post of head clerk.

16. That the justice demands, that the Statusco may kindly be maintained in the matter of seniority of the applicants on the post of senior clerk and head clerk.

17. That the record notes dated 18.10.89, have been passed and settled treating that the seniority has been given to some persons w.e.f. 1.1.84, but actually this benefit has not been given to any person which is clear from the Annexure 'A' to this application.

18. That the record notes have been prepared on 18.10.89, but there is no participation of any officer of the Stores Department. In this way the true picture could not come in the light, in respect of the Stores Department of N.R. Alambagh, Lucknow.

Dated: 31.10.89

अमय कुमार
Deponent

Verification.

I, the above noted deponent do hereby verify that the contents of paras 1 to 6, 8, 9, & 12 to this



Affidavit are true to my knowledge and the contents of paras 7, 10 to 11 and 13 to 18 of this affidavit are true to my belief. Nothing material has been concealed and no part of it is false, so help me God.

Signed and verified today this the 31st day of Oct. 1989, in the Court Compound at Lucknow.

Dated : 31.10.89

अभय कुमार
(Deponent

I identify the deponent who has signed before me.

(P.N. Bajpai)
Advocate.

Solemnly affirmed before me on 31.10.1989 at 10-15 A.M./P.M. by Sri Abhay Kumar Srivastava, the above deponent who is identified by Sri P.N. Bajpai, Advocate, High Court of Judicature at Allahabad (Lucknow Bench) Lucknow.

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



Raymond
JAIN COMMISSIONER
W. S. Court, Allahabad
101/102, 103/104

46113-9
6-11-89

In the Central Administrative Tribunal
Additional Bench, Allahabad
Circuit Bench, Lucknow.

Brijesh Singh & others

Versus

The Union of India & others

Annexure No. A

Applicants.

Opp. Parties.

ASW

: NORTHERN RAILWAY:

Office of the, Dy. C.O. S./Rly. Alambagh/Lucknow.

Office Order No.E/251

Dated: 29.8.'89

ALL CONCERNED.

Orders issued vide Office Order No.E/201 Dated: 20/7/'89 and
25/7/'89 in connection with regularisation of Senior Clerks with
effect from 1.1.'84 are pending till further orders.
effect from

[Signature]
for Dy. Controller of Stores,
N.Rly. Alambagh/Lucknow.

Copy to the following for information :-

- (1) S.A.O.(W), AMV & CB.
- (2) DCOS/N.Rly.CB, ACOS/CB, ACOS/ETD-CNB., ACOS/DSL-AMV, A.SPS/TPP, AMV.
- (3) Branch Secretaries, URMU & NRMU.

RAJ29/8/89



3744

In the Central Administrative Tribunal
Additional Bench, Allahabad
Circuit Bench, Lucknow.

Brijesh Singh & others

Versus

The Union of India & others

Annexure No. B

Applicants.

Opp. Parties.

155

NORTHERN RAILWAY:

O/O.No.E / 288

DATED: 16.9.1989

In partial modification of O/O.E/6 dated 10.1.89 and E/155 of 31.5.89 it is ordered that provisional promotion of Shri Rajesh Pratap Singh, Shrimati Nasreen Khan, Vidhya Prakash Dixit and Sunil Kumar Chaturvedi as Hd. Clerk in grade Rs1400-2300(RPS) is treated as fortuitous from 26.12.88 to 28.2.89 as Shri Ram Gulam Yadav who was treated as junior by passing suitability on 22.8.88 was not correct and by giving seniority of stores Issuer and Challandar he stands senior in grade Rs950-1500(RPS)

For Dy. Controller of Stores,
Alambagh/Lucknow.

Copy to the following for information and necessary action:-
1)SAO/AMV&CB (2)ACOS/ETD/Kanpur (3)Parites concerned,
(4)Branch secretary URMU NRMU (Stores).

For Dy. Controller of Stores,
N.Rly. Alambagh/Lucknow.

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In the Central Administrative Tribunal
Additional Bench, Allahabad
Circuit Bench, Lucknow.

Brijesh Singh & others

versus

The Union of India & others ...

Applicants.

Opp. Parties.

Annexure No. C

AS6

Record notes on discussions of informal meeting held with General Secy. URMU in the Chamber of CPO on 18.10.1989.

^{were}
The following present :-

Administration side

1. Sh.K.L.Sikka, CPO.
2. " Bhagwan Dass, SPO(U).
3. Miss Kanwal Sachdeva
SPO(HQ).

Union side

Sh. P.N. Sharma
Genl. Secy.

