

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE O. 4213 OF 89

NAME OF THE PARTIES R. N. Singh Applicant

Versus

Union of India Respondent

Part A.

Sl.No.	Description of documents	Page
1	Order sheet	2 to 4
2	Judgment	5 to 7
3	Petition with Annexure and P.O.s	8 to 49
4	Counter affidavit	50 to 71
5	Rejoinder affidavit	72 to 98
6	M.P.	99 to 101
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		

CERTIFICATE

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

Dated 09-6-11

Counter Signed.....

Rajesh  
23/12/2011  
Section Officer/In charge

[Signature]  
Signature of the  
Dealing Assistant

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

22/8/81

Application No. 213 of 1989 (L)

APPLICANT(S) R.N. Singh & Others

RESPONDENT(S) Union of India & Others

Particulars to be Examined

Endorsement as to result of examination

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

yes

yes

yes

2 sets have been filed

yes

NA

yes

yes

yes

yes

yes

yes

yes

yes

yes

NA

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

dinesh/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

ORDER SHEET

O.A. No. 213/89  
REGISTRATION No. \_\_\_\_\_ of 198 .

APPELLANT  
APPLICANT

R.N. Singh & ors

VERSUS

DEFENDANT  
RESPONDENT

Union of India & ors

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
22/8/89	<p><u>Hon' Mr. D.K. Agrawal, J.M.</u></p> <p>Heard Shri L.P. Shukla, counsel for the applicant.</p> <p>Let the notice of this application as well on interim prayer given to the counsel for the applicant to be served <del>it</del> on respondents today and put up this case on <u>23/8/89</u> for orders.</p> <p style="text-align: right;">Jec J.M.</p> <p>(sns)</p>	<p>OK On L.P. Shukla's Case notice and of report to be served on the opposite party Submitted for</p>
23/8/89	<p><u>Hon' Mr. D.K. Agrawal, J.M.</u></p> <p>Present: Shri L.P. Shukla, counsel for the applicant. Shri Anil Srivastava counsel for the respondents.</p> <p>A short reply has been filed on behalf of the respondents. Heard. Perused the documents. It is not possible to order that a supplementary test be held at this stage as prayed for. However, another case vide OA. No. 204/89(L) is already fixed for 5.9.89, the facts of both the cases are almost similar. Therefore, put up this case on <u>5.9.89</u> for hearing on the prayer for <u>interim relief</u>. Meanwhile, the respondents shall not declare the result. They may however, proceed with the process of selection or prepare the list etc.</p> <p style="text-align: right;">Jec J.M.</p> <p>(sns)</p>	<p>OK Copy sent to the applicant &amp; also report.</p> <p>OK No rejoinder has been filed. Case is submitted for hearing on interim prayer.</p> <p>4/5</p>

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

30/10/89

(5) Shri L.P. Shukla counsel for the applicant and Shri Anil Srivastava counsel for the respondents are present. Counsel for the respondents requests that the case be listed on 6-11-89. Counsel for the applicant has no objection. The cause list is very heavy on that date. Therefore, list this case at the bottom of the hearing cases on 6-11-89. Let the rejoinder affidavit be filed before that date.

J.M.

(sns)

OK  
No rejoinder filed  
submitted for  
hearing

2/11/89

Hon' Mr. D.K. Agrawal, J.M.Hon' Mr. K. Obayya, A.M.

(6) 6/11/89 Shri L.P. Shukla counsel for the applicant and Shri A.V. Srivastava counsel for the respondents are present. Counsel for the applicant desires 2 weeks time to file rejoinder. Allowed. List this case on 19-12-89 for hearing.

A.M.

(sns)

J.M.

OK  
No rejoinder filed  
submitted for hearing

19/12/89

Hon. Justice K. Nath, VC  
Hon. K. Obayya, J.M.

10/12

(7) An application has been received on behalf of Shri A.V. Srivastava for the respondents for adjournment. But for hearing on 4/1/90 and by that time the applicant may file rejoinders.

1/1/90

VC

OK  
No R.A.  
submitted for  
hearing

GA 2131092

AY

(15)

6.3.92

Dise to Strike of Adverts  
Case n' adjourn to 8.5.92

DR  
Boc

(16)

8.5.92

No singing of D.M. adjourn  
to 10.7.92

DR

(17)

10.7.92

Adjourn to 15.7.92

DR  
Boc

(18)

15.7.92

Adjourn to 16.7.92

DR  
Boc

(19)

16.7.92

Case not reached adjourn  
7.9.92

DR  
Boc

(20)

7.9.92

No singing of D.M. only  
to 22.10.92

DR

DR

S.F.H.

21.10.92

22.10.92

Case not reached adjourn  
to 19.11.92

DR  
Boc

Case is  
ready for  
F.H.

17/11/92

Case is ready  
for hearing  
13/11/92

AS

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 213 of 1989

R.N. Singh and others

Applicants.

versus

Union of India & others

Respondents.

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

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

Feeling aggrieved with the advertisement which has been issued in pursuance of the amended rules, by which the applicants stand debarred from the post in question, the applicant has approached the Tribunal praying that the advertisement dated 23.2.1989 for the post of Chief Research Assistant/Chief Inspector(Met.) on the basis of prescribed qualification under the Rules No. 23/1987 dated 30.11.1987 by which a degree in M.S.c, B.Sc.(Hons.) or B.Sc. in Physics, Physical, Inorganic Chemistry alongwith required experinence has been excluded and only a degree in B. Met has been prescribed in contravention of 1977 Rules Order No. 9 of 1977 and has also prayed to declare that the Science degree is a requisite qualification alongwith and Engineering or Technological degree for eligibility to the post of Chief Research Assistant/Chief Inspector (Met.) and to allow the applicants to appear in the

u

selection test for the 5 posts of Chief Research Assistant/Chief Inspector(Met.) on the basis of their qualification and experience in accordance with the 1977 Rules Order 9 of 1977.

2. There is no denial of the fact that the applicants were fully qualified to be selected for the post but after amended rules, the applicants have been debarred from participating in the same. The respondents have taken the plea and have contended that the respondents were within the rules and under the rules certain qualification has been been prescribed, changing the earlier rules and the applicants were qualified. The learned counsel for the applicant contended that all the vacancies in respect of the advertisement issued before the amendment of rules is illegal and inoperative. Earlier rules have been amended. In the case of K. Jagdeesan vs. Union of India & others (AIR 1990 S.C. 1072) where the rules regarding the particular post were amended and it was prescribed that for promotion to the post of Director(M.E.) a degree in Engineering was a requisite qualification, it cannot be said that it would amount to amendment with retrospective effect as far as the delinquent employee not possessing a degree in Engineering was eligible for promotion under original rules, was concerned. Precisely the same position arises here and it

lu



cannot be said to be invalid and inoperative. The learned counsel for the applicant contended that the rules were before and the vacancies occurred earlier. According to the respondents the vacancies came into existence subsequently. If the vacancies came subsequently, selection was to be made in accordance with those rules and if any vacancy is found to <sup>have</sup> received earlier and the persons who were eligible under the rules, will be appointed. In case the applicant is found eligible the respondents will make fresh selection of the persons. But for the above observations, the application is otherwise dismissed. No order as to costs.

A.M.

V.C.

Shakeel/-

Lucknow: Dated: 19.11.92.

98  
Central Administrative Tribunal  
Lucknow  
Date of Filing 22/8/89  
Date of Receipt by Post.....

Deputy Registrar(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents

Form -I

Application under Section 19 of  
the Administrative Tribunals Act, 1985.

Date of Filing 22.8.89

Registration No. 213/89(2)

*Noted for filing*

*22/8/89*  
*20.8.21P Singh*  
*22/8/89*

B. S. Saxena

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

O.A. No. 213 of 1989 (L)

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents

I N D E X

	<u>Pages</u>
1. Application . ..	.. 1 - 17
2. Advertisement dated 23.2.1989 for five post to be filled by direct recruitment. ..	.. 18 - 20
3. Extract of the amended Recruitment and Promotion Rules dated 30.11.1987. ..	.. 21 - 23
4. Extract of the 1977 Rules for the post of CRA/Chief Inspector (Met.) alongwith Order No.9 of 1977, ..	.. 24 - 27
5. Representation filed by the applicants dated 19.8.1989. ..	.. 28 - 29
6. Advertisement for the post of Chemical and Metallurgical Assistant in the Diesel Locomotive Works, Varanasi. ..	.. 30 - 31
7. Advertisement for the post of Scientist F in the Naval Chemical and Metallurgical Laboratory Bombay. ..	.. 32 - 33
8. Advertisement for the post of Senior Scientific Officer Grade I under the National Science and Technology Entrepreneurship Development Board. ..	.. 34 - 36
9. Order dated 3.10.1987 relaxing the age limit. ..	.. 37 - 38

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

O.A. No. 213 of 1989 (4)

R.N. Singh & 11 others ..... Applicants

Versus

Union of India & 3 others ..... Respondents

DETAILS OF APPLICATION

I. Particulars of the applicants :-

- |  |   |   |
|--|---|---|
| (i) Name of applicants:                        | } | 1. R.N. Singh, aged 40 years, son of late Sri Nawab Singh, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of A-29/4, RDSO Colony, Lucknow.       |
| (ii) Name of father :                          |   |   |
| (iii) Designation & office in which employed : |   |   |
| (iv) Office address :                          |   | 2. D. Bandyopadhyay, aged 40 years, son of Sri Harihar Banerji, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-123/4, RDSO Colony, Lucknow. |
| (v) Address for service of notices :           |   | 3. B.K. Bandyopadhyay, aged 35 years, son of Sri M.N. Banerjee, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B/119/4, RDSO Colony, Lucknow. |
|  |   | 4. Smt. C. Baisya, aged 32 years, wife of Sri R. Baisya, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-184/1, RDSO Colony, Lucknow.        |

B. Baisya

5. B.K. Saxena, aged 30 years, son of Sri H.N. Saxena, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-164/4, RDSO Colony, Lucknow.
6. Baij Nath, aged 32 years, son of Sri Ram Bilas, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-81/4, RDSO Colony, Lucknow.
7. P.K. Verma, aged 32 years, son of Sri L.J. Verma, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-134/2, RDSO Colony, Lucknow.
8. R.S. Visnoi, aged 32 years, son of Sri S.R. Visnoi, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-145/1, RDSO Colony, Lucknow.
9. ~~Ashok Kumar Yadav, aged 31 years, son of Sri R.S. Yadav, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of village Sonai ka Purwa, P.O. Bokkas, district Lucknow.~~
9. 10. Lav Kumar Srivastava, aged 34 years, son of late Harihar Srivastava, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-64/4 Manaknagar, RDSO, Lucknow.
10. 11. Ganga Prasad, aged 29 years, son of late Lokmani Pant, Senior Research Assistant/Met., Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of B-146/2 Manaknagar, Lucknow.
11. 12. Manjit Singh, aged 35 years, son of Sri Hardayal Singh, Junior Research Assistant/Met.,

B.Saxena

Metallurgical & Chemical Directorate, RDSO, Lucknow, resident of C-6, Sindhu Nagar, Lucknow-5.

II. Particulars of the respondents :

1. Union of India through the Secretary, Railway Board, Rail Bhawan, New Delhi.
2. Director General, Research, Designs and Standards Organisation, Manaknagar, Lucknow.
3. Director (Metallurgical & Chemical), Research, Designs and Standards Organisation, Manaknagar, Lucknow.
4. Jt. Director (<sup>Chemical</sup>Metallurgical), Research, Designs and Standards Organisation, Manaknagar, Lucknow.

III. Particulars of the order against which application is made :

The application is against the following order :-

Advertisement dated 23.2.1989 for 5 posts of Chief Research Assistants (Met.)/Chief Inspector (Met.) in Category II on the basis of qualifications laid down in the amended Recruitment and Promotion Rules dated 30.11.1987 and thus disqualifying the applicants from appearing in the selection test to be held on 21st and 22nd August, 1989.

Subject in brief :-

The application is directed against the advertisement dated 23.2.1989 for 5 posts of Chief Research Assistants (Met.)/Chief Inspectors (Met.) on the basis of the Recruitment and Promotion Rules for Group 'C' posts in RDSO dated 30.11.1987 changing the qualifications and disqualifying the applicants from appearing

in the selection test for the aforesaid posts as direct recruits for which they were eligible on the basis of the 1977 Rules for recruitment and promotion.

IV. Jurisdiction of the Tribunal :

The applicants declare that the subject matter of the order against which they want redressal is within the jurisdiction of the Tribunal.

V. Limitation :

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

VI. Facts of the case :

The facts of the case are given below :-

1. That the applicants are working on the posts of Senior Research Assistants (Metallurgy) and Junior Research Assistants (Metallurgy) under the ~~Joint~~ <sup>4 Chemical</sup> Director (Metallurgy), Research, Designs and Standards Organisation (RDSO for short) at Manaknagar, Lucknow. All the applicants have M.Sc. or B.Sc. degree in Science with requisite percentage of marks in the required subjects and the prescribed experience for the posts of Chief Research Assistants (Met.)/Chief Inspector (Met.), on the basis of the Recruitment and Promotion Rules for Group 'C' staff in RDSO as applicable by office order No.9 of 1977. All the applicants have research experience between 18 years to 4 years minimum in RDSO.

B. Qaxas

2. That the aforesaid posts are governed by the Rules for Recruitment and Promotion of Group 'C' staff in RDSO. The posts in Group 'C' in the two wings Metallurgical and Chemical under the same Directorate consist of Junior Research Assistants, Senior Research Assistants and Chief Research Assistant/Chief Inspector (Chemical or (Metallurgical) in terms of the Recruitment and Promotion Rules. The appointment of Junior Research Assistant is made by direct recruitment and thereafter by departmental promotion on the basis of seniority and suitability to the next higher post of Senior Research Assistant and thereafter by promotion and direct recruitment on 50:50 basis to the next higher post of Chief Research Assistant/Chief Inspector (Met.).

3. That applicant Nos. 1 to 10 are working on the posts of Senior Research Assistants in the Metallurgical wing of the RDSO under respondent Nos. 3 and 4 and applicant No. <sup>11</sup>~~12~~ is working as Junior <sup>Research</sup> Assistant (Met.) under respondent Nos. 3 and 4. They are all eligible to appear for selection as direct recruits for the posts in question.

4. That by advertisement dated 23.2.1989 five posts of Chief Research Assistants/Chief Inspector (Metallurgical) are to be filled by direct recruitment on the basis of written test on 21.8.1989 and interview on 22.8.1989. A photostat copy of the advertisement dated 23.2.1989 for five posts to be filled by direct recruitment is filed as Annexure No.1 to this application.

Annexure-1

5. That in terms of the aforesaid advertisement,



following qualifications for eligibility to the five posts of Chief Research Assistants/Chief Inspectors (Met.) indicated in Category-II have been laid down on the basis of the amended Recruitment and Promotion Rules for Group 'C' posts by office order No.23/1987 dated 30.11.1987 :-

Degree or its equivalent in Metallurgical Engg. of a recognised institution with a minimum of two years' experience in an Industrial or Research and Developmental Organisation, in manufacturing practices, industrial applications, materials specifications, properties of materials and their evaluation.

6. That the aforesaid qualifications advertised for 5 posts of Chief Research Assistants/Chief Inspector (Met.) to be filled by direct recruitment is in terms of the amended Recruitment and Promotion Rules for Group 'C' posts in RDSO vide office order No.23/1987 dated 30.11.1987. This amended qualification eliminates the qualification of -

Degree of M.Sc. in Physics/Inorganic Chemistry/Physical Chemistry followed by 2 years experience including period of training, if any, in an approved establishment of Metallurgy or allied fields;

OR

First class B.Sc. (Hons.) in Chemistry or Physics, with 3 years experience including period of training, if any,

B. S. S. S.

-7-

in an approved establishment in the field of Metallurgy or allied fields;

OR

B.Sc. with Physics and Chemistry as compulsory subjects and not less than with <sup>55</sup>~~45~~ per cent in aggregate followed by 4 years experience including period of training, if any, in an approved establishment in the field of Metallurgy or allied fields.

Thus in terms of the aforesaid advertisement issued under the amended rule the applicants are barred from appearing in the selection test for the five posts of Chief Research Assistants/Chief Inspectors (Met.) as direct recruits. A copy of the extract of the amended Recruitment and Promotion Rules dated 30.11.1987 pertaining to the post of Chief Research Assistant/Chief Inspector (Met.) is filed as Annexure No.2 to this application.

Annexure-2

7. That before the aforesaid amended Rules dated 30.11.1987 the Recruitment and Promotion Rules for Group 'C' staff in RDSO were applicable on the basis of the office order No.9 of 1977. In terms of the said 1977 Rules 50% of the posts of Chief Research Assistant were to be filled up by promotion and the remaining 50% by direct recruitment. The qualification laid down for promotion was three years' service as Senior Research Assistant. A photostat copy of the 1977 Rules for the post of Chief Research Assistant/Chief Inspector (Met.) alongwith the order No.9 of 1977 is filed as Annexure No.3 to this application.

B. D. Saxena

Annexure-3

8. That feeling aggrieved by the advertisement dated 23.2.1989 for 3 posts of Chief Research Assistants/Chief Inspectors (Chemical), persons working on the posts of Senior Research Assistants (Chemical) and Junior Research Assistants (Chemical) in RDSO, who were adversely affected by the change of qualifications for the aforesaid posts to be filled by direct recruitment, filed an application O.A.No.204 of 1989(L) K.K. Singh & others Vs. Union of India & others before this Hon'ble Tribunal. This Hon'ble Tribunal by its order dated 16.8.1989 in the aforesaid application permitted the applicants to participate in the selection test scheduled to be held on 22/23-8-1989 despite the new Rules dated 30.11.1987 and further directed that the results of the said test/interview shall not be declared for a period of 14 days from the date of the order.

9. That the present applicants are similarly placed as the applicants in the aforesaid O.A. No.204 of 1989(L). They also belong to the same category of posts in Group 'C' in the RDSO. The prescribed qualifications for initial recruitment on the post of Junior Research Assistant is the same in both the Chemical Wing and the Metallurgical Wing of RDSO from which they are entitled to promotion to the next higher post of Senior Research Assistant either Chemical or Metallurgical and thereafter to the present post of Chief Research Assistant/Chief Inspector both in Chemical and Metallurgical Wings. Under the Rules of 1977 the present applicants in Metallurgical Wing, as the applicants in Chemical Wing, were entitled to appear in the selection test for the post of Chief Research Assistant/Chief Inspector by direct recruitment on the basis of their

Besant

qualification with M.Sc. or B.Sc.(Hons.) or B.Sc. degree with requisite experience. The applicants in the Metallurgical Wing, as the applicants in the Chemical Wing, having the aforesaid qualification under the 1977 Rules have been debarred under the qualifications laid down in 1987 Rules. The present applicants in all respects are to be treated at par with those in the Chemical Wing.

10. That by representation dated 19.8.1989 to the Director General, RDSO, respondent No.1, the applicants claimed to be given parity with those in the Chemical Wing for the selection test to be held on the basis of the same advertisement dated 23.2.1989. In the said representation the applicants claimed to fulfil the qualifications as prescribed under the Recruitment and Promotion Rules, 1977 and thus eligible to appear in the selection test to be held on 21st and 22nd August, 1989 and requested to be treated at par with those in the Chemical Wing having the same qualifications. A true copy of the representation filed by the applicants dated 19.8.1989 is filed as Annexure No.4 to this application.

Annexure-4

11. That the respondent No.s 2,3 and 4 have not granted parity to the applicants in terms of the order dated 16.8.1989 passed in O.A. No.204 of 1989(L). In case the applicants are not allowed to appear in the selection test for the post of Chief Research Assistant/ Chief Inspector (Met.) to be held on 21st and 22nd August 1989, they shall suffer irreparable loss and injury and it would further amount to discrimination in matters of selection and appointment of the applicants to the post in question.

B. Sana P

12. That realising the anomalous situation due to changed Recruitment and Promotion Rules 1987 it has been proposed by the Director (Met. & Chem.), respondent No.3, by his departmental note dated 26.7.1988 to include the qualification of M.Sc. in the related subject for the post of Chief Research Assistant/Chief Inspector in modification of the amended Rules dated 30.11.1987. The aforesaid proposal for revision of Recruitment and Promotion Rules of technological and scientific staff dated 26.7.1988 has been made in the light of strategy for technology development of non-gazetted cadre. From this proposal it is evident that the position as existing in the 1977 Rules is sought to be restored. Insistence of the respondents to make direct recruitment on the post of Chief Research Assistant/Chief Inspector (Met.) by advertisement dated 23.2.1989 by excluding the qualification in the relevant subject is, therefore, to the detriment of the applicants and amounts to discrimination in matters of appointment in violation of the constitutional guarantee.

13. That promotion to the next higher class II posts of Assistant Research Officer Chemical/Metallurgical is made from both the wings, that is, Chemical and Metallurgical from among the Chief Research Assistant/Chief Inspectors from a common seniority list. On promotion as Assistant Research Officer both the wings Chemical and Metallurgical are merged. Thus the applicants will be adversely affected in respect of their promotion from the common seniority list of Chief Research Assistant/Chief Inspectors to the next higher post of Assistant Research Officer.

Bbsara

14. That the posts in question, that is, Chief Research Assistant/Chief Inspector (Met.) are posts pertaining to the research project in the subject Metallurgy in RDSO. The nature of the posts and the research work ~~implemented~~ implied in the subject of Metallurgy makes the qualification of science degree essential. In any case a science degree cannot be totally eliminated in preference to a degree in technology. In various Institutes and Organisations doing research work of a similar nature, the requirement of a science degree alongwith technological or engineering degree is invariably provided in respect of posts of similar category or even of higher category which are sought to be filled up by direct recruitment through the Public Service Commission or other Selection Bodies. For instance in the case of recruitment in the Diesel Locomotive Works, Varanasi, under the Indian Railways, the prescribed qualification for the post of Chemical and Metallurgical Assistant is Degree in Metallurgy/ Chemical Engineering or MSc. degree in Chemistry/ Applied Chemistry from a recognised University. Similarly, for the post of Scientist F in the Naval Chemical and Metallurgical Laboratory, Bombay, under the Defence Research and Development Organisation, Ministry of Defence, the prescribed qualifications are Masters Degree in Chemistry or Bachelors Degree in Metallurgical Engineering. Similarly for the post of Scientific Attache under the Ministry of Science and Technology, the prescribed qualifications are Masters Degree in Science or Masters Degree in Engineering or Technology. For the post of Senior Scientific Officer, Grade I, under the National Science and Technology Entrepreneurship Development Board, the prescribed qualifications are Bachelors Degree in

B/Saxena

Annexure-5,6,7 & 8

Engineering or Technology or Masters Degree in Science. Photostat copies of the advertisements for the afore-said posts are filed as Annexure Nos. 5,6,7 & 8 to this application.

15. That from the qualifications prescribed for equivalent or higher posts in various Research Institutes and Organisations it is evident that a degree in Science is a prescribed minimum qualification alongwith the qualification of a degree in Engineering or Technology. The exclusion of a Science degree for the posts in question, that is, Chief Research Assistant/Chief Inspector (Met.) is without any rational basis and has no nexus with the object of making selection and appointment for the posts in question particularly in view of the fact that recruitment for the said posts including the lower posts and higher posts from which promotions are to be made in the past has so far been on the basis of the prescribed qualification of a Science degree in accordance with the 1977 Rules. The applicants, therefore, feel dissatisfaction by arbitrary change of Rules excluding Science degree altogether for selection to the posts in question.

Beggs

16. That by order dated 3.10.1987 issued by Director General, RDSO, a relaxation of upper age limit in case of serving Railway employees has been granted to Group 'C' and 'D' posts has been applicable to employees of RDSO who have completed 10 years continuous service and they are entitled to relaxation subject to the upper age limit.

The applicants are covered by this order and they are entitled to age relaxation upto the age limit of 53 years for appearing the selection test for the posts in question as direct recruits. A photostat copy of the order dated 3.10.1987 relaxing the age limit for RDSO employees for direct recruitment to Group 'C' posts is filed as Annexure No. 8 to this application.

Annexure-8

17. That aggrieved by the selection for the five posts of Chief Research Assistants (Met.)/Chief Inspectors (Met.) on the basis of the advertisement dated 23.2.1989 and exclusion of the applicants from the said selection on the basis of the changed qualifications eliminating the Science degree in the specified subjects on the basis of the 1977 Rules, the applicants have preferred this application on the following amongst other grounds :-

G R O U N D S

- (A) Because the action of opposite parties 2 to 4 to fill up the five posts of Chief Research Assistant/Chief Inspector (Metallurgical) by direct recruitment is wholly illegal and arbitrary and in violation of the Rules fixing 50% quota for promotion.
- (B) Because the elimination of requirement of Science degree alongwith requisite experience is illegal and arbitrary.
- (C) Because the qualification for the post of Chief Research Assistant/Chief Inspector (Met.) as mentioned in the advertisement dated 23.2.1989 being based on the amended Recruitment and Promotion Rules dated 30.11.1987 is illegal, arbitrary

B. S. Sana



and discriminatory and deserves to be struck down.

- (D) Because the amended Recruitment and Promotion Rules dated 30.11.1987 have no rational nexus with the object of filling up the posts by direct recruitment of qualified and suitable candidates on the posts in question.
- (E) Because the amended Rules in question are discriminatory inasmuch as they provide for promotion of departmental candidates with a M.Sc. degree and also a B.Sc. (Hons.) or B.Sc. degree with prescribed experience while eliminating the same qualification for direct recruitment.
- (F) Because the applicants have been arbitrarily discriminated in matters of appointment to the posts in question in violation of Articles 14 & 16 of the Constitution of India.

VII. Details of the remedies exhausted :

The applicants declare that they have availed of all the remedies available to them under the relevant service Rules, etc.

VIII. Matters not previously filed or pending with any other Court :

Bosana The applicants further declare that they had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor

any such application, writ petition or suit is pending before any of them.

IX. Reliefs sought :

In view of the facts mentioned in para VI above the applicants pray for the following reliefs :-

- (i) to quash the advertisement dated 23.2.1989 for the posts of Chief Research Assistant/Chief Inspector (Met.) on the basis of prescribed qualification under the Rules No.23/1987 dated 30.11.1987 by which a degree in M.Sc., B.Sc. (Hons.) or B.Sc. in Physics, Physical, Inorganic Chemistry alongwith required experience has been excluded and only a degree in B.Met. has been prescribed in contravention of 1977 Rules Order No.9 of 1977;
- (ii) to declare that the Science degree is a requisite qualification alongwith an Engineering or Technological degree for eligibility to the post of Chief Research Asstt./Chief Inspector (Met.);
- (iii) to allow the applicants to appear in the selection test for the 5 posts of Chief Research Assistant/Chief Inspector (Met.) on the basis of their qualifications and experience in accordance with the 1977 Rules Order 9 of 1977;
- (iv) to direct respondents to hold supplementary test to enable the applicants to appear in selection for the 5 posts of Chief Research

Bogusa

Assistant/Chief Inspector (Met.) on the basis of their qualifications and experience under the 1977 Rules and further direct the respondents not to declare the result on the basis of selection test to be held on 21st/22nd August, 1989 till the supplementary selection test for the applicants is held;

(v) any other relief deemed just and proper in the facts and circumstances of the case may also be granted.

X. Interim order, if any prayed for :

Pending final decision on the application, the applicants seek issue of the following interim order :-

This Hon'ble Tribunal may be pleased to direct the respondents to hold a supplementary selection test for the 5 posts of Chief Research Assistants/Chief Inspectors (Metallurgical) in order to enable the applicants to appear in the said test and in the meantime direct the respondents not to declare the result on the basis of the selection test held on 21st/22nd August, 1989 for the posts in question.

XI. Particulars of postal order in respect of the application fee :-

- Bosasa
1. Number of Indian Postal Order 00 029038
  2. Name of the issuing Post Office Mysr. Canno Bnd
  3. Date of Issue of Postal order 21/8/89
  4. Post Office at which payable. Alkshab

XII. List of enclosures :

1. Advertisement dated 23.2.1989 for five posts to be filled by direct recruitment.
2. Extract of the amended Recruitment and Promotion Rules dated 30.11.1987.
3. Extract of the 1977 Rules for the post of CRA/Chief Inspector (Met.) alongwith Order No.9 of 1977.
4. Representation filed by the applicants dated 19.3.1989.
5. Advertisement for the post of Chemical and Metallurgical Assistant in the Diesel Locomotive Works, Varanasi.
6. Advertisement for the post of Scientist F in the Nayal Chemical and Metallurgical Laboratory Bombay.
7. Advertisement for the post of Scientific Attache under the Ministry of Science & Technology.
8. Advertisement for the post of Senior Scientific Officer Grade I under the National Science and Technology Entrepreneurship Development Board
9. Order dated 3.10.1983 relaxing the age limit.

Verification

I, B.K. Saxena Hari Narain Saxena  
I, R.N. Singh, son of Sri Narain Singh, aged

30 years, working as Senior Research Assistant in the office of Metallurgical and Chemical Directorate, RDSO, Lucknow, resident of B-164/4 29/4, RDSO Colony, Lucknow, do hereby verify that the contents of paras I to XII are true to my personal knowledge and belief and that I have not suppressed any material fact.

B. Saxena

Date : 21.8.1989.

Signature of the applicant.

Place : Lucknow.

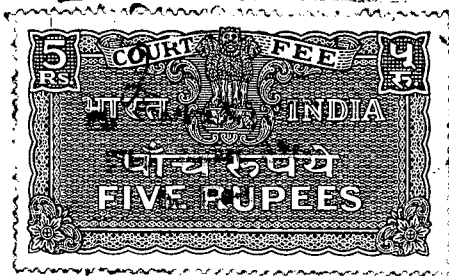
Vaishya (P.K. Vaishya) Sanjay Singh (D. Bawaly opy)  
Counsel for applicants Bath (Baij Koth) Bislaw (Lax Kumar)  
Sharma (Ganga Prasad) Singh (R.H. Singh)  
Chandra (C. Chandra) Mangit (Mangit Singh)  
B.K. Chandra

ब अदालत श्रीमान

महोदय

वादी (मुद्दे)

का वकालतनामा



CA No

1989

R. N. Singh & others

Union of India & others  
बनाम

वादी (मुद्दे)

प्रतिवादी (मुद्दे)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से

Sr. L. P. Shukla, Advocate

हड्डावेकट महोदय

E-700 Sector 2 Mahanagar  
Lucknow वकील

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

हस्ताक्षर

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन्

1. [Signature]
2. [Signature]
3. [Signature]
4. [Signature]
5. [Signature]
6. [Signature]
7. [Signature]
8. [Signature]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH , LUCKNOW

O.A. No. 213 of 1989 (L)

R.N. Singh & others ..... Applicants  
Versus  
Union of India & others ..... Respondents.

List of Enclosures

Pages

1. Advertisement dated 23.2.1989 for five posts to be filled by direct recruitment. .. 18-20
2. Extract of the amended Recruitment and Promotion Rules dated 30.11.1987. .. 21-23
3. Extract of the 1977 Rules for the post of CRA/Chief Inspector (Met.) alongwith Order No.9 of 1977. .. 24-27
4. Representation filed by the applicants dated 19.8.1989. .. 28-29
5. Advertisement for the post of Chemical and Metallurgical Assistant in the Diesel Locomotive Works, Varanasi. .. 30-31
6. Advertisement for the post of Scientist F in the Nayal Chemical and Metallurgical Laboratory Bombay. .. 32-32
7. Advertisement for the post of Senior Scientific Officer Grade I under the National Science and Technology Entrepreneurship Development Board. .. 34-36
8. Order dated 3.10.1987 relaxing the age limit. .. 37-38

(18)

A29

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

O.A. No. 213 of 1989 (L)

R.N. Singh & others .....

Applicants

Versus

Union of India & others .....

Respondents

ANNEXURE No 1

BK Saxena

Attested/True Copy

*(Signature)*

L. P. SHUKLA  
Advocate

Annex. 1

Employment Notice No. Rectt/Advt/89-I

Dated : 23.2.89

Director General, Research Designs and Standards Organisation, Ministry of Railways; Manak Nagar, Lucknow-226011, invites applications for the following categories of posts so as to reach him latest by 31.3.89. Applications must be completed with attested copies of certificates in support of age, caste, qualifications and detailed experience on plain paper with the crossed IPO of Rs. .30 paise for SC/ST and Rs. 20/- for others. Ex-servicemen are not to pay anything for this purpose, drawn in favour of Accounts Officer, RDSO, payable at GPO, Lucknow. Postal orders should be of after the date of advertisement. Vacancies, whether reserved or unreserved, may increase or decrease depending on the actual positions at the time of conducting selections. Experience can be relaxed at the discretion of Selection Board in the event of poor response. Candidates possessing higher qualifications/experience will be given preference. If suitable SC/ST candidates do not become available, unreserved community candidates may be considered against reserved posts. Requisite experience would be counted only from after the date of notification of results and acquiring basic qualification. The prescribed age limit and period of experience will be reckoned as on 31.3.89. Upper age limits are relaxable as per rule. Candidates on appointment are liable to serve in TA as per extent orders. Separate applications with separate postal orders should be submitted for each category of post and photographs affixed on each application with full signatures of the candidates on the photographs. On appointments candidates can be posted in any branch of RDSO, in India. Successful completion of 5 years approved apprenticeship course on Zonal Riys/Production Units will be taken as equivalent to Diploma. Late and incomplete applications and the applications submitted through proper channel if not received within the last date of receipt of application will not be considered under any circumstances. This Administration reserves the right to reject any application and no enquiry or correspondence will be entertained in this connection. Free Railway Passes for from and to journeys will be issued to SC/ST candidates.