General Secy./URMU complained against non-implementation of decision arrived at in para-2 of the informal meeting held with him in the chamber of COS on 28.3.89.

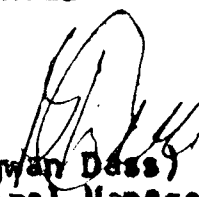
Under this para, a decision had been taken that since some junior persons had been given the benefit of regularisation with effect from 1.1.84, the senior persons who had been officiating as Sr. Clerk on ad hoc basis since 1983 onward pending suitability test may also be considered for regularisation as such w.e.f. 1.1.84.

During the discussion it was pointed out by SPO(HQ) that against the above mentioned decision a reference was received from Dy. COS/LKO vide his letter No. 9/1-5/18/200 (URMU) dt. 13.5.89 pointing out that there had been no upgradation in the cadre of SR UDCs as a result of restructuring and accordingly the question of some junior persons having been regularised as such w.e.f. 1.1.84 does hardly arise. Also he pointed out that when the base on which the above mentioned decision against para 2 was given is not correct, it would not be correct to implement the decision of regularising other Sr. Clerks w.e.f. 1.1.84 officiating on ad hoc basis earlier to that. The position was checked up and it was found that actually there had been no upgradation in the cadre of UDCs as a result of restructuring w.e.f. 1.1.84 in any office ever Northern Railway. However, the fact remains that number of clerks Gr. 260-400/950-1500 (RPS) had been officiating on ad hoc basis as Sr. Clerk Gr. 330-560/1200-2040 (RPS) some time from 1983 because of the stay against suitability test given by the High Court/ALD on 16.3.82. It was only on 14.12.87 when a decision was given by CAT/ALD and suitability test could be arranged by the office on 21.7.88 and the result was declared on 22nd August '88. It was emphasised by the General Secy. URMU that the staff who had been

contd..2

continuously officiating on ad hoc basis on overall seniority against regular vacancies should not suffer for their regularisation because of the court case. He also drew the attention to the decision given against PNM item No. 215/89 (review item 215/88) of NRMU in the PNM meeting held with G.M. on 5/6 September '89. As per this decision, certain Clerk Gr. 260-400/950-1500(RPS) of the office of DCOS/LKO who had been officiating on ad hoc in Gr. 330-560/1200-2040(RPS) for a number of years have been ordered to be regularised from the date they have completed three years continuous ad hoc officiating in Gr. 330-560/1200-2040(RPS). AST

After discussion, it was decided that all those clerks Gr. 260-400/950-1500(RPS) who were appointed to officiate as Sr. Clerk Gr. 330-560/1200-2040(RPS) by Dy. COS/LKO in the year 1983 under Office Order No.E/81 dated 23.4.83 and they are continuously working as such without break may also be regularised from the date they have completed three years continuous ad hoc officiating in Gr. 330-560/1200-2040(RPS).


(Bhagwan Dass)
for General Manager(P)

No.961-E/111/7/88/URMU/E.Union Dt. 18.10.89

Copy for information and necessary action to:-
(HQ)

1. Sr.Persennel Officer,/N.Rly.. Baroda House, New Delhi.
2. Genl. Secy. URMU.



In the Central Administrative Tribunal
Additional Bench, Allahabad
Circuit Bench, Lucknow.

Brijesh Singh & others

Versus

Applicants.

The Union of India & others ...

Opp. Parties.

Annexure No. D

NORTHERN RAILWAY:

Office Order No.E/ 81

Dated: 23_4-1983

The under-noted employees, in Grade Rs.260-400(Rs) are appointed to officiate as sr. Clerk w.e.f. from 19.4.'83 for 3 months on pay noted against each in Grade Rs.330-560(Rs) purely temporary, local and adhoc basis pending suitability test and decision of Writ Petitions. This will not confer any claim for seniority and promotions in future. These promotions have been made in exigencies of service.