**CATEGORY -1 :** Publicity Inspector, Scale Rs. 1600-2660 (RPS) Vacancy - One (reserved for SC) Age Limit 20 to 30 years. **Qualifications** (i) Graduate from a recognised Indian University or other Universities recognised by Ministry of Education (ii) Should be Diploma Holder in Journalism/Public Relation with 3 years experience in Journalism/Public Relation work. (iii) Experience in Publicity work is preferable (iv) Should have a good personality, a flair for publicity work and ability to express himself.

**CATEGORY -2 :** Chief Research Asstt (Met)/Chief Inspector (Met), Scale Rs. 2000-3200 (RPS) Vacancy - Five (reserved for SC-1, & ST-1), Age Limit : 25 to 35 years. **Qualifications :** Degree or its equivalent in Metallurgical Engg. of a

Bhosani

Attested True Copy

*[Signature]*  
L. P. SHUKLA  
Advocate

....2)



-2-

recognised Institution with a minimum of two years experience in an industrial or Research and Development Organisation in manufacturing practices, industrial applications material specifications property of material and their evaluation.

✓ CATEGORY - 3 : Chief Research Asstt ( Chem)/Chief Inspector (Chem), Scale Rs. 2000-3200 (RPS). Vacancy - Three ( reserved for SC-1), Age limit : 25 to 35 years, Qualifications : Degree or its equivalent in Chemical Technology from a recognised Institution covering any one or more of the following fields :

(a) Petroleum Products (b) Paints and Corrosion prevention (c) Polymers.

With a minimum of two years experience in an industrial or Research and Developmental Organisation, in manufacturing practices, industrial applications, materials specifications, properties of materials and their evaluation in the respective fields.

✓ CATEGORY - 4 : Jr Research Asstt (Met), scale Rs.1400-2300(RPS) Vac: Three (reserved for SC-1) Age limit : 20 to 30 years. Qualifications : Degree or its equivalent in Metallurgical Engg. from a recognised Institution.

CATEGORY - 5 : Jr Research Asstt (Chem) Scale Rs.1400-2300(RPS) Vac : Two (reserved for SC-1) Age Limit : 20 to 30 years. Qualifications : Degree or its equivalent in Chemical Technology from a recognised Institution covering in one or more of the following fields :

(a) Petroleum Products (b) Paints & Corrosion Prevention (c) Polymers

CATEGORY - 6 : Depot Store Keeper/Gr.III, Scale Rs.1400-2300(RPS) Vac. Two (reserved for SC-1) Age Limit : 20 to 30 years, Qualifications: Engineering Diploma holders with one year's Store keeping experience in reputed firm/Govt.Undertaking or Govt Deptt.

CATEGORY - 7 : Electronics Technician, Scale Rs.1320-2040(RPS) Vac. Five (reserved for SC-1, ST-1), Age Limit: 20 to 30 years. Qualifications: Intermediate Science (Physics & Maths.) or 10+2 scheme with Maths & Science, with one year's experience in the field of Electronics in an Engg. firm/Organisation or Research Institution/Firm of repute OR B.Sc. with Physics and Maths. OR Diploma in Electronics or Communication Engg. or Radio Engg. OR Diploma in Electrical Engg. with Electronics or Communication Engg. as one of the subjects from a recognised Institution.

CATEGORY - 8 : Lab. Asstt. (Psych.) Scale Rs.975-1550 (RPS) Vac. One (reserved for SC) Age Limit - 18 to 25 years. Qualifications : Degree of a recognised University with Psychology as one of the subject.

Attested/True Copy

L. P. SHUKLA,  
Advocate

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

O.A. No. of 1989 (L)

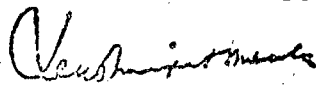
R.N. Singh &amp; others ..... Applicants

Versus

Union of India &amp; others ..... Respondents.

ANNEXURE No. 2B. S. Saxena

Attested/True Copy

L. P. SHUKLA  
Advocate

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

SL-105  
7x2 pages  
Amended ① II

Office Order No. 23 of 1987.

Sub:- Rules for Recruitment & Promotion of Group 'C' Staff in RDSO.

.....

One copy each of the revised rules for Recruitment & Promotion for the posts of JRA(Met) and JRA(Chem), scale Rs.1400-2300, SRA(Met) and SRA(Chem) scale Rs.1640-2900 and CRA/CI(Met) and CRA/CI(Chem), scale Rs.2000-3200(RP) for M&C Dte, is enclosed.

2. These revised rules will replace the existing R&P Rules and will be applicable from 6.11.87. All future recruitment and promotions will be made strictly in accordance therewith.

3. These rules may please be given wide publicity amongst the staff.

DA : As above..

Lucknow-22.11.1987.

Date 30.11.1987.

(File No. A/R/RT/TS)

(Dr. K.P. Saksena)  
for Director General.

DISTRIBUTION

1. As usual for office orders.
2. Notice Board.
3. RDSO Class III Staff Association.

मि० (मनु-रसा०) .....  
मि० (मनु-रसा०) .....  
मनु- (रसा०) .....  
मनु- (रसा०) .....  
मनु- (रसा०) .....  
मनु- (रसा०) .....  
मनु- (रसा०) .....  
मनु- (रसा०) .....

Attested/True Copy

*L. P. Shukla*

L. P. SHUKLA  
Advocate

1. Designation & scale of pay: Chief Research Assistant (Met)/  
Chief Inspector (Met). 650-960 (RS)/  
2000-3200 (RPS)  
M&C Directorate.
2. Dte./Wing in which post exists:
3. Method of recruitment: 50% of the sanctioned posts by promotion of eligible Departmental candidates, on selection basis & the remaining 50% by transfer of suitable staff from Zonal Rlys./Production Units or by Direct recruitment both on selection basis.
4. Minimum qualifications and/or experience.
- i) for promotion of departmental candidates. Three years service as SRA (Met).
- ii) for regular/temporary staff of RDSO. Not Applicable.
- iii) for transfer from zonal rlys./production units. Degree or its equivalent in Metallurgical Engg. of a recognised Institution with a minimum of two years experience in an industrial or Research and Development Organisation in manufacturing practices, industrial applications, material specifications, property of material and their evaluation.
- iv) for direct recruitment: Degree or its equivalent in Metallurgical Engg. of a recognised Institution with a minimum of two years experience in an industrial or Research and Development Organisation in manufacturing practices, industrial applications, material specifications, property of material and their evaluation.
5. Age limit for direct rectt: 25 to 35 yrs.
6. Channel of promotion: a) From: SRA (Met)  
b) To: Class II
7. Seniority Group: M&C Directorate.

*Dr. Sarker*  
Attested/True Copy

*L. P. Shukla*  
L. P. SHUKLA  
Advocate

24

A35

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

O.A. No. of 1989 (L)

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents.

ANNEXURE No. 3

Blotter

Attested/True Copy

*[Signature]*

L. P. SHUKLA  
Advocate

(25)

1136

Sl No. 1  
13 pages

(24) C  
a & h

Annexure-III

GOVERNMENT OF INDIA : MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

OFFICE ORDER NO. 9 OF 1977

Sub:- Revised Rules for Recruitment and Promotion of  
Group 'C' Staff in R.D.S.O.

A copy of the revised rules for Recruitment and Promotion together with channels of promotion of Group 'C' staff covering the categories from Lab. Assistant to Chief Research Assistant including Senior Inspector (Mech)/Senior Inspector (Chemical), is enclosed. These revised rules will be effective from 1.2.78 and all recruitments and promotions will be made strictly in accordance therewith.

2. These revised rules may be given wide publicity amongst the concerned staff.

3. Hindi version of these rules will follow.

DA/One copy of revised R&P Rules together with channel of promotion charts.

*[Signature]* 3/12/77  
(A.D. Ghoshal)  
Krite Maha Nidashak.

Lucknow-226011  
Dated: 3-12-1977  
(File No. A/R/RT/TS(Pt)).

DISTRIBUTION

1. As usual.

2. Notice Board.

*Bbsanar*

Attested/True Copy

*[Signature]*

L. P. SHUKLA  
Advocate

(24)

--- 9 :---

Category

: Chief Research Assistant.

Scale of Pay

: Rs. 650-960 (RS).

1. Method of Recruitment: 50% of the sanctioned posts by promotion of eligible departmental candidates on selection basis and the remaining 50% by direct recruitment on selection basis.

2. Minimum qualifications and/or experience:

- i) for promotion of : 3 years' service as SRA.  
departmental candidates.
- ii) for direct recruitment.
- : a) All CRAs except CRA (Chem) & CRA (Met): Degree or its equivalent in appropriate engineering discipline from a recognised institute with two years' suitable experience or Master's degree in appropriate engineering discipline from a recognised institution.
- b) For CRA (Chem): S.I. (Chem) : Degree in Chemical Engineering or its equivalent or Degree of Master of Science in Inorganic/Organic/Industrial/Physical Chemistry, followed by 2 years' experience including period of training, if any, in an approved establishment in the field of Corrosion/Paints/Lubricants/Water Treatment/Rubber/Plastics, as per specific job requirements.
- OR
- 1st Class B.Sc. (Hons) in Chemistry with 3 years' experience including period of training, if any, in the field of Corrosion/Paints/Lubricants/Water Treatment/Rubber/Plastics, as per specific job requirements.
- OR
- B.Sc. with Physics and Chemistry as compulsory subjects and with not less than 55% marks in aggregate, followed by 4 years' experience including period of training, if any, in the field of Corrosion/Paints/Lubricants/Water Treatment/Rubber/Plastics, as per specific job requirements.
- c) For CRA (Met): S.I. (Met): Degree in Metallurgy or its equivalent or degree of Master of Science in Physics/Inorganic Chemistry/Physical Chemistry, followed by 2 years' experience, including training, if any, in an approved establishment in the field of metallurgy or allied fields,
- OR

Attested/True Copy

*V. P. Shukla*  
L. P. SHUKLA  
Advocate

/ period of.

W:-

1st Class B.Sc.(Hons) in Chemistry or Physics, with 3 years' experience, including period of training, if any, in an approved establishment, in the field of Metallurgy or allied fields;

OR

B.Sc. with Physics and Chemistry as compulsory subjects and with not less than 55% marks in aggregate followed by four years' experience including training, if any, in an approved establishment in the field of metallurgy or allied fields.

3. Age

: 25 to 35 years for direct recruitment.

4. Channel of promotion:

a) From... Senior Research Assistant.

b) To ... As per rules.

B. P. Shukla

Attested/True Copy

B. P. ShuklaB. P. SHUKLA  
Advocate



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

C.A. No. of 1989 (L)

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents.

ANNEXURE No. 4

B. P. Shukla

Attested/True Copy

*[Signature]*

L. P. SHUKLA  
Advocate

(29)

1740

Annesheru II

To  
The Director General  
R. D. S. C.,  
Lucknow - 226011.

Through Proper Channel

Sir,

Sub: Direct Recruitment for the posts of  
CRA(Met.)/CI(Met.)

.....  
In the event of selection for direct recruitment of  
CRA(Met.)/CI(Met.) to be held on 21st & 22nd Augst, 1989 at  
RDSO, I beg to approach your kindness with the following fact:

1. That for the similar selection for the post  
of CRA(Chem.)/CI(Chem) proposed to be held  
on 22nd & 23rd August, 1989, the ~~Tribunal~~ Central Administrative  
Tribunal, Lucknow  
in its verdict dated 16.8.89 against the writ  
petition filed by the staff of Chemical Wing  
of M&C Dte., has directed the RDSO Administration  
to permit all the eligible departmental candidates  
as per prevalent R&P Rules, 1977, to appear in  
the said selection.
2. That since both the Metallurgical & Chemical  
Disciplines of M&C Dte. are governed by the  
similar R&P Rules in regards to academic  
qualifications and working experiences, wherever  
necessary, the Tribunal Judiciary's decision on  
the above be implemented in case of the depart-  
mental candidate of Metallurgical discipline like  
me, who fulfil the eligibility in regards to  
qualification & experience as per prevalent R&P  
Rules, 1977 to appear in the subject selection  
of CRA(Met.)/CI(Met.) scheduled to be held on  
21st & 22nd August, 1989.
3. That I should not be deprived of the opportunity  
of appearing in the selection for the post of  
CRA(Met.)/CI(Met.) as per R&P Rules, 1977 in respect  
of the Court's verdict dated 16.8.89 extended to the  
staff of Chemical discipline of M&C Dte./RDSO. In  
case my eligibility as explained above is not  
considered, I will be forced to take the protection  
of law.

Hoping of your sympathetic considerations and  
thanking you,

Yours faithfully,

Lucknow  
Dated: 8.1989.

Attested/True Copy

L. P. SHUKLA  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

O.A. No. of 1989 (L)

R.N. Singh & others ..... Applicants

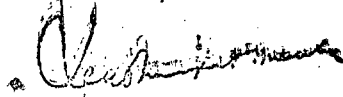
Verma

Union of India & others ..... Respondents.

ANNEXURE NO 5

BCS 202

Attested/True Copy

  
H. P. SHUKLA  
Advocate

31

Aur

Amritha - 5  
Railway

Employment News Saturday 15 July 1989

Indian Railways  
**Diesel Locomotive Works**  
Varanasi

DATE OF PUBLICATION : 15.7.1989

Closing Date : 24.7.89

EMPLOYMENT NOTICE NO. 1/89-90.

Applications are invited from eligible SC/ST candidates for recruitment to the following posts for Diesel Locomotive Works :—

Category no.	Category/post and scale of pay.	Age	No. of posts		Total	Training	Stipend	Desired qualification
			SC	ST				
1	2	3	4	5	6	7	8	9
1.	Asstt. Shop Suptd. (Mech) Rs. 2000-3200	20 to 30 years.	—	1	1	1 years	Rs. 2000/-	Degree in Mech. Engg. or its equivalent from a Recognised university.
2.	Chargeman-B (Mech) Rs. 1400-2300	18 to 25 years	1	1	2	2 "	Rs. 1220/-	Matriculation with diploma in Mech. Engg. preferably with Diploma in Electronics from a Recognised Institution.
3.	Ch/ man B (Elect.) Rs. 1400-2300	18 to 25 Years.	3	1	4	2 "	Rs. 1320/-	Matriculation with Diploma in Electronics from a Recognised Institution.
4.	Tt. Junior Chemical & Metallurgical Asstt. Rs. 1350-2200	18 to 25 Years.	—	2	2	1 yr.	Rs. 1350/-	B.Sc. with Physics or Chemistry with 45% marks.
5.	Chemical and Metallurgical Asstt. Rs. 1400-2300	22 to 30 Years.	—	1	1	—	—	Degree in Metallurgy/Chemical Engg. or M.Sc. Degree in Chemistry/Applied Chemistry from a recognised University.
6.	Skilled Artisan Rs. 950-1500	18 to 25 Years.	1	4	5	—	—	Matriculation with ITI in FTR/Machinist/ Trades and VIII class with ITI in Welder Trade from a recognised Industrial Training Institution.
7.	Depot Store Keeper-III Rs. 1400-2300	18 to 28 Years.	—	1	1	6 months	Rs. 1400/-	Matriculate with Diploma in Mech. Engg. or Elect. Engg. or material Management or Production Technology from a recognised Institution.
8.	Inspector of Works Gr. III Rs. 1400-2300	20 to 30 Years.	4	—	4	1 yr.	Rs. 1400/-	Matriculate with Diploma in Civil Engg. from a recognised Institution.
9.	Staff Nurse Rs. 1400-2600	20 to 35 Years	—	1	1	—	—	Matriculation with Diploma in Nursing 'B' Certificate or 3 years Diploma in General Nursing Course and Midwifery or B.Sc. Nursing. Experience in Rural Areas to be treated as extra qualification. Candidate without family intemperances is preferable.
10.	Pharmacist Rs. 1350-2200	20 to 30 Years	—	1	1	—	—	Matriculation with Diploma in pharmacy of State Govt. and registered as Pharmacist under 1948 Act or Graduate in pharmacy.
11.	Trained Graduate Teacher Gr. II Rs. 1400-2600	18 to 40 Years.	2	1	3	—	—	Trained Graduate or equivalent (with English Literature/Physics, Chemistry and Maths) to teach classes VI to X.
12.	Teacher Gr. IV Rs. 1200-2040	18 to 40 Years.	—	1	1	—	—	Trained matric to teach/primary Classes I to V.
13.	Clerk Rs. 950-1500	18 to 25 Years.	11	3	14	—	—	High School or Equivalent.
14.	Sr. Clerk Rs. 1200-2640	18 to 25 Years	2	2	4	—	—	Graduate from a recognised University.
15.	Stenographer - English Rs. 1200-2040	18 to 30 Years	3	1	4	—	—	Matriculation with 80 words per minute in Shorthand and 40 WPM in Typewriting.
16.	Typist - English Rs. 1200-2040	18 to 28 Years	2	1	3	—	—	Matriculation with speed of 40 words per minute in Typewriting.

Besaran

Attested/True Copy  
L. P. SHUKLA  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

C.A. No. of 1989 (L)

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents.

ANNEXURE No. 6

B. S. Saxena

Attested/True Copy

P. Shukla  
P. SHUKLA  
Advocate



## MINISTRY OF DEFENCE

## DEFENCE RESEARCH &amp; DEVELOPMENT ORGANISATION

ADVT. NO. 015/RAC/88

## Openings For A Challenging and Rewarding Career In The Field of Defence Research and Development

The DRDO undertakes research and development projects for upgrading the technology to meet the multitudinous requirements of fighting force of the country. Excellent career opportunities affording a challenging and rewarding work experience in different streams of disciplines exist. There are about 40 laboratories/establishments located all over the country equipped with latest R & D facilities. Labs are located in Delhi, Bangalore, Hyderabad, Pune, Madras, Bombay, Dehradun, Cochin, Vishakhapatnam, Bikanore etc.

## Applications are invited for the following positions:-

(A) Scientist 'F'—(Rs. 5100-6300)—2 Posts.

Item No. 1—Defence Research Laboratory, Teipur (Assam)—1 Post

The Director is required to provide scientific leadership to the laboratory engaged in research, design and development activities connected with high altitude agri-horticulture, animal husbandry, forestry, entomology, utilization of non-conventional energy sources and allied subjects. The scientist is required to coordinate and integrate the scientific, technological and developmental efforts of lab and its detachments located in remote and forward areas of Arunachal Pradesh and West Bengal (160 m to 3200 m above MSL). The Scientist should have proven ability in one or more of above fields and be able to inspire team efforts through his leadership qualities. The scientist should be able to interact with Agriculture Research Institutions/Universities and other R&D institutions in the country and have aptitude to work amidst troops and tribals in the Himalayas.

**Essential Qualifications:** (i) At least second class Master's degree in Agriculture/Horticulture from a recognised university or equivalent. (ii) Three years' research/design/development experience in the field of agriculture/horticulture/forestry in temperate climate in addition to knowledge of crops breeding, production/processing and utilisation of non-conventional energy sources, of which 2 years should be in a responsible capacity to guide teamwork in the above-mentioned areas at high altitudes. **Desirable Qualifications:** (i) Ph.D. in Agriculture/Horticulture with specialisation in Vegetable crops.

Item No. 2 (Naval) Chemical and Metallurgical Laboratory, Bombay)—1 Post.

**Essential Qualifications:** (i) At least second class Master's degree in Chemistry/Polymer Chemistry/Biology or Bachelor's degree in Metallurgical Engg. from a recognised university or equivalent. (ii) Four years' research/design/development experience with proven R & D capabilities by way of patents/publications in reputed journals in one of the following areas (of which 2 years should be in the capacity of a senior scientist/R&D manager in a reputed research and development organisation): (a) In Electro-chemistry with specific application in cathodic protection and electro-chemical techniques or in the area of fuel cells; OR (b) In Marine Biology with special reference to growth of films and marine bio-corrosion of engineering materials; OR (c) In Polymer Chemistry with emphasis on characterisation of technological applications of special purpose polymers like graft copolymers, IPN polymers etc. (d) In Physical/Mechanical metallurgy of steels, welding technology and corrosion of steels. **Desirable Qualifications:** (i) Ph.D. in Chemistry/Polymer Chemistry/Biol-

Item No. 8—Physics (Defence Science Centre, Delhi)—1 Post.

**Essential Qualifications:** (i) At least second class Master's degree in Physics from a recognised university or equivalent. (ii) Four years' research/design/development experience in the area of lasers of which one year must be in laser spectroscopy. **Desirable Qualifications:** (a) Ph.D. in Physics/Lasers.

Item No. 9—Radiation Medicine (Defence Laboratory, Jodhpur)—1 Post.

**Essential Qualifications:** (i) MBBS degree—a medical qualification included in the First Schedule or the Second Schedule or Part II of the Third Schedule to the Indian Medical Council Act 1956 (102 of 1956). Holders of Medical qualifications included in Part II of the said Third Schedule should also fulfill the conditions specified in sub-section (3) of Section 13 of the said Act. (ii) Diploma in Radiation Medicine. (iii) Three years' practical experience in radiation medicine or radioisotopic applications.

Item No. 10—Mechanical/Metallurgical Engg. (Naval Chemical and Metallurgical Laboratory, Bombay)—1 Post.

**Essential Qualifications:** (i) At least second class Bachelor's degree in Mechanical/Metallurgical Engg. from a recognised university or equivalent. (ii) Four years' research and development experience in the areas of solidification, structure-property, correlation in cast irons and in the use of sophisticated equipment for micro-structural evaluation. **Desirable Qualifications:** (i) Master's degree or Ph.D. degree in Metallurgy/Mechanical Engg. (ii) Some published work in reputed journals in the above areas.

Item No. 11 Metallurgical Engg. (Naval Chemical and Metallurgical Laboratory, Bombay)—1 Post.

**Essential Qualifications:** (i) At least second class Bachelor's degree in Metallurgical Engg. from a recognised university or equivalent. (ii) Four years' research and development experience in the areas of phase diagrams, thermodynamics, heat treatment of steels and computer applications in Metallurgy. **Desirable Qualifications:** (i) Master's or Ph.D. degree in Metallurgical Engg. (ii) Some published work in reputed journals in the above areas.

Scientist 'B' (Rs. 2200-4000)—1 Post.

Item No. 12—Physical Chemistry (Interim Test Range, Bangalore)—1 Post.

**Essential Qualifications:** At least second class Master's degree in Physical Chemistry from a recognised university or equivalent. **Desirable Qualifications:** (i) Master's degree in Physical Chemistry. (ii) Experience in handling/development of software for instrumentations.

Attested/True Copy

L. P. SHUKLA  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

C.A. No. of 1989 (L)

R.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents.

ANNEXURE No 7

Bhaskar

Attested/True Copy

L. P. SHUKLA

L. P. SHUKLA  
Advocate

35

A46

Annex 178

Page 11

Employment

## MINISTRY OF SCIENCE & TECHNOLOGY

(Department of Science & Technology)  
Technology Bhavan, New Mehrauli Road  
NEW DELHI - 110 016

No. A-12025/3/86-Adm.I(A). Department of Science and Technology requires the services of suitable officers for appointment to the posts of Scientific Attache in the scale of Rs. 1500-2500 (Pre-revised) — Group 'A' Gazetted in Indian Missions abroad. Selection for appointment to the post will be made from amongst the Scientists or Technologists working in the Central Government, State Governments, Universities, recognised research and development organisations and public sector undertakings and

- (i) holding analogous posts, including posts in the scale of Rs. 2000-2500 (Pre-revised) or Rs. 2000-2250 (Pre-revised) or
- (ii) with 2 years' service in posts in the scale of Rs. 1800-2250 (Pre-revised) or
- (iii) with 5/7 years' service in posts in the scale of Rs. 1500-2000 (Pre-revised)/Rs. 1200-1300 (Pre-revised) respectively and

possessing the qualifications and experience indicated below. The officers selected will be appointed to the post on deputation terms. The period of deputation including period of deputation in another ex-cadre post held immediately preceding this appointment in the same organisation shall not exceed 3 years. The posts are likely to be filled up on expiry of deputation period of existing incumbents as given below :-

- (i) Washington - 1.5.87
- (ii) Moscow - 7.6.87
- (iii) Tokyo - 17.8.87
- (iv) Bonn - 9.10.87

The candidates selected for appointment as Scientific Attache are entitled for Foreign allowance and free furnished residential accommodation in accordance with the provisions contained in Annexure III & X of IFS (PLCA) Rules applicable to non-IFS officers of equivalent rank.

### Qualifications : Essential :-

- (i) Master's Degree in Science or Master's Degree in Engg. or Technology of a recognised University or equivalent.
- (ii) 12 years' experience in research and development or higher education in the field of science and technology or planning, organisation and dissemination of information in scientific and technical fields in a recognised research and development organisation/University/Institution/Govt. Department.  
(Qualification relaxable at the discretion of the UPSC in case of candidates otherwise well qualified. In particular, the qualification regarding experience is relaxable in case of candidates belonging to the Scheduled Castes and Scheduled Tribes for posts reserved for them).

### Desirable :-

- (i) Significant contribution in one or more fields indicated in Educational Qualifications (ii) above.
- (ii) Knowledge of a modern European language in addition to English.
- (iii) Flair for collection, analysis and dissemination of scientific and technological information in the newly emerging areas of science & technology.

### Age limit :

Not exceeding 50 years (Relaxable upto 5 years for Government Servants in accordance with the orders or instructions issued by the Central Government).

The applications of eligible officers only may be

*[Handwritten signature]*

Attested/True Copy

*[Handwritten signature]*

L. P. SHUKLA  
Advocate



**Vacancy No. 2 : PRINCIPAL SCIENTIFIC OFFICER (INSTRUMENT DEVELOPMENT PROGRAMME) One Post.**

**Scale of Pay :** As given against Vacancy No. 1 above.

**Essential Qualifications and Experience :**

(A) (1) **Essential :** (i) Bachelor's Degree in Engineering/Technology or equivalent from a recognised University/Institution.  
(ii) 8 years' experience in industrial/academic/R & D institutions or S&T organisations out of which 4 years should be in the field of instrumentation relating to instrument development. Transfer of know-how, market research and development etc.

(2) **Desirable :** (i) Master's Degree in Business Administration/Management from a recognised University/Institution

**(B) Duties and Functions :**

(i) Assisting in Policy planning, development and coordination in the field of instrumentation development (ii) Organising market surveys for various types of instruments (iii) Planning and establishing instrument design and development centres.

**Vacancy No. 3 : PRINCIPAL SCIENTIFIC OFFICER (TIFAC) 2 Posts**

**Scale of Pay :** Rs. 3700-5000 (Total emoluments at the minimum of the scale Rs. 4815/- excluding HRA and CCA as per rules).

**Essential Qualifications & Experience :**

(i) Bachelor's Degree in Engineering/Technology from a recognised University or equivalent.

(ii) 8 years' experience in industrial/academic/R&D institutions and/or Science & Technology organisations out of which 4 years should be in the field of Technology Development, industrial operations and technology acquisition, upgradation and forecasting or market survey or market development.

**Desirable :** (i) Master's Degree in Business Administration or Management from a recognised University or equivalent.

(ii) Experience in marketing or in use of Computers.

**Duties :** (i) Coordination of technology forecasting and assessment studies (ii) Study of large amount of technical literature on various technologies in different industries (iii) Development of data bases on different industrial technologies for the use of national planning.

**Note :** (i) The incumbent may have to travel extensively in discharge of his duties

(ii) These posts may be transferred to an autonomous council and the terms and conditions of service may be as applicable in that council from time to time.

**Vacancy No. 4 : SENIOR SCIENTIFIC OFFICER GRADE - I (NATIONAL SCIENCE & TECHNOLOGY ENTREPRENEURSHIP DEVELOPMENT BOARD) - 4 Posts.**

**Scale of Pay :** Rs. 3000-4500/- Total emoluments at the minimum of the scale Rs. 3970/- excluding HRA as per rules.

**Essential Qualifications and Experience :**

(A) (1) **Essential :** (i) Bachelor's Degree in Engineering or Technology or Master's Degree in Science from a recognised University or equivalent

(ii) 4 years' experience in industry/academic/R&D institutions out of which atleast 2 years should be in the field of industrial technical consultancy, technology transfer, entrepreneurship development through S&T inputs with special reference to the development of key cottage and small scale industries.

(2) **Desirable :** (i) Post-graduate Degree in Business/Industrial Management or Master's Degree in Engineering or Technology or a Doctorate in Science/Technology from a recognised University or equivalent. (ii) Experience in the preparation of feasibility reports and of entrepreneurship development and other related programmes supported by publications in different aspects of entrepreneurship and connected disciplines.

(B) **Duties and Functions :** (i) Organisation, coordination and monitoring of Entrepreneurship Development Programmes (EDPs), Entrepreneurship Awareness Camps (EACs) in different parts of the country.

tion of the Selection Committee

15. The prescribed essential qualifications must be possessed by the candidate for interview. Where the number of applications received for an Advertisement is large and for the committee to interview all, they restrict the number of candidates to be interviewed on the basis of qualification limit on the basis of qualification minimum prescribed in the advertisement.

16. Experience will be counted on the basis of academic qualifications. Complete degree will be counted as 2 years or the actual duration of the course while a completed Doctorate will be counted as 1 year.

17. Completed applications should be sent to the Recruitment Cell, Department of Science & Technology, New Mehrauli, New Delhi-110016. Applications received after the closing date of 24.7.81 will not be considered. Applications from candidates residing in Lakshadweep Islands will not be considered.

18. Applications received incomplete in any respect will not be considered.

**FORMAT C.**

Serial Number :   
(For Office Use only)

- Advertisement No. :
- Post for which applied :
- Vacancy No. :
- Details of Postal Order attached :   
Postal Order No.
- Name in full (in block letters) :   
leaving one box blank between name and surname.
- Father's/Husband's Name :
- Date of Birth :  Date :
- Nationality :
- Religion :
- Address for correspondence (in block letters) :

- Nearest Railway Station :
- Whether you belong to SC/ST (Please tick and if yes, attach certificate) :
- Educational Qualifications (In chronological order from highest to lowest) :

Sl. No.	Exams Passed	University/Institution/Board
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attested/True Copy  
*[Signature]*  
L. P. SHUKLA  
Advocate

37

AUR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

C.A. No. of 1989 (L)

H.N. Singh & others ..... Applicants

Versus

Union of India & others ..... Respondents.

ANNEXURE No. 8

BBSAN-2

Attested/True Copy

*P. Shukla*

P. SHUKLA  
Advocate

(38)

AUG

A-2

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS  
RESEARCH DESIGNS & STANDARDS ORGANISATION

OFFICE ORDER NO. 5 OF 1983.

Sub: Relaxation of upper-age limit for  
serving railway employees for  
recruitment to group 'C' & 'D' posts.

In partial modification of office Order No.2 of 1981, it has been decided by the Director General that for direct recruitment to all Group 'C' & 'D' vacancies, serving railway employees (including employees of RDSO) who have put in 3 (three) years continuous service on the Railways/RDSO, will be given age relaxation by the period of Railway/RDSO service put in, subject to the upper-age limit of 53 years not being exceeded. These orders shall take immediate effect.

MA: Nil.

Lucknow-226011.

Dated: 3-10-1983.

(File No. Rectt/Age Concession/76)

(K. Kumar)  
for Director General.

DISTRIBUTION  
AS USUAL.

*Shukla*

Attested/True Copy

*Shukla*

P. SHUKLA  
Advocate

A 50

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

Regn. No. 213 of 1989 (L)

R.N.Singh and others

.. Applicants

Vs.

Union of India and others

.. Respondents

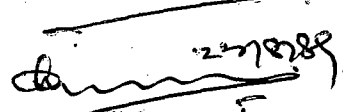
Short Counter - reply to the above  
Application

I, S.Bhatia, s/o late Shri U.C.Bhatia, aged about 54 years presently posted as Deputy Director/ Estt-I in the office of Research, Designs and Standards Organisation (hereinafter called RDSO), Ministry of Railways, Lucknow most respectfully showeth as under:-

1. That I am presently posted as Deputy Director/ Estt-I in the office of Research, Designs and Standards Organisation, Ministry of Railways at Lucknow and have been duly authorised by Respondents 1, 2, 3 and 4 for filing this short reply in the instant <sup>case</sup>. I have gone through the petition under Section 19 of the Central Administrative Tribunal Act, 1985 filed by the applicants and thus I am fully acquainted with the facts and circumstances of the case deposed below:-

2. That R.D.S.O. is a separate functional Unit

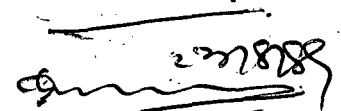
2-7-89

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

of the Ministry of Railways (Railway Board) responsible for research, and technological developments in all facets of railway working. R.D.S.O. functions as advisor and consultant to the Railway Board, the Zonal Railways, Production Units. Its principal aim is to promote progressively standardisation of rolling stock, track, bridges and structures and all equipments used by the Railways. The other important function of this Organisation is to undertake research pertaining to all spheres of railway working.