S.No.	Name	Place of working.	Pay.
1.	Sri Gurbachan Singh	TPP/AMV.	380/- (Rs.366/- +14/-)
2.	" Sadhoo Ram	-do-	392/- (Rs.374/- +18/-)
3.	" Brij Nath	AMV/Depot	340/- (Rs.326/- +14/-)
4.	" Rama Nand Yadav	TPP/AMV	350/- (Rs.334/- +16/-)
5.	" S.Karmakar	AMV/stores	392/- (Rs.374/- +18/-)
6.	" Pooran Masl (S.C.)	AMV	330/- (Rs.278/- +52/-)
7.	" Baccha Lal	ETD/CNB	330/- (Rs.284/- + 46/-)
8.	" Ram Gulam Yadav	AMV/Depot	360/- (Rs.350/- + 10/-)
9.	" Tej Bahadur Singh	VYN/Depot	330/-
10.	" Radhey Shyam	AMV/Depot.	330/- (Rs.290/- + 40/-)
11.	" Panna Lal Seth	" "	390/- (Rs.290/- + 40/-)
12.	" Jawaher Lal- II(S.C.)	" "	330/- (Rs.314/- + 16/-)
13.	" Uma Shanker	-do-	330/- (Rs.278/- +52/-)
14.	" Pankaj Kumar Pandey	-do-	330/- (Rs.314/- + 14/-)
15.	" Bal Kishore	-do-	330/- (Rs.290/- + 40/-)
16.	" C.E. Pandey	CB/stores	330/- (Rs.290/- +40/-)
17.	" B.D. Mishra	AMV/stores	330/- (Rs.290/- +40/-)
18.	" K.N. Malviya	-do-	340/- (Rs.326/- + 14/-)
19.	" Zanta Pd.	-do-	330/- (Rs.290/- +40/-)
20.	" Gulshan Lal	-do-	330/- (Rs.290/- +40/-)
21.	" Puttu Lal Yadav	CB/Depot.	340/- (Rs.326/- + 14/-)
22.	" Ram Shanker	AMV/Depot	350/- (Rs.334/- +16/-)
23.	" R.D.saxena	DSL/CB.	350/- (Rs.334/- +16/-)
24.	" Ram Milan Tewari	AMV/Depot	330/- (Rs.278/- +52/-)
25.	" Mannu Ram (S.C.)	VYN/Depot	330/-
26.	" Shiv Balak	AMV/Depot	330/- (Rs.278/- +52/-)
27.	" L.N. Sharma	CB/Depot	330/- (Rs.320/- + 10/-)
28.	" Jagdish Pd.srivastava	AMV/Depot	330/- (Rs.384/- +46/-)
29.	" Rama Shanker	ETD/CNB	350/- (Rs.334/- +16/-)
30.	" Baboo Singh	AMV/Depot	330/- (Rs.278/- + 52/-)
31.	" Ram Adhar Singh	CB/Depot.	330/- (Rs.278/- +52/-)
32.	" Shyam Sunder (SC.)	CB/Depot	330/- (Rs.290/- +40/-)
33.	" Radhey Lal Yadav	AMV/Depot	330/- (Rs.290/- +40/-)
34.	" Jang Bahadur Shukla	TPP/AMV	330/- (Rs.290/- + 40/-)
35.	" T.N. Tewari	DSL/CB	330/- (Rs.320/- + 10/-)
36.	" C.N. Tripathi.	CB/Depot.	330/- (Rs.290/- + 40/-)
37.	" Jagmohan Lal (S.C.)	AMV Depot	330/- (Rs.320/- + 10/-)
38.	" Sankatha Pd.	CB/Depot	330/- (Rs.314/- +16/-)
39.	" T.N. Shukla	-do-	350/- (Rs.334/- +16/-)
40.	" R.S. Pandey	TPP/AMV	350/- (Rs.334/- +16/-)
41.	" Mohd Yamin	CB/Depot	330/- (Rs.320/- +10/-)
42.	" V.N. Asthana	AMV/Depot.	350/- (Rs.334/- + 16/-)
43.	" Padam Lal (S.C.)	CB/Depot.	330/- (Rs.290/- +40/-)
44.	" S.N. Trivedi	AMV/Depot.	330/- (Rs.278/- +52/-)
45.	" Paras Ram Singh	CB/Depot.	340/- (Rs.326/- +14/-)