For conducting the research and development activities, the works are being conducted by ~~the~~ various Technical Directorates and Metallurgical and Chemical Directorate is one of the Directorates which is mainly engaged in research, development, test & trials pertaining to metals & alloys, rubber and plastics, paints-lubricants, ultrasonic testing besides rendering consultation and technical advice on these items to Railway Board, Zonal Railways & Production Units and different design Directorates of R.D.S.O., undertaking developmental inspection of materials and framing of related standards. This Directorate consists of 2 Wings - one is Metallurgical and the other is Chemical. Highly qualified technical officers and staff are required to be employed to conduct the research & development work.

3. In the Metallurgical & Chemical Directorate,

  
By. Director Establishment, -  
R. D. S. O., Ministry of Railway  
Ahmedabad, LFO/200W-5

Class I Technical Officers are recruited by the Railway Board, Ministry of Railways but so far as the appointments and postings of Class III Technical staff are concerned, these are made with the approval of the Director General/RDSO and the Recruitment and Promotion Rules for these posts are also framed by the RDSO itself and approved at the level of Director General, RDSO.

4. As per the old R & P Rules for the post of Chief Research Assistant scale Rs.650-960(RS)/ now Rs.2000-3200(RPS) notified in the year 1977 vide Office Order No. 9 of 1977 dt. 3-12-77, 50% of the sanctioned posts for the above category were to be filled from amongst the departmental candidates on selection basis and the remaining 50% by direct recruitment on selection basis. The qualifications prescribed for the direct recruits were Degree in Metallurgy or its equivalent or Degree of Master of Science in Physics/Inorganic Chemistry/Physical Chemistry followed by 2 years' experience including period of training, if any, in an approved establishment in the field of Metallurgy or allied fields OR first class B.Sc.(Hons) in Chemistry or Physics with 3 years experience including period of training, if any, in an approved establishment in the field of Metallurgy or allied field OR B.Sc. with Physics and Chemistry as compulsory subjects with not less than 55% marks in aggregate followed by 4 years experience including period of training,

23788  
By, Director Establishment, - I  
R. D. S. O., Ministry of Railways,  
Alambagh, LUCKNOW-5

if any in an approved establishment in the field of Metallurgy or Allied fields. So far as the departmental candidates were concerned, Sr. Research Assistant in scale Rs.550-900(RS) with 3 years' experience as Sr.Res. Asstt. were eligible for promotion against departmental quota. These Rules were revised in the year 1987 vide Office Order No.23 of 1987 dt. 30-11-87<sup>x</sup> according to which the posts of Chief Research Assistant/Chief Inspector (Met.) in scale Rs.650-960(RS)/2000-3200(RPS) in the Metallurgical and Chemical Dte. were to be filled as follows:

x in consultation  
with Staff Association

23/8/88

50% of the sanctioned posts by promotion of eligible departmental candidates, on selection basis & the remaining 50% by transfer of suitable staff from Zonal Rlys./Production Units or by Direct recruitment both on selection basis. The qualifications prescribed for direct recruits is Degree or its equivalent in Metallurgical Engg. of a recognised Institution with a minimum of two years experience in an industrial or Research and Developmental Organisation in manufacturing practices, industrial applications, material specifications, property of material and their evaluation.

5. The sanctioned and working strength of Chief Research Assistant/Chief Inspector(Met.) in scale Rs.2000-3200(RPS) as on 23-8-88 i.e., the date of placing the requisition on the Recruitment Section

*23/8/88*  
By, Director Establishment,  
R. D. S. O., Ministry of Railways,  
Aligarh, LUENOW-5

for filling in the posts against the direct quota was as under:

Category	Sanctioned strength	Working strength	Remarks
Chief Research Assistant/ Chief Inspector (Met.) scale Rs.2000-3200(RPS)	30	30*	There is a shortfall of 7 candidates from outsiders quota out of which only 5 vacancies were advertised.
* (i) Departmental - 17 (ii) Departmental - 5 candidates working on ad-hoc basis against <u>outsiders' quota</u> (iii) Direct recruits - 8			

These 5 posts were advertised by Recruitment Section of R.D.S.O. on 23-2-89 (Category No.2) - copy at Annexure-I of the Petition.

6. In all 87 applications were received against the advertisement and call letters were issued to 29 eligible candidates out of which 18 candidates reported for test and interview on 21-8-89. The selection was to be held on 21st and 22nd August, 1989 at RDSO/Lucknow and has already been held on 21st and 22nd August, 89 and it is for the information of this Hon'ble Tribunal that the written test was conducted on 21st Aug. 89 and interview on 22-8-89. The Selection Board have already finalised the selection proceedings and submitted their recommendations for the approval of the

*[Signature]*  
 Dy. Director, Establishment,  
 R. D. S. O., Ministry of Railway  
 Lucknow

88



qualifications cannot be lowered in favour of the applicants because the Administration can prescribe the qualifications, age and experience in the Recruitment and Promotion Rules suiting to the job requirements.

- (iii) That the departmental candidates cannot be allowed to appear for the 5 posts of Chief Research Assistant/Chief Inspector(Met.) if otherwise they are not eligible for the posts as per the revised R&P Rules, 1987.
- (iv) That as per extant orders, supplementary selections for direct recruits cannot be held and is not permissible under the extant rules.

9. That this application is being filed for dismissal of the claim application as not maintainable but however the answering respondents reserve their right to file detailed para-wise counter reply if that will be so required.

10. In the circumstances & position explained above, the instant petition is not only devoid of any merit but also no good ground has been put forth by the petitioners and as such the applicants are not legally entitled for any relief claimed and the instant petition is, liable to be rejected and not to be admitted.

Lucknow  
Dated: 23-8-89.


Deponent

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

VERIFICATION

I, S.Bhatia, Dy.Director/Establishment-I, R.D.S.O.  
Ministry of Railways, Lucknow do hereby verify that the  
contents of para 1 of the instant reply are true to my  
personal knowledge and belief and those of paras 2 to 10  
are based on knowledge derived from the perusal of the  
available records relating to the instant case and  
legal advice. Nothing material has been concealed and  
nothing stated therein are false.

Lucknow,  
Dt. 23.8.1989.

23/8/89  
  
Deponent.  
Dy. Director Establishment,  
R. D. S. O., Ministry of Railways,  
Lucknow, LUCKNOW-5


ASS

competent authority and as soon as the competent authority approves the recommendations of the Selection Board, the results will be notified.

7. It is further submitted for the information of this Hon'ble Tribunal that it is the policy of the Department that just to induct the best talent from the open market, higher qualifications and lesser age in comparison to the departmental candidates are prescribed so that along with experienced departmental candidates, best talent from outsider is also available to conduct the highly technical works as mentioned in para 2 above. As such, the departmental candidates cannot claim their share against the outside quota also but can only claim their eligibility for selection against the outsider posts provided they fulfil the requirements of outside candidates.

8. WHEREFORE, the relief sought for by the petitioners cannot be given for the following reasons:-

- i) That the advertisement dt. 23-2-89 for the five posts of Chief Research Assistant/ Chief Inspector(Met.) cannot be quashed because the post has been advertised according to the approved R & P Rules, 1987.
- ii) That in order to attract the best talent from the outside candidates, the

  
Dy. Director Establishment, -1  
R. D. S. O., Ministry of Railways  
Allahabad, LEENOW-5

qualifications cannot be lowered in favour of the applicants because the Administration can prescribe the qualifications, age and experience in the Recruitment and Promotion Rules suiting to the job requirements.

(iii) That the departmental candidates cannot be allowed to appear for the 5 posts of Chief Research Assistant/Chief Inspector(Met.) if otherwise they are not eligible for the posts as per the revised R&P Rules, 1987.

(iv) That as per extant orders, supplementary selections for direct recruits cannot be held and is not permissible under the extant rules.

9. That this application is being filed for dismissal of the claim application as not maintainable but however the answering respondents reserve their right to file detailed para-wise counter reply if that will be so required.

10. In the circumstances & position explained above, the instant petition is not only devoid of any merit but also no good ground has been put forth by the petitioners and as such the applicants are not legally entitled for any relief claimed and the instant petition is, liable to be rejected and not to be admitted.


Lucknow  
Dated: 23-8-89.

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

VERIFICATION

I, S. Bhatia, Dy. Director/Establishment-I, R.D.S.O. Ministry of Railways, Lucknow do hereby verify that the contents of para 1 of the instant reply are true to my personal knowledge and belief and those of paras 2 to 10 are based on knowledge derived from the perusal of the available records relating to the instant case and legal advice. Nothing material has been concealed and nothing stated therein are false.

Lucknow,  
Dt. 23.8.1989.

23/8/89  
  
Deponent.  
Dy. Director Establishment-I  
R. D. S. O., Ministry of Railways  
Lucknow, LUCKNOW-5

958

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
CIRCUIT BENCH, LUCKNOW

Registration No. 213 of 1989 (L)

R.N. Singh and others

.. Applicants

Vs.

Union of India and others

.. Respondents

Written Statement on behalf of Respondents  
No. 1 to 4

I, S. Bhatia, s/o late Shri U.C. Bhatia, aged about 54 years presently posted as Deputy Director/ Estt-I in the office of Research, Designs and Standards Organisation (hereinafter called RDSO), Ministry of Railways, Lucknow most respectfully showeth as under:

P.T.  
L  
58

1. That I am presently posted as Deputy Director/Estt-I in the office of Research, Designs and Standards Organisation, Ministry of Railways at Lucknow and have been duly authorised by Respondents 1, 2 3 and 4 for filing this short reply in the instant case. I have gone through the petition under Section 19 of the Central Administrative Tribunal Act, 1985 filed by the applicants and thus I am acquainted with the facts and circumstances of the case deposed below.

2. Before dealing with the para-wise reply,

~~XXXX~~

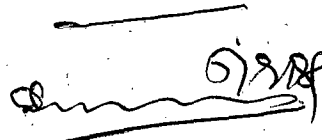
29/08

By: Director Establishment,  
R. D. & C., Ministry of Railways,  
Alambagh, LUCKNOW.

it is considered to place before the Hon'ble Tribunal the entire background/history of the case herein as under:

2.1 That R.D.S.O. is a separate functional Unit of the Ministry of Railways (Railway Board) responsible for research and technological developments in all facets of railway working. R.D.S.O. functions as adviser and consultant to the Railway Board, the Zonal Railways, Production Units. Its principal aim is to promote progressively standardisation of rolling stock, track, bridges and structures and all equipments used by the Railways. The other important function of this Organisation is to undertake research pertaining to all spheres of railway working.

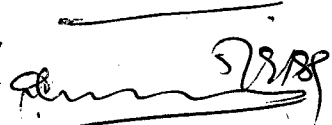
2.2 For conducting the research and development activities, the works are being conducted by various Technical Directorates and Metallurgical and Chemical Directorate is one of the Directorates which is mainly engaged in research, development, test & trials pertaining to metals & alloys, rubber and plastics, paints-lubricants, ultrasonic testing besides rendering consultation and technical advice on these items to Railway Board, Zonal Railways & Production Units and different Design Directorates of R.D.S.O., undertaking developmental inspection of materials and framing of related standards. This Directorate consists of 2 Wings -

  
By, Director Establishment,  
R. D. S. O., Ministry of Railways  
Alambagh, LUGANOWA

one is Metallurgical and the other is Chemical. Highly qualified technical officers and staff are required to be employed to conduct the research & development work.

2.3 The tremendous spurt in the traffic by the turn of the century - both passenger and freight - nearly double of the present level - has thrown a challenge to the Organisation. The Steps required to be taken by the Organisation in meeting this challenge cannot be through ~~conventional~~ ~~xxxxxxxxxx~~ means - which had been by and large adopted so far. The Organisation has laid down Corporate goals and has outlined measures in achieving the same. One of the important means of achieving this objective is through upgradation of Technology & improving the Technical expertise of its Personnel to befit the requirements of a <sup>sophisticated</sup> Scientific & Technical body, which is planned to be the final shape of this Organisation. In this context the Metallurgical & Chemical Directorate - in dealing with frontier areas in regard to development of new materials - will have to play a significant role.

2.4 In the Metallurgical and Chemical Directorate, Class I Technical Officers are recruited by the Railway Board, Ministry of Railways but so far as the appointments and postings of Class III Technical staff are

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



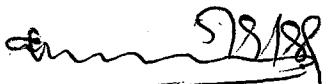
concerned, these are made with the approval of the Competent Authority to whom the powers have been delegated by the Director General/RDSO and the Recruitment and Promotion Rules for these posts are framed by the RDSO itself and approved at the level of Director General, RDSO.

2.5 That in compliance to the CAT's orders dt. 22-8-89, short-counter reply was filed by the Respondents in the Hon'ble Tribunal on 23-8-89 and the Hon'ble Tribunal was pleased to pass a further order dt. 23-8-89 and as directed by the Hon'ble Tribunal, this detailed reply is being filed.

2.6 As per old R & P Rules for the post of Chief Research Assistant/Met. scale Rs.650-960/RS (now Rs.2000-3200(RPS) notified in the year 1977 vide Office Order No. 9 of 1977, 50% of the sanctioned posts of the above category were required to be filled by promotion of eligible departmental candidates on selection basis and the remaining 50% by direct recruitment on selection basis.

2.7 So far as the departmental candidates were concerned, Sr. Research Assistant scale Rs.550-900(RS)/Rs.1640-2900(RPS) with 3 years' service as Sr. Res. Assistant were eligible for promotion against departmental quota.

2.8 For direct recruits, the minimum qualifica-

  
Dy. Director Establishment,  
R. D. S. O., Ministry of Railways,  
Allahabad, U.P. NOW-3

tions & experience was as under:-

For direct recruitment

For CRA(Met.)/S.I.(Met.) : Degree in Metallurgy or its equivalent or degree of Master of Science in Physics/Inorganic Chemistry/Physical Chemistry, followed by 2 years' experience, including period of training, if any, in an approved establishment in the field of metallurgy or allied fields,

OR

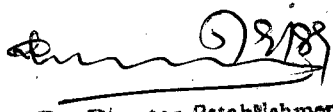
1st Class B.Sc.(Hons.) in Chemistry or Physics, with 3 years' experience including period of training, if any, in an approved establishment, in the field of Metallurgy or allied fields;

OR

B.Sc. with Physics and Chemistry as compulsory subjects and with not less than 55% marks in aggregate followed by four years' experience including period of training, if any, in an approved establishment in the field of metallurgy or allied fields.

2.9 These Rules were revised in the year 1987 vide Office Order No.23 of 1987 dated 30-11-87 in consultation with RDSO Class III Staff Association, according to which the posts of Chief Research Assistant/~~Chief~~ Chief Inspector(Met.) scale Rs.650-960(RS)/2000-3200(RPS) in the Metallurgical & Chemical Directorate were to be filled as follows:

Method of recruitment	:	50% of the sanctioned posts by promotion of eligible departmental candidates, on selection basis & the remaining 50% by transfer of suitable staff from Zonal Rlys./Production Units or by Direct recruitment both on selection basis.
-----------------------	---	--

  
Dy. Director Establishment,  
A. D. S. O., Ministry of Railways,  
Allahabad, U.P.

RDSO vide Notification dt. 23-2-89. In all 87 applications were received against the advertisement and call letters were issued to 29 eligible candidates to appear in the test & interview on 21st and 22nd August, 1989 and it is for the kind information of this Hon'ble Tribunal that the written test was conducted on 21-8-89 and interview on 22-8-89. The Selection Board have already finalised the selection proceedings. But in view of the Hon'ble CAT's orders dt. 23-8-89, the results have not been declared.

2.11 It is submitted for the information of the Hon'ble Tribunal that it is the policy of the Department that just to induct the best talent from the open market, higher qualifications and lesser age in comparison to the departmental candidates are prescribed so that along with experienced departmental candidates, best talent from outside is also available to conduct the highly technical works as mentioned in paras 2.1, 2.2 & 2.3. As such, the departmental candidates whose is already full cannot claim their share in the outside quota also but can only compete for the selection with the outsider candidates provided they fulfil the requirements of eligibility.