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S.No.	Name	Place of	Pay.
46.	Sri Kishan Lal	working.CB/Depot	330/- (Rs. 278/- + 52/-)
47.	Mohan Lal Singh	AMV/Depot	Rs. 330/- (Rs. 314/- + 16/-)
48.	L.S. Pandey	AMV/Depot	Rs. 330/- (Rs. 290/- + 40/-)
49.	Phai Lal (S.C.)	AMV/Depot	Rs. 330/- (Rs. 290/- + 40/-)
50.	Sohan Lal	-do-	Rs. 330/- (Rs. 290/- + 40/-)
51.	Chandra Pal Singh	TPP/AMV	Rs. 330/- (Rs. 308/- + 22/-)
52.	Kailash Pandey	VYN	Rs. 330/-
53.	Ram Nath (S.C.)	AMV	Rs. 330/- (Rs. 314/- + 16/-)
54.	Rajesh Ram	AMV/Depot	Rs. 330/- (Rs. 290/- + 40/-)
55.	Shiv Kumar Misra -I	-do-	Rs. 330/- (Rs. 284/- + 46/-)
56.	K.D. Tripathi	-do-	Rs. 330/- (Rs. 284/- + 46/-)
57.	D.C. Sriwastava	CB/Depot	Rs. 330/- (Rs. 284/- + 46/-)
58.	N.K. Sharma	CEB/ETD	Rs. 330/- (Rs. 284/- + 46/-)
59. smt.	Mehar Fatima	AMV/Depot	Rs. 330/- (Rs. 284/- + 46/-)
60. smt.	H.N. Ram (S.C.)	AMV/Depot	Rs. 330/- (Rs. -do-)
61.	Kartar Singh (S.C.)	CNB	Rs. 330/- (Rs. -do-)
62.	Satraghan Paswan (S.C.)	VYN	Rs. 330/- (Rs. -do-)
63.	Bishambhar Dayal (S.C.)	AMV/Depot	Rs. 330/- (Rs. -do-)
64.	Lal ji Pasi (S.C.)	AMV/Depot	Rs. 330/- (Rs. 296/- + 34/-)
65.	Shiv Behari	AMV/Depot	Rs. 330/- (Rs. 284/- + 46/-)
66.	Shiv Ram (S.C.)	ETD/AMV/Depot	Rs. 330/- (Rs. -do-)
67.	Girja Shanker (S.C.)	TPP/AMV/Depot	Rs. 330/- (Rs. 278/- + 52/-)
68.	Mahadeo Lal	TPP/AMV	Rs. 330/- (Rs. 296/- + 34/-)
69.	S.B. Das	AMV/Depot	Rs. 330/- (Rs. 278/- + 52/-)
70.	A.K. Adhikari (S.C.)	TPP/AMV	Rs. 330/- (Rs. -do-)
71.	Panchanan Pandit (S.C.)	CB/Depot	Rs. 330/- (Rs. -do-)
72.	Mond Sajid	AMV/Depot	Rs. 330/- (Rs. -do-)
73.	Azizuddin Siddique	CNB	Rs. 330/- (Rs. -do-)
74.	H.S. Maurya	AMV/Depot	Rs. 330/- (Rs. -do-)
75.	A.K. Malviya	AMV/Depot	Rs. 330/- (Rs. -do-)

for Dy. Controller of Stores, 23.4.83.
N.Rly., Alambagh/Lucknow.

Copy forwarded to :- 24/4

1. S.A.O.(W)/N.Rly., Alambagh, Lucknow.
2. S.A.O.(W)/N.Rly., Charbagh, Lucknow.
3. D.C.O.S./N.Rly., Charbagh, Lucknow.
4. A.C.O.S./ETD/CNB.
5. A.C.O.S./VYN (6) A.C.O.S./DSL/CB-Lucknow.
7. A.C.O.S./T.P.P.AMV/Lucknow.
8. H.C./Bills.AMV/Charbagh.
9. Parties Concerned.

RK.23/4

Original
Order in case
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In the Central Administrative Tribunal

Additional Bench Allahabad

Circuit Bench Lucknow.

CM. An. No. 10190 (L)

O.A.No.212 of 1989



Brijesh Singh and others ... Petitioners

Vs.

The Union of India & Others ... Opp. parties.

Application for withdrawal of the petition

The Applicants most respectfully begs to submit as under:-

For the facts, circumstances and the reasons, disclosed in the affidavit filed herewith, it is most respectfully prayed that the Applicants may kindly be allowed to withdraw the Application.

Dated: 21.12.89

Rajesh Bhat Singh
APPLICANTS.

1. Rajesh Bhat Singh
2. Brijesh Singh
3. Abhaya Kumar Srinastha
4. Lalji Tripathi
5. Vidya Prakash Dixit
6. Noreen Khan

[Signature]
for applicants

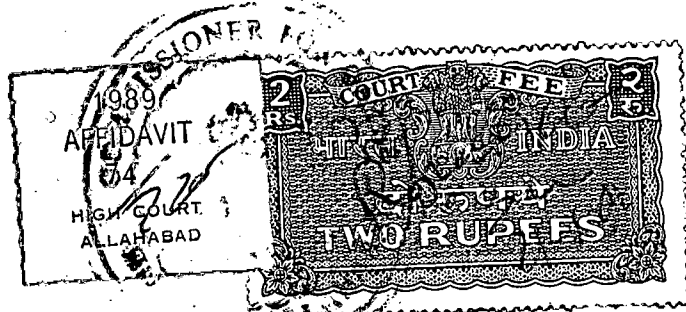
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In the Central Administrative Tribunal

Additional Bench Allahabad

Circuit Bench Lucknow

O.A. No.212 of 1989



Brijesh Singh and others ... Petitioners

Vs.