3. Detailed para-wise comments on the selection are given below:

*[Signature]*  
Dy. Director  
S. S. O., Minist  
1989


Minimum qualifications and/or experience:

- i) for promotion of departmental candidates : Three years service as SRA(Met.)
- ii) for transfer from Zonal Railways/ Production Units & for direct recruits. : Degree or its equivalent in Metallurgical Engg. of a recognised Institution with a minimum of two years experience in an industrial or Research and Developmental Organisation in manufacturing practices, industrial applications, material specifications, property of material and their evaluation.

2.10 The sanctioned and working strength of Chief Research Assistant/Chief Inspector(Met.) scale Rs.650-960(RS)/2000-3200(RPS) as on 23-8-88 i.e. the date of placing the requisition on Recruitment Section of RDSO for filling the posts against direct recruitment quota was as under:

Category	Sanctioned strength	Working strength	Remarks
Chief Res. Asstt./ Chief Inspector (Met.) scale Rs.2000-3200(RPS)	30	30*	There is a short-fall of 7 candidates from outsider quota out of which only 5 posts were advertised.
	* i) Departmental	- 17	
	ii) Departmental candidates working on ad-hoc basis against outsider quota	- 5	
	iii) Direct recruits	- 8	

Five posts (1 each reserved for S/C & S/T) were advertised by the Recruitment Section of

  
 Dy. Director Establishment,  
 D. S. O., Ministry of Railways  
 Abstract: LK/1988/3

4. Paras I, II, III, IV of the Application call for no comments as it is matter of record.

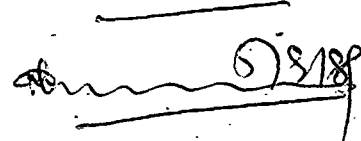
5. That in reply to the contents of Para V of the Application, it is stated that the revised R&P Rules were notified during the year 1987 vide Office Order No. 23 of 1987 (only after consultation with the Class III Staff Association) i.e. one year before the actual date of advertisement and the Petitioners have not represented earlier against deletion of M.Sc., B.Sc.(Hons.) & B.Sc. from the R&P Rules for direct recruits. The Application is not within the time-limit. As such, it is liable to be dismissed on this score alone.

6. As regards para VI(1), it is submitted that the same calls for no comments.

7. As regards para VI(2), no comments are called for except that the posts of Sr. Research Asstt./Met. are filled in by promotion of departmental candidates on selection basis.

8. As regards para VI(3) it may be mentioned that as per revised R&P Rules none of the departmental candidates is eligible to appear in selection as direct recruits unless he fulfils the requisite qualifications and experience of direct recruits.

9. As regards para VI(4), no comments are

  
Dy. Director Establishment,  
S. O., Ministry of Railways  
New Delhi


called for as it is a matter of record except that out of 5 posts advertised, one each is reserved for SC & ST.

10. As regards paras VI(5) and VI(6), the same are admitted as it is a matter of record.

11. The contents of para VI(7) are admitted.

12. As regards para VI(8) it is admitted that Sh. K. K. Singh and 13 others of the Chemical Wing of RDSO have filed an Application No. O.A. 204 of 1989 in this Hon'ble Tribunal. Since the case was not contested and the reply could be filed on 16-8-89, the Hon'ble Tribunal admitted this Petition and have permitted the applicants to participate in the selection/test. An application has been made by submitting detailed para-wise comments separately requesting the Hon'ble Tribunal to vacate the stay order dt. 16-8-89 as the circumstances and the position of the case of Chemical Wing has been fully explained in the written statement filed separately.

13. As regards para VI(9), it is submitted that a short counter was filed by the Respondents on 23-8-89 and the Hon'ble Tribunal vide order dt. 23-8-89 was pleased to accept the pleas of the Respondents and order<sup>ed</sup> that since the selections have already been conducted, it is not possible to hold the supplementary test. They had given the order that the respondents may proceed with the


  
Dy. Director Establishment,  
R. D. S. O., Ministry of Railways  
Allahabad, U.P. 201 001

process of selection and prepare the lists but the results shall not be declared. This was done keeping in view the orders passed in OA No. 204<sup>(LL)</sup> of 1989 - K.K.Singh Vs. UOI & Ors. Therefore, the cases of both Metallurgical & Chemical Wing cannot be given the same treatment as in the case of Metallurgical Wing, selections have already been held whereas in the Chemical Wing selections have not yet been held.

14. As regards para VI(10), the concerned Recruitment and Establishment Branches have <sup>upto 25/8/89</sup> certified that the representations dt. 19-8-89 have not been received at their end. In any case the Petitioners are not eligible to appear in the selection against direct recruitment quota, because they do not possess the qualifications prescribed therefor.

15. As regards para VI(11), the petitioners of the Metallurgical Wing cannot compare their case with the Chemical Wing as in view of the position explained in para 13 above.

16. In reply to the contents of para VI(12), it is submitted that under the delegated powers, the competent authority has the right to amend the R&P Rules at any time depending upon the need of the Organisation. The advertisement in question is based on the revised R&P Rules, presently in vogue. According to these rules, the petitioners have no claim to the 50% direct recruitment quota unless


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

A68

they possess the qualifications stipulated therefor. Proposals are initiated from time to time on many policy matters and unless they are finalised and notified, no cognisance thereof can be taken to claim discrimination. In view of this, there has been no violation of any constitutional guarantee as claimed by the petitioners.

17. As regards para VI(13), it is admitted that the promotion to the next promotion grade in the Gazetted rank is made from both the Wings i.e. Chemical and Metallurgical from amongst the Chief Res. Asstts./Chief Inspectors Chem & Met. from a common seniority list. Since the 50% posts of Chief Res. Asstt. meant for departmental candidates are already filled from the departmental candidates only and the 5 posts which have been advertised are in the share of the outside candidates (against the backlog of 7), it is not understood how the applicants who are entitled for promotion under the 50% promotee quota are bound to suffer if all the 5 posts of Chief Res. Asstt./Chief Inspector(Met.) are filled by direct recruitment against the quota meant for direct recruits by way of advt. dt. 23-2-89.

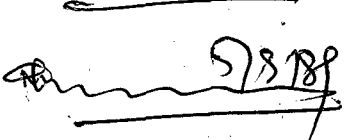
18. That in reply to the contents of para VI(14), it is submitted that the contention of the petitioners that the posts in question are meant for Research Projects in the subject of Metallurgy

  
Dy. Director Establishment,  
R. D. S. O., Ministry of Railway  
Alaribach, LUCKNOW-5



alone in RDSO, is incorrect. Being essentially a Research, Development & Standardisation Organisation, for different technology disciplines e.g. Welding, Non-destructive testing, Metal-Fatigue & Wear, Failure Investigation, etc. a sound background and knowledge in the Metallurgical Engg. is essential, which a M.Sc. Degree holder will not possess. This requirement cannot be compared with the requirements of Diesel Loco. Works, Varanasi or any other Railway Unit or other Departments. This can be best understood by the Administration alone based on past experience & future expectations, taking into account the technological advancement occurring every day. The R&P Rules have been revised in 1987 keeping the above aspects in view. The R&P Rules framed by other Departments/Organisations as mentioned by the petitioners are based essentially on their requirements and cannot be made applicable to the M&C Directorate of RDSO. This apart, the Service Commissions are only recruiting agencies/selection bodies. They do not lay down R&P Rules for the posts advertised by them. These Rules are framed and finalised by the concerned Departments strictly according to their specific needs.

19. That in reply to the contents of para VI(12), it is reiterated that under the delegated powers, the competent authority has the right to amend the R&P Rules at any time, situation warranting. Accordingly the 1977 rules were revised in 1987. It has been

  
Dy. Director Establishment,  
P. D. S. O., Ministry of Railways  
New Delhi, 110001

done to cater to the increasing needs of the advanced technology which is taking place every day, however, without any prejudice whatsoever to the serving employees. To emphasise, the R&P Rules relating to the petitioners who have a claim to only 50% departmental quota, have not been changed or revised at all.

20. As regards para VI(16), it may be submitted that the point of relaxation in the upper age limit may only be made applicable in such cases where the individual concerned fulfils the requisite qualifications & experience.

21. In view of the above and the circumstances <sup>the posting of various Para 7 & VI (17) and</sup> explained above, the grounds and relief sought for by the petitioners are not maintainable and the instant petition which is not only devoid of any merits but also no good ground has been put forth by the petitioners for any interference of this Hon'ble Tribunal and as such the applicants are not entitled for any relief claimed and the instant petition is, therefore, liable to be dismissed. <sup>kindly may</sup> The Hon'ble Tribunal as such <sup>permit</sup> to declare the results of selection already conducted <sup>by</sup> Lucknow <sup>modifying their rule Dt. 23.8.89.</sup> Deponent                     

Dated: 5-8-89.


By: Director Establishment,  
S. O., Ministry of Railways  
Lucknow. D.O. No. W-5

Verification

I, S. Bhatia, son of late Sh. U. C. Bhatia, aged about 54 years working as Deputy Director/Estt-I in the office of Research, Designs and Standards Organisation, Ministry of Railways, Lucknow do hereby verify that the contents of para 1 of the instant reply are true to my personal knowledge and belief and those of paras 2 to 21 are true based on knowledge derived from the perusal of the available records relating to the instant case kept in the official custody of the Respondents. Nothing material has been concealed and nothing stated therein are false.

Lucknow

Dated: 5-9-89.

  
Deponent

Dy. Director Establishment,  
R. D. & O., Ministry of Railways  
Alambagh, Lucknow-226001

A72

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH, LUCKNOW

O.A. No. 213 of 1989 (L)

R.N. Singh & others ..... Applicants  
Versus  
Union of India & others ..... Respondents

Rejoinder to the written statement  
on behalf of respondent Nos. 1 to 4.

The applicants most respectfully beg to  
state as under :-

1. That para 1 of the written statement needs no reply.
2. That in reply to para 2.1 of the written statement it is submitted that the metallurgical wing of RDSO is mainly serving the purpose of different testing, standardisation works together with research work for development of various components. All these works are related with laboratory/scientific jobs for which the applicants are fully qualified and are carrying out successfully.
3. That in reply to para 2.2 of the written statement regarding highly qualified staff and officers, the present status of Met. wing with qualification of officers are shown in the annexed chart from which it is clear that most of the officers are B.Sc. and M.Sc. (68.75%) who are well competent and efficient to guide the Rlys & production units to transfer upto date technical knowhow since the very inception of the

Recd Duplicate  
Ant Singh  
Adv  
01/01/1990

Filed today  
3/10/91

B/Saxena

Annexure-9

organisation for carrying out the required jobs. A chart showing qualifications is filed as Annexure No.9 to this rejoinder.

4. That in reply to para 2.3 of the written statement it is stated that to cope with challenge of high passenger and freight traffic density and upgradation of technology some new sophisticated machines/equipments have been procured with the aid of United Nations Development Programme and the same are under operation by the applicants and some of the applicants have also been trained abroad as well as in India in advance courses to work on these machines. The applicants are already working skillfully and successfully on these sophisticated machines. The basic principles of all these machines are based mainly on the subjects Physics and Chemistry in which the applicants are qualified as indicated in the chart filed herewith. It is further mentioned that in various scientific organisations like CSIR, BHEL, BARC, M.Sc. and B.Sc. are preferred. A chart showing background for operating sophisticated equipments is filed as Annexure No.10 to this rejoinder.

Annexure-10

5. That in reply to paras 2.4 to 2.9 of the written statement it is stated that there is nothing on record to indicate that the applicants are not qualified to cope with the new challenges and achieve corporate goals through upgraded technology and improved expertise. It is reiterated that the applicants are fully qualified to achieve outlined objectives

and goals.

6. That para 2.10 of the written statement as stated is denied. The statistics given by the respondents is manipulated and false. Upto 7.2.1975, according to the department, there was a backlog of 12 posts of CRA/CI (Met.) to be filled up under 50:50 quota of departmental promotees and direct recruits as per memorandum No.ART/44 dated 7.2.1975 in reply to the representation dated 31.5.1974 by Sri K.N.Sinha, SRA (Met.). After 7.2.1975 seven posts of CRA/CI (Met.) were filled by holding direct selection whereas only nine posts of CRA/CI (Met.) were filled by departmental promotion. Therefore, there is a backlog of 10 posts of CRA/CI (Met.) to be filled up by departmental promotion as on 23.8.1988. By letter No.1 of M&C/ADMN/VI/17/Vol.III dated 1.2.1978 it was decided that 50% future vacancies shall be filled by direct recruits and 50% by departmental promotions. Subsequent vacancies should be filled alternatively by direct recruits and departmental promotees. Thus it is wrongly shown that a backlog of 7 posts of CRA/CI (Met.) is to be filled by direct recruitment. Therefore, the selection for direct recruitment in the present case for 5 posts of CRA/CI (Met.) is illegal and arbitrary. A photostat copy of the DG/RDSO's memorandum No.A/RT/44 dated 7.2.1975 is filed as Annexure No.11 to this rejoinder. A photostat copy of the RDSO Class III Staff Association's letter No.CTSA/Genl. dated 18.1.1984 is filed as Annexure No.12 to this rejoinder. A photostat copy of the list of CRA/CI (Met.) recruited by open and departmental selection in between 7.2.1975 and 23.8.1988

Annexure-11

Annexure-12

Annexure-13

is filed as Annexure No.13 to this rejoinder. A photostat copy of letter No.1 of M&C/ADMN/VI/17 Vol.III

Annexure-14

dated 01.2.1978 is filed as Annexure No.14 to this rejoinder.

7. That para 2.11 of the written statement as stated is denied. It is stated that the applicants are fully qualified and eligible for being selected on the post in question. They are willing to face the selection test and compete with the direct recruits on the basis of their existing qualification. The applicants have been arbitrarily deprived from appearing in the open selection by arbitrarily changing the qualifications which amounts to discrimination in service. There is no rational basis for setting up different qualifications for the same post for which the applicants are qualified for departmental promotion but disqualified for appearing in open selection.

8. That paragraphs 3 and 4 of the written statement need no reply.

9. That para 5 of the written statement as stated is denied. It is denied as alleged that the R&P Rules of 1987 were changed after consultation and approval of Class III Staff Association. It is stated that the association did not agree with the deletion of M.Sc. and B.Sc. degree as qualification for selection by direct recruitment under the 1987 R&P Rules. The recommendations of the association were ignored and 1987 R&P Rules were amended arbitrarily by the respon-

dents. It is further stated that the revised R&P Rules of 1987 with the changed qualification were not circulated by the authorities as per the established practice in the department. The applicants came to know about the revised R&P Rules of 1987 only through the advertisement in question. It is, therefore, denied as alleged that the application is not within the time limit.

10. That para 6 of the written statement needs no reply.

11. That in reply to para 7 of the written statement, averments made in para VI (2) of the application are reiterated.

12. That para 8 of the written statement as stated is denied and the averments made in para VI (3) of the application are reiterated. It is reiterated that the applicants are eligible to appear in the selection as direct recruits on the basis of their qualifications.

13. That in reply to para 9 of the written statement, averments made in para VI (4) of the application are reiterated.

14. That para 10 of the written statement needs no reply.

15. That para 11 of the written statement needs no reply.



16. That in reply to para 12 of the written statement, averments made in para VI (8) of the application are reiterated.

17. That in reply to para 13 of the written statement, averments made in para VI (9) of the application are reiterated. The staff of both Metallurgical and Chemical wings are governed by the same R&P Rules and are under the control of the same Director. Therefore the applicants are entitled to the same treatment as those in the Chemical wing.

18. That para 14 of the written statement as stated is denied and the averments made in para VI (10) of the application are reiterated. The applicants made representations and personally met the Addl. Director General, RDSO and requested him that they should be treated at par with those in the Chemical wing and given the benefits of the order of this Hon'ble Tribunal passed in O.M. No. 204 of 1989 (1) in favour of the applicants in the Chemical wing.

19. That para 15 of the written statement as stated is denied and the averments made in para VI (11) of the application are reiterated.

20. That para 16 of the written statement as stated is denied and the averments made in para VI (12) of the application are reiterated. The Director, Met. and Chem. in his note No. M&C/ADMN/II/47 dated 26.7.1988 has indicated that <sup>candidates with</sup> M.Sc./B.Sc. degree may also be eligible. This is further clarified by the recommendations in the

"Strategy for Railway Technology Development" issued in June, 1987. In the said recommendations at page 36 para 3.1.1 and page 49 persons with B.Sc./M.Sc. degree are preferred to engineering graduates for scientific research and development works.