The Union of India & Others ... Opp. parties.

Affidavit.

I, Rajesh Pratap Singh, aged about 29 years S/O Sri Sharda Bux Singh, R/O Village & Post Uttar Para, Distt. Rae Bareilly, do hereby solemnly affirm as under:-

1. That the deponent is the applicants no.5 in the above noted application. He is parokar on behalf of the remaining applicants.
2. That the Applicant does not want to proceed with the Application further as the impugned order has been kept pending for indefinite period.
3. That the Applicants have hope that the impugned order shall be withdrawn by the Opp. parties.
4. That the Applicants in the aforesaid circumstances do not want to keep the application pending.



Rajesh Pratap Singh

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5. That if there will be need in future, the applicant will file the fresh application.

6. That in the circumstances mentioned above the application is liable to be dismissed as not pressed and withdrawn.

Rajesh Pratap Singh
Deponent.

Dated: ~~21.12.1989~~

4-1-90

Verification.

I, the above named deponent do hereby verify that the contents of paras 1 to 4 of this Affidavit are true to my knowledge and the contents of para 5 & 6 are true to my belief. Nothing material has been concealed and no part of it is false, so help me God.

Signed and verified today this the ~~21st~~⁴ day of ~~December, 1989~~^{January 1990}, in the Court Compound at Lucknow.

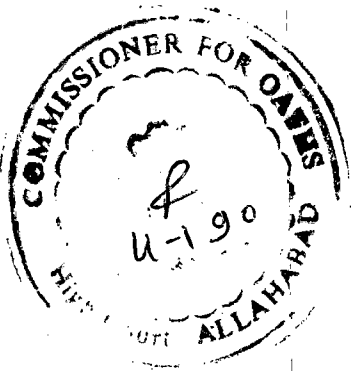
Rajesh Pratap Singh
Deponent.

I identify the deponent who has signed before me.

(P.N. Bajpai)
Advocate.

Solemnly affirmed before me on ~~21.12.89~~⁴⁻¹⁻⁹⁰ at 10-5 A.M./P.M. By Sri ~~Krishan Singh~~ Rajesh Pratap Singh, the above named deponent who is identified by Sri P.N. Bajpai, Advocate, High Court of Judicature at Allahabad (Lucknow Bench) Lucknow.

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



Raj Kumar Mishra
JUDGE, COMMISSIONER
High Court, Allahabad
Lucknow Bench

741125
Date 4-1-90

(12)

SPECIAL POWER OF ATTORNEY

In the.....Court of Central Administrative Tribunal, Allahabad
Circuit Bench, Lucknow.

.....No. CAT/IKO/Jud/GB/1744 dt. 1-9-89.
Registration No. 212 of 1989.

Brijesh Singh, S/o Sh. S.M. Singh, Head Clerk, and Others.
.....Plaintiff
Appellant
Petitioner

VERSUS

Union of India & others.
Controller of Stores, N.Rly., Baroa House, New Delhi.

Defendant
Respondant
Opposite Party

KNOW ALL MEN by these present that I, INDER SWAROOP, CMM (M)
in Raway, New Delhi do hereby appoint and authorise Sarvshri Siddharth Verma
C-16, K. Road, Mahanagar, Lucknow to appear, plead, and act for me jointly or
the above noted case and to take such steps and proceedings as may be necessary for
on or defence of the said matter, as the case may be and for the purpose to make
and present all necessary plaints, petitions, written statements and other documents
mise the suit, admit the claims and to lodge and deposit money in court and to
ayment from the court of money deposited and to file and withdraw documents from
d GENERALLY to set in the premises and in all proceedings arising thereout whether
of execution, appeal or otherwise or in any manner connected there with as effectually
ntents and purposes as I could act if personally present. I hereby agree to ratify and
rm whatever shall be lawfully done by virtue of these presents.

IN WITNESS whereof I hereinto set my hand this.....
day of.....19 ..

(I N D E R S W A R O O P)

Accepted
Sh. S. M. Singh
Northern Railway
Chief Executive Officer
Baroa House
New Delhi