No new post of CRA/CI (Met.) has been created for working on newly procured sophisticated machines/instruments. On the other hand, the present staff including the applicants has been trained in new technology through various courses in India and abroad for working on these sophisticated machines and instruments. Hence the claim of upgradation of technology by selecting only engineering graduates is untenable because the work in Metallurgical wing is of scientific nature for which persons with M.Sc./B.Sc. degree are preferred by organisations and institutes doing scientific research such as Department of Science and Technology. This aspect is also clarified in para 4.2.1 at page 20 of the extract of "Restructuring of RDSO" issued in July, 1985 wherein M&C Directorate is shown as fulfilling the required qualifications for important research investigations of scientific nature. A photostat copy of the extract of "Strategy for Railway Technology Development" June, 1987, is filed as Annexure No.15 to this rejoinder. A photostat copy of the advertisement No.DST/3/89 of the Department of Science and Technology requiring B.Sc./M.Sc. qualification is filed as Annexure No.16 to this rejoinder. A photostat copy of the extract of "Restructuring of RDSO" July, 1985, is filed as Annexure No. 17 to this rejoinder.

Annexure-15

Annexure-16

Annexure-17

21. That para 17 of the written statement as stated is denied and the averments made in para VI(13) of the application are reiterated. It is stated that if admittedly on promotion to the next higher class II post of Assistant Research Officer both in Chemical and Metallurgical wings the said posts in both the wings are merged there is no rational basis for making a distinction in the prescribed qualifications for promotees and direct recruits in the lower posts of Chief Research Assistant/Chief Inspector. The policy in this regard to change the rule is, therefore, arbitrary and leads to discrimination. It is further stated that there are no specific job allotment for direct recruits on the post of CRA/CI Met. They are assigned same work which is being done by departmental promotees on the same post. There is, therefore, no rational basis for prescribing different qualifications for the same post requiring same work. It is pertinent to point out that respondent No.4, who is the Chairman, was promoted to the Jt. Director level after coming into force of R&P Rules, 1987. He has a B.Sc. degree which in the circumstances makes him competent to conduct the selection for the post in question, that is, setting the question paper for the selection test and thereafter evaluating the answers. Thus the question of having a degree in science or technology is not relevant. The important requirement is experience. Thus the qualification relevant for the higher post is ~~exactly~~ equally relevant for the post in question, that is, CRA/CI (Met.).

22. That para 18 of the written statement is denied and the averments made in para VI (14) of the application are reiterated. The averments made in para VI (14) and the annexures in support thereof clearly indicate that a science degree, M.Sc. or B.Sc., has been treated at par with the degree in technology in various organisations and institutes doing research and development work of the same nature. Contrary averments made in para under reply are, therefore, denied. This is evident from the advertisement of the Department of Science and Technology. In the Indian Institute of Technology for admission in M. Tech. course M.Sc. degree is treated at par with a degree in engineering or technology. A photostat copy of advertisement No.IITD/PGS/1/89 published in Employment News dated 22.4.1989 of IIT, Delhi, is filed as Annexure No.18 to this rejoinder

Annexure-18

23. That para 19 of the written statement as stated is denied and the averments made in para VI(15) of the application are reiterated. The 1987 R&P Rules were changed arbitrarily in disregard of the recommendations of "Strategy for Railway Technology Development," and the letter No. RM3/GL/117/1 dated 28.1.1988 from the DG/RDSO. A photostat copy of the said letter dated 28.1.1988 is filed as Annexure No.19 to this rejoinder. It is further pointed out that the staff and officers of the Metallurgical wing including the applicants with M.Sc. and B.Sc. qualification have rendered satisfactory consultancy and technical knowhow on developmental work and standardisation of techniques to various zonal railways and production units.

Annexure-19

24. That in reply to para 20 of the written statement averments made in para VI (16) of the application are reiterated. It is admitted that for the departmental candidates appearing in open selection age can be relaxed.

25. That para 21 of the written statement is denied. It is reiterated that the application is maintainable on the facts and circumstances and the grounds mentioned therein. The applicants are entitled to the reliefs prayed for therein and the application is liable to be allowed. In the circumstances indicated above, no modification in the order dated 23.8.1989 is called for.

Verification

I. B.K. Saxena, aged about 30 years, son of Sri Har Narain Saxena, working as Senior Research Assistant in the office of Metallurgical and Chemical Directorate, RDSO, Lucknow, resident of B-164/4 RDSO Colony, Lucknow, do hereby verify that the contents of paras 1 to 24 \_\_\_\_\_ are true to my personal knowledge and para 25 believed to be true on legal advice and that I have not suppressed any material fact.

Date :

Place : Lucknow.

*B.K. Saxena*  
Signature of the applicant.

In the Central Administrative Tribunal,  
Lucknow Bench, Lucknow

CA No 213 of 1989(L)

R.N. Singh & others

vs

Applicants

Union of India

Respondent

Annexure-1, 2, 3

QUALIFICATION OF OFFICERS IN M&C WTE.

<u>Name of Officer</u>	<u>Designation</u>	<u>Qualification</u>
<u>Class-I</u>		
1. S/Shri K.N. Gupta	Director (M&C)	B.Sc. (Met.)
2. " Mr. S.N. Chakravorty	Asst Director (Met)	B.Tech. (Ph./Met.)
3. " P.K. Munshi	Joint Director (Chem.)	B.Sc.
4. " Mr. S.P. Manik	Joint Director (Rubber)	B.Sc., M.Tech (Rubber), Ph.D.
5. " T. K. Mitra	Hy. Director (Chem)	B.Sc.
6. " S.R. Dey	Hy. Director (Met)	B.Sc.
7. " Raibey Shyam	Hy. Director (Met)	B.E. (Met)
8. " R.V. Saluja	Chemist & Metallurgist	B.Sc.
9. " K.K. Dubey	-de-	M.Sc. (Chem), AM/ITM *
10. " A.K. Mandal	Hy. Director (Met)	B.Sc. (Hons.), AM/ITM *
11. " Mr. N.S. Srivastava	Hy. Director (Rubber)	M.Sc. (Chem), Ph.D.

\* Equivalent to Engineering degree course.

*P. Singh*

Name of Officer

Class-II

Designation

Qualification

S/Sharel		
12. I. B. Som	Asstt. Research Officer (Met)	B.Sc.
13. S. K. Kumar	-30-	B.Sc.
14. N. C. Dutta	-30-	M.Sc.
15. N. D. Bhattacharya	-30-	B.Sc.
16. B. B. Chakravorty	-30-	B.Sc.
17. A. K. Chatterjee	-30-	B.Sc.
18. B. L. Nirala	-30-	M.Sc. (Physics), LLB.
19. C. L. Piplani	-30-	M.Sc. (Physics)
20. N. K. Sarkar	Asstt. Research Officer/Chem.	B.Sc.
21. K. R. Mahadevan	-30-	M.Sc.
22. A. K. Saha	-30-	B.Sc., AMPRI
23. P. K. Barua	-30-	M.Sc. (Math)
24. S. P. Malik	-30-	B.Sc.
25. B. L. Sharma	-30-	M.Sc. (Chem.)

$$\% \text{ of B.Sc.} = \frac{12}{25} \times 100 = 48\%$$

$$\% \text{ of M.Sc.} = \frac{6}{25} \times 100 = 24\%$$

$$\% \text{ of Engg. Graduates} = \frac{7}{25} \times 100 = 28\%$$

*Blank*

*863*

In the Central Administrative Tribunal  
Lucknow Bench, Lucknow  
C.A. No. 213 of 1989(L)

R. N. Singh & others — — — — Applicants  
vs  
Union of India — — — — Respondent

Annexure-10

CHART SHOWING VARIOUS SOPHISTICATED EQUIPMENT AND WORK BACKGROUND REQUIRED

<u>Name of Sections</u>	<u>Equipment/Nature of work</u>	<u>REMARKS</u>
1. Fatigue & Wear	Fatigue and wear testing:- Equipment recently procured sophisticated servo hydraulic test equipment with micro processor controlled and computer controlled machine for fracture mechanics studies.	Operation of these sophisticated equipment required background of physics and also interpretation of test results require background of physics. In engineering colleges these testing are done by physics/deptt./mechanical deptt.
2. Non-Destructive Testing	Industrial X-ray, Ultrasonic flaw detector, flaw mapper, magnaflux.	Operation and testing by these machines are entirely based on physics.
3. Material Investigation	Scanning electron microscope, universal tensile test machine, hardness testing machine.	For the operation of SEM-background of physics is very necessary other equipments also required background of physics.
4. Spectrography Section.	Computer attached spectrometer for analysis of samples.	Background of physics and chemistry.
5. Met. Analysis Lab.	Laboratory for chemical analysis.	Background of chemistry.
6. Statistical Analysis.	Statistical analysis of failure data.	Background of Mathematics/Statistics.

*Dr. S. K. Singh*



In The Central Administrative Tribunal  
Lucknow Bench, Lucknow

O.A. NO 213 of 1989 (L)  
R. N. Singh & others — vs — Applicants  
Union of India — Respondents.

ANNEXURE 11

RESERVATION DECISIONS AND STANDARDS ORGANISATION

Wazir Nagar/Lucknow-11

No.A/UT/44

Dated: 7-2-1975

Memorandum

Sub: Representation from the staff of WCO Directorate regarding  
selection in WCO Directorate against the posts of SI/CRA (Net)

.....

With reference to his application dated 3/5/75 received under  
SO(WCO)'s Memo No.WCO/Admn/VI/13 dated 17.6.74, Shri K. N. Sinha  
is informed that his request has been duly considered but it is regretted that  
the same can not be acceded to the extent that the 12 posts of CWA/SI (Net),  
scale Rs.450-575 (AS) filled as in excess towards outside 50% quota, will be made  
up by increasing the percentage of departmental promotions and the 50% ratio  
will be maintained against the future vacancies in the WCO Directorate.

DA:WIL

Shri K.N. Sinha SR Agent/  
WCO Dbe, through SO(WCO)/WESO/LKO

(Sd/-) K. N. Sinha 7/2/75  
for Director General

*B. K. Sinha*

In The Central Administrative Tribunal  
Lucknow Bench Lucknow

O.A.No 213 of 1989 (L)

R.N. Singh & others - vs -

Union of India - vs -

Applicants  
Respondents

ANNEXURE 12

## R.D.S.O. CLASS III STAFF ASSOCIATION

आर.डी.एस.ओ. तृतीय श्रेणी कर्मचारी एसोसिएशन

(मान्यता प्राप्त/Recognised)



अध्यक्ष

President

Dr. Brahm Dev

मंत्री

Secretary :

P.C. Tiwari

हमारा संदर्भ

Our Ref. No. .... CTSA/Genl.

LUCKNOW लखनऊ

PIN-226011 पिन : २२६०११

तिथि

Date ..... 19.11.1984

The Director General,  
RDSO, Manak Nagar,  
LUCKNOW -11

D/Sir,

Sub: Recruitment of CRA/CI(Met) in M&C Dte.

The staff of M&C Dte. has represented against filling up of 3 vacancies of CRA/CI(Met) through open selection. As per the Memorandum No. A/ET/44 dt. 7.2.75, the SRAB of M&C were informed that 12 posts of CRA/CI(Met) have been filled in excess towards outside quota and this will be made up by increasing the percentage of departmental promotions so as to maintain 50% ratio of departmental and outside quota against future vacancies. After 1975, five vacancies of CRA/CI(Met) were filled, two by outside and three by departmental quota, thus making the outside quota again in excess by 11 nos.

It is understood that the selection for filling 3 vacancies from outside quota is in progress which will further disturb the 50:50 ratio. Under these circumstances, it is felt that for the sake of maintaining parity the outside selection should pend till the entire question is sorted out so that the departmental candidates are not put to loss. The roster position of outside and departmental quota should be maintained and at 50:50 for all future promotions as per your letter mentioned above.

It is requested that the matter may be reconsidered and the position intimated to the Association.

Yours faithfully,

( P.C. Tiwari )

DA:K11

H.O.O.

✓ Copy to: Shri S.P.S. Ahluwalia, CRA(Met) representative  
M&C Dte.

Position on	Name of staff	Mode of selection	No. of candidates selected (Open)	No. of candidates selected (Deptt.)
07.2.1975			12(excess)*	
1976	Shri B.L.Nirala	Open	1	-
1980	Shri T. Chaki	Deptt.	-	1
	Shri B.S. Ghosal	-do-	-	1
	Shri K.K. Basu	-do-	-	1
1981	Shri A. Venkatachalam	Open	1	-
1983	Shri M.L. Nath	Deptt.	-	1
	Shri A.K. DuttaRoy	-do-	-	1
	Shri S.K. Gupta	-do-	-	1
	Shri P.K. Banerjee	Open	1	-
1985	Shri O.P. Srivastava	Open	1	-
	Shri N.R. Banerjee	-do-	1	-
	Shri S.K. Dutta	-do-	1	-
	Shri Furman	-do-	1	-
1986	Shri A.K. Bhattacharya	Deptt.	-	1
	Shri S.P.S. Ahluwalia	-do-	-	1
1987	Shri U.K. Kapoor	-do-	-	1
			19	9

\* As per Director General's Memo no. ART/44 dt. 07.2.75 12 post of CR CRA/CI(Met) have been filled in excess towards quota - see Annexure - III

Selection held in excess towards outside quota = 19-9 = 10

to exceed as on 23/8/88.

On the Bench of the  
Lucknow Bench, Lucknow  
O.A No. 213 of 1989 (L)

R.N. Singh & Others vs  
Union of India Respondents

Annexure 14

RAP RULE (OFFICE ORDER No. 9 of 77) dated 1.12.1979

Ref: B. No. 1 of MAC/Admn/VI/17-Vol.III

Method of Recruitment:

Vacancies

50% of the unoccupied posts by promotion of eligible departmental candidates on selection basis and the remaining 50% by direct recruitment on selection basis.

Amendment of No. 2 of 12.1.1979 of RAP Rule

Ref: B.No.69 vide File No. MAC/Admn/VI/17-Vol.III

The method of recruitment is modified as follows by direct recruitment so that the average of promotion for the existing staff is not completely blocked. The direct recruitment has to be made gradually, the aim being that progressively 50% of the total strength is made up by direct recruitment.

File No. A/R/RT/18 dtd. 12.1.1979

34. A.D. 2001

*R. D. Saxena*

In the Central Administrative Tribunal

© Lucknow Bench, Lucknow

O.A. No 213 of 1989 (L)

R.N. Singh & others - vs -

Union of India

Applicants

Respondents

ANNEXURE 15



GOVERNMENT OF INDIA

MINISTRY OF RAILWAYS

RESEARCH DESIGNS AND STANDARDS

ORGANISATION

LUCKNOW

STRATEGY

FOR

RAILWAY TECHNOLOGY DEVELOPMENT

BKSaxena

JUNE, 1987

culture. Specifically, an attempt has been made to

- 1) classify the work quality-wise and quantify the same;
- 2) identify the quality requirements of the personnel to handle the workload and structure the same; and
- 3) identify the training and re-orientation programmes to adjust/upgrade the existing manpower.

### 3. Quality of Personnel and Work Culture

3.1 The scientific and technical cadre, for the five important (inspection activity excluded) activities, is currently managed by the total of 1746 staff comprising

- 1) Engineers & scientists  
(including Chief Assts  
Sr Assts & Jr Assts 1467
- 2) Draftsmen & Lab Assts 279

#### 3.1.1 Basic Qualification

An academic degree, by itself does not necessarily confirm the requirement as a base material for R&D work. Except in exceptional cases, where publications are available in support of the quality of attainments of a particular person, it is a near true axiom that a person, who has acquired a high academic qualification such as a Masters or a Ph.D., is best likely to fit in the R&D work.

*B/Sanm*

Among the engineers, those with a basic engineering qualification of a degree or diploma, and, scientists with a qualification of Bachelor of Science, the percentage of qualified people is 36%. For higher quality of R&D work, where more than qualification is required, such as Master's Degree or a Ph.D., their number is only about 50, representing 3%.

ANNEXURE - D 16

Place : \_\_\_\_\_ Date : \_\_\_\_\_ Signature of the candidate : \_\_\_\_\_  
day 514/10/89 FN 17/204

In The Central Administrative Tribunal  
Lucknow Bench, Lucknow  
O.A.No-213 of 1989 (L)

A92

R.N. Singh & others - - - - - Applicants  
Union of India - - - - - Respondents

1/1/89

Annexure 17



GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS

RESTRUCTURING OF RDSO

BGSan

RESEARCH DESIGNS AND STANDARDS ORGANISATION  
MANAKNAGAR, LUCKNOW-226011

JULY - 1985



In the Central Administrative Tribunal  
Lucknow Bench, Lucknow

O.A. No. 213 of 1989 (L)

R.N. Singh & Others

Union of India

Applicants

Respondents

993



I.I.T. Delhi

HAUZ KHAS, NEW DELHI 110016

Ann-18

## Ph.D. M.Tech. M.Sc. NOTICE FOR ADMISSION

Applications are invited for the following Post-graduate programmes at IIT Delhi for the session Commencing from July, 1989. Detailed information is given in the Information Brochure which will be supplied along with the application form:

### 1. DOCTOR OF PHILOSOPHY (PH.D) (Full-time, Sponsored and Part-time)

#### (i) ENGINEERING DEPARTMENTS

Applied Mechanics, Chemical Engineering, Civil Engineering, Computer Science and Engineering, Electrical Engineering, Mechanical Engineering and Textile Technology.

#### (ii) SCIENCE DEPARTMENTS

Chemistry, Mathematics and Physics.

#### (iii) DEPARTMENT OF HUMANITIES AND SOCIAL SCIENCES

#### (iv) INTER DISCIPLINARY CENTRES

Bio-Chemical Engineering Research Centre, Centre for Atmospheric Sciences, Centre for Biomedical Engineering, Centre for Energy Studies, Centre for Material Science & Technology, Centre for Management Studies, Centre for Rural Development & Technology, Instrument Design Development Centre, Industrial Tribology, Machine Dynamics & Maintenance Engineering Centre, Centre for Applied Research in Electronics.

#### MINIMUM QUALIFICATIONS FOR ADMISSION:

Master's degree in Engineering/Technology/Sciences/Humanities in respective discipline or equivalent with a minimum GPA of 6.75 on a 10-point scale or equivalent (as determined by IITD) where letter grades are awarded or 60.00% aggregate marks, where marks are awarded.

In exceptional cases, candidates with B. Tech degree or equivalent with excellent record (GPA of 7.50 on a 10-point scale or 70.00% marks) will be considered eligible for admission.

#### RELAXATION

Relaxation upto GPA of 6.20 or 55.00% marks in minimum qualifying criteria may be permitted for SC/ST candidates Sponsored candidates and those with MA degree in English for Ph.D. in English in the Department of Humanities & Social Sciences.

#### INSTITUTE SCHOLARSHIP FOR FULL-TIME STUDENTS

- Regular Students with M.Sc./M.A./B.Tech. or equivalent qualification will be eligible for scholarship @ Rs. 1800/- per month, and
- Candidates with M.Tech./M.E. or equivalent degree will be eligible for scholarship @ Rs. 2400/- per month as per rules of the Institute.

### 2. MASTER OF TECHNOLOGY (Full-time, Sponsored and Part-Time)

M.Tech. Programmes are offered by the following Departments/Centres.

Applied Mechanics, Chemical Engineering, Chemistry, Civil Engineering, Electrical Engineering, Humanities & Social Sciences, Mechanical Engineering, Maths, Physics, Textile Technology, Computer Science & Engineering, Bio-Chemical Engineering Research Centre, Centre for Energy Studies, Industrial Tribology, Machine Dynamics & Maintenance Engineering Centre, Centre for Material Science & Tech., Centre for Management Studies, Physics & Electrical Engineering (Combined).

#### MINIMUM QUALIFICATIONS FOR ADMISSION:

##### (i) For Full-Time Candidates

Candidates must have Valid GATE Score.

##### (ii) For Sponsored and Part-time Candidates

Bachelor's degree in Engineering/Technology or Master's degree in Sciences in the relevant field with GPA of 6.75 on a 10-point scale or equivalent (as determined by the IITD) where letter grades are awarded or 60.00% aggregate marks where marks are awarded.

Relaxation upto GPA of 6.20 or 55% marks in minimum qualifying criterion may be permitted for Sponsored Candidates.

#### SCHOLARSHIP

Candidate must have a Valid GATE score for the award of Institute Scholarship of Rs. 1000/- p.m.

### 3. MASTER OF SCIENCE

M.Sc. Programmes are offered by the Chemistry, Mathematics and Physics Department of the Institute.

#### MINIMUM QUALIFICATIONS

B.Sc. (Hons)/B.Sc./BA in relevant field with a GPA of 6.75 on a 10-point scale or equivalent (as determined by IITD) where letter grades are awarded or 60.00% aggregate marks where marks are awarded.

#### SCHOLARSHIP AND FREE SHIP:

Merit-cum-means Scholarship/Freeship are permissible to M.Sc. Students as per Institute rules.

#### GENERAL INFORMATION:

- Candidates called for Ph.D. Programmes will be paid to and fro second class railway fare by shortest route. However, this provision will not apply to sponsored and part-time candidates.
- For Ph.D., M.Tech. and M.Sc. Programmes, 15% of the seats for SC and 7% for the ST candidates are reserved.
- Three seats are reserved for Physically Handicapped persons for admission to M.Tech. and Ph.D. Programmes together.

#### HOW TO APPLY

Application form and Information Brochure can be obtained from the Asstt. Registrar (PGS) by sending application fee of Rs. 15/- by a crossed Bank Draft or Indian Postal Order only in favour of IIT Delhi payable at New Delhi, alongwith a self addressed envelope (25cm x 11 cm) affixing postage stamps worth Rs. 1.40. Application Forms can also be had from the Counter (Room No. AD-236) against Bank Draft/IPO for Rs. 15/-. THE NO. AND DATE OF THE BANK DRAFT/IPO SHOULD BE MENTIONED BY THE CANDIDATES AT THE APPROPRIATE COLUMN WHILE SUBSEQUENTLY SUBMITTING THE PRINTED APPLICATION FORM/TESTIMONIALS.

The completed applications should be sent by the candidates direct to the Asstt. Registrar (PGS), Indian Institute of Technology, New Delhi-110 016. Those who wish to apply for admission to more than one Department/Centre should make separate application with prescribed fee.

#### INTERIM ENQUIRIES WILL NOT BE ENTERTAINED.

Last date for supply of Application Forms	
By Post	12.5.89
At Counter	19.5.89
Last date for receipt of completed Application Forms	
	24.5.89

Advt No IITD/PGS/1/89

In the Central Administrative Tribunal  
Lucknow Bench, Lucknow  
O.A. No 213 of 1989 (L)

R.N. Singh & others - - - - - Applicants  
Union of India - - - - - Respondents

ANNEXURE - VII/190



प्राप्त : रेलमानक-परियोजना  
Telegrams: 'RAILMANAK' LUCKNOW

टेलीफोन } 50567 & 50017  
Telephones }

भारत सरकार-रेल मंत्रालय  
अनुसंधान अभिकल्प और मानक संगठन

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

प्र. संख्या NO RM3/GL/117/1  
Our Reference.....

कलक-२२६०११-दिनांक 28.1.1988  
LUCKNOW-226011-Dated.....

The Executive Director  
Railway Board

Director  
RDSO

Sub: Strategy for Railway Technology Development.

Board have approved in principle, the broad concepts included in the above report. Vide their Memo No 87/ER-1/RDSO(Tech-6) dated 11.12.1987, Board have also set up the Governing Council for RDSO to facilitate implementation of the plan strategy. In this endeavour, it is necessary -

- to usher in a new work culture, which again entails a radically new staffing pattern;
- to nominate Technology Development Groups for achieving synergy involving RDSO, Industry and Centres of Learning of High Technology Applications; and
- to nominate Mission Coordinators for purposeful and time-bound implementation of the 5 missions.

2. Enclosed please find 2 memoranda viz. (1) Memorandum for Revision of R&P Rules (covering (a) above) and (2) Memorandum for Nomination of Technology Development Groups and Mission Coordinators along with their assigned duties (covering (b) and (c) above). A copy of the 'Strategy for Technology Development - December 1987' is already available with you. Your valuable suggestions/comments/improvements on these two memoranda may please be communicated to me by 10.2.1988 before these are finalised for submission to the Governing Council.

Encl: Two Memoranda

N. Ananthanarayana  
(N. Ananthanarayana)  
Director General

(222)

## MEMORANDUM II

### REVISION OF R&P RULES FOR NEW STAFFING PATTERN - METHODOLOGY AND APPROVAL THEREOF

#### 1. PREAMBLE

1.1 Recognising the need for change in the Strategy of Technology Development for meeting the challenges of the 21st century, the R&D Centre for the Railways (RDSO/Lucknow) is to be reorganised to make it a Centre of Excellence for specialised technology and test facility and for acting as the Principal Agency to effect Synergy with the Industry and other advanced Centres of Learning. A new work culture and staffing pattern is necessary to achieve this.

#### 2. EXISTING ORGANISATIONAL STRUCTURE

2.1 In the existing RDSO staffing pattern, the channel of advancement for staff engaged in R&D Assistant (Research), Tracer to Senior Design Assistant (Standards and Design) and Senior Technical Assistant to Chief Technical Assistant (Inspection and Consultancy). Currently, entry to the lowest stage in Research and Design Directorates are at the levels of Lab Assistant and Tracer respectively. The qualifications prescribed at present for entry to these cadres is only Matriculation. In subsequent promotions to any grade, no further educational qualification is necessary and only a regular service in the lower grade for 3 years will be required. Due to this reason, quite a sizeable percentage of staff engaged in these cadres are technically non-qualified inspite of the fact that lateral entry is permitted at certain tiers. In the Technology Development Plan recently made out, proposals have, therefore, been made for 'in-house' training or training in outside institutions for the required group of staff to make them technically self-sufficient for coping with the new work culture.

2.2 Similarly, in respect of officers also, the extant method of filling up of these posts does not warrant requirement of high technical qualifications.

(10)

Annexure

Technical and Scientific requirement of officers and staff in the new work culture - operative paras in the document

---

<u>Para No</u>	<u>Page No.</u>	<u>Content</u>
1.4.1	35	Inspection staff for Production Units excluded.
1.4.1	35	Service Engineering for designs in Production Units excluded.
6.2	44	Mod. 'A' all posts Ex-cadre. One long-term project (2 years) to 3 to 4 short-term projects (4 to 6 weeks).
8.3	50	Project Leaders should be Ph.D and have flair for R&D with publications, etc.
8.3.1	51	Project Leaders to have 10% from outside bodies - RDSO cadre also to be a part.
8.3.2	51	Railway specialist with 6 years experience. Further training of 6 months (as per Annexure 'A' of the document).
8.4	52	Upto Senior Scale cadre, staff/officers from RDSO.
8.4.1	52	<u>Qualifications:</u> ✓ <u>Engineer</u> Senior Scientist <i>Scale &amp; above</i> ... Masters Group 'B' ... Bachelor JAT/SA/CA ... Diploma <u>Scientist</u> JA Grade ... Ph.D. Senior Scale ... M.Sc. Group 'B' ... Master CA/SA ... <u>Beachelor</u> 8.4.1 52 For in-service people, higher qualification to be obtained by (1) encouragement (2) sending to Institutions; (3) Lateral entry upto 20% at level of Group 'B'. 8.5 53 Quicker promotions in higher grades by selective assessment.

Balgarani

197

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

M.P. No. \_\_\_\_\_ OF 1992.

IN

O.A. No. 213 OF 1989.

R.N. SINGH ..... APPLICANT.

Versus

UNION OF INDIA & ORS. .... Opp. parties.

SUPPLEMENTARY APPLICATION

P-7  
9/9/11

I, N.N. Sehgal, aged about 52 years son of Shri D.D. Sehgal working as Dy. Director ( Estt-I ) in the office of Research, Designs & Standards Organisation, (Ministry of Railways), Manak Nagar, Lucknow, do hereby solemnly affirm and state as under :

1. That the official above named is working in Research, Designs & Standards Organisation, (Ministry of Rlys) Manak Nagar, Lucknow under the opposite parties and having read the pleadings in the present case, ~~and~~ he is fully conversant with the facts of the case stated here-in-below :

2. That in the present case 5 posts of Chief Research Assistant / Chief Inspector (Met.) <sup>were</sup> ~~are~~ to be filled by positive act of selection for which the respective applications were invited

3. That requisition for holding selection through direct recruitment for the said 5 posts of Chief Research Assistant/Chief Inspector (Met.) was placed vide register No. EN<sup>2</sup>3-selection<sup>1)</sup> dated 23.08.88. All the 5 posts were anticipated vacancies which occurred ~~from~~ <sup>on</sup> the dates as indicated here-in-after. First vacancy on 01.11.88, Second vacancy on 28.04.89, Third vacancy on 05.10.89, Fourth vacancy on 31.07.90 and Fifth vacancy on 01.02.91. A photo-state copy of the said requisition dated 23.08.89 is being filed herewith as Annexure No. S-1 to this Application.

Annexure  
No. S-1.

4. That the last recruitment for the said post was held in the year 1985.

5. That after the appointments of concerned candidates who were empanelled through the said direct recruitment held in 1985 and before the present selection for the said 5 posts, 4 more vacancies occurred which were filled through Departmental Selection in August, 1989.

Place : Lucknow.

Dated : 16 - 11 - 1992.

*M N Dhye V*

DEPONENT

उप निदेशक स्थापना - I

अनुसंधान अभिकल्प और मानक संगठन  
रेल मंत्रालय, लखनऊ - 226011

VERIFICATION

I, N.N. SEHGAL aged about 52 years son of Shri D.D. Sehgal, working as Dy. Director ( Estt-I ) in the office of Research, Designs & Standards Organisation (Min. of Railways), Manak Nagar, Lucknow do ~~xxx~~ hereby verify that the contents of paras 1 to 4 of this affidavit are true to my own knowledge and no part of it is false and nothing material has been concealed. So held me God.

Place : Lucknow.

Dated : 16 - 11 - 1992.

  
DEPONENT

उप निदेशक स्थापना - I  
अनुसंधान अभिकल्प और मानक संगठन  
रेल मंत्रालय, लखनऊ - 226011

AP00

Annexure No S-1

RESEARCH DESIGNS AND STANDARDS ORGANISATION  
( ESTD. IV / VI SECTION )

Note No: ETV- 3/Selection (i)

Dated: 23-2-28

Requisition to be filled by Estd. Sections are sent to the  
Rectt. Section for holding the selection/suitability test/  
trade test.

1. Designation of the post

: Chief Research Asstt./Sr. Inspee.

2. Scale of Pay

: R. 2000 — 3200 (RPS) (Met.)

3. No. of vacancies calculated as:  
per rules (in terms of GO No.  
13 of 1981).

Five

4. (a) Actual vacancies

: —

(b) Anticipated vacancies

: Five

(c) Total vacancies

: Five

5. Name of Wing and Etc. where  
the vacancy (ies) are avail-  
able/will be available.

: Mat. Wing of R & C Div.

6. Designation of the Jt.  
Director & Dy. Director under  
whom the vacancies exist/  
will be available.

: AD/Act.

7. Whether the approval of the  
concerned Director has been  
obtained with regard to  
number of vacancies (actual  
and anticipated).

: yes

8. Nature of Selection (P. Specify).

(a) Departmental selection

: —

(b) Departmental competitive  
selection (as per existing  
R&P Rules).

: —

(c) Recruitment from Rlys.,  
Production Units etc.

: —

(d) Recruitment by advertise-  
ment on regional/All India  
basis.

: Recruitment by advertisement  
on all India basis

(e) Suitability test

: —

(f) Trade Test.

: —

(g) Limited Competitive sele-  
ction from RDSO staff (as  
per DG's approval obtained)

: —



A101

-131-

9. Reservation, if any Existing Backlog Total No. of Vacancies actually to be reserved.

Sch. Castes:	1	1	2	} One for SC candidate and one for ST candidate
Sch. Tribes:	1	—	1	
Ex. Service:	—	—	—	
man.	—	—	—	
Handicapped:	—	—	—	
Total:	2	1	3	

10. Names of eligible candidates in : order of seniority;

- (a) Against Unreserved Vacancies: —
- (b) Against reserved vacancies : —

S.No.	Name	Designation.	Section	Designation of the Controlling Officer i.e. ARE/ADE/ADO/UD/JD.
-------	------	--------------	---------	--

*[This section is crossed out with a large diagonal line.]*

11. Please certify that the names of all the eligible candidates have been given in case of :-

- (a) Departmental Competitive Selection: —
- (b) Where number of eligible candidates: —  
i.e. less than three times of the number of vacancies for which the selection is to be held.

12. Names with complete postal address of : —  
eligible candidates who are posted outside Lucknow or on deputation etc. to other departments.

13. Please indicate if there is any ; —  
case under D&A Rules pending or contemplated against the employees mentioned above, if so, please give details.

Dy. Director/Estt. *[Signature]*  
SO/Rectt. *[Signature]*

*[Signature]*  
(M. Balasubramanian)  
Section Officer/D-IV/ET.

31/7/88

*[Signature]*  
23/8/88