

Annexure - A
CAT- 82

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
CIRCUIT BENCH, LUCKNOW

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Name of the Parties A. P. Chaturvedi

Versus

Union of India

Part A, B and C

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File B/C was closed and / or stayed.

Sd/-
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29/10/12

UPADHISHS
7.6.91

(43/1)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALAHABAD

CIRCUIT BENCH

LUCKNOW

...

Regn. No. OA No. 9 of 1990 Date of decision: 21.5.1990

A.P. Chaturvedi Applicant.

Vs.

Union of India & Others Respondents.

PRESENT

Shri P.K. Sharma, counsel for the applicant.

CORAM

Hon'ble Sri B.C. Mathur, Vice-Chairman (A).

Hon'ble Sri D.K. Agrawal, Member (Judl.).

(Judgement of the Bench delivered by Hon.'ble
Shri B.C. Mathur, Vice-Chairman)

This is an application filed under Section 19 of the Administrative Tribunals Act, 1985, by Shri A.P. Chaturvedi, Chief Design Asstt., R.D.S.O., Ministry of Railways, Lucknow, against the impugned order No. S.P.O. No. 512/82 dated 20.12.1982 (Annexure 3 to the application) and ART/74 dated 2.11.83 (Annexure No. 5 to the application) passed by the D.G., R.D.S.O.

2. The case of the applicant is that his ad hoc promotion made by S.P.O. No. 509 of 1982 dated 19.12.1982 duly approved by the Asstt. Director was cancelled by Shri N. Ananthanarayan without assigning any reasons. The learned counsel for the applicant has filed an amendment application on the question of limitation. His case is that the cause of action took place in 1989 when he came across the noting by Shri P.R. Rao, Joint Director (Estt.) (Annexure A-10 to the application). In this noting it has been stated that Staff Posting Order No. 509 of 1982 may be withdrawn and treated as cancelled as the same has not been issued with the

Rao

approval of the competent authority. Earlier, the applicant had been communicated ⁱⁿ Staff Posting Order No. 512/82 (Annexure A-3 to the application) where Staff Posting Order No. 509 of 1982 was cancelled. In this order the applicant who was a Design Assistant in the scale of Rs 550-750 was promoted to officiate as Senior Design Assistant in the scale of Rs. 650-950 on ad hoc basis with effect from the date he had been asked to look after the duties of the higher post or from the date he took over charge of the higher post whichever was earlier. In November, 1983, through a memo (Annexure A-5 to the application), the applicant was informed on his representation that he could not claim ad hoc promotion as a matter of right and that it was for the administration to decide, if any ad hoc promotion was at all necessary against the vacancy. The applicant was informed that cancellation of ad hoc promotion ordered vide staff posting order No. 512 of 1982 was in the interest of administration and it was not obligatory for the administration to indicate reasons to the employees.

3. The learned counsel for the applicant stated that since the administration had cancelled the ad hoc promotion, it was not challenged at that time, but when the applicant found out that the real reason was not as given in Annexure A-5 but ^{as} in Annexure A-10 and, therefore ^{for} the limitation should start from December, 1989. It is noted that the applicant had retired on 31.1.1988 and did not file any appeal against the cancellation of his order till then. The order of ad hoc promotion and cancellation took place in 1982 and the applicant was not allowed to take over the senior position at any time. It was an ad hoc promotion and we are of the view that

Bar

that after a person has superannuated, the question of ad hoc promotion six years earlier cannot be agitated at this stage. It is not very material ^{now} why the posting order was cancelled. If the applicant was aggrieved by the orders of the respondents in 1982 and 1983, the cause of action took place at that time and cannot be agitated before the Tribunal at this stage.

4. The knowledge of Annexure A-10 ^{Ann - in December 1985} does not provide any fresh ground under limitation. He should have approached the authorities ^{for} ~~for~~ relief in a court of law during 1983 itself when the cancellation order of his ad hoc promotion was issued in public interest. The application is clearly time barred and is dismissed summarily.

(D.K. Agrawal)
Member (Judicial)

(B.C. Mathur)
Vice-Chairman (A)

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal
Circuit Bench
Date of Filing
Date of Decision
10-1-80

Registration No. 9 of 1980

Deputy Registrar(J)

APPLICANT(S) A. P. Chaturvedi

RESPONDENT(S) U.O. d

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

11/11

Particulars to be Examined

Endorsement as to result of examination

Are the application/duplicate copy/spare copies signed ?

ys

Are extra copies of the application with Annexures filed ?

a) Identical with the Original ?

b) Defective ?

c) Wanting in Annexures

Yes. _____ pages Nos. _____ ?

13. Are the file size envelopes bearing full addresses of the respondents been filed ?

No

14. Are the given address the registered address ?

ys

15. Do the names of the parties stated in the copies tally with those indicated in the application ?

ys

16. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?

N A

17. Are the facts of the case mentioned in item no. 6 of the application ?

ys

a) Concise ?

b) Under distinct heads ?

c) Numbered consecutively ?

d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for indicated with reasons ?

ys

19. Whether all the remedies have been exhausted.

yn

glnest/

9/90(L)

(2/1)

15-1-90

Hon. J.P. Sharma, J.M

Applicant's wants time to explain.
Request to limit time. Allowed.
Put at n. 13.2.90

J.P.
S.M

L
16/1

13.2.90

No sitting Adj. to 28.3.90

J.P.

28-3-90

No sitting Adj. to 4/5/90

J.P.
28/3/90

4-5-90

Hon Mr Justice K. Noida, VC.
Hon Mr. K. Bhatnagar, AM.

em No. 84/90 was
filed in office on 8.2.90
was on file. Search
to Search. appl. etc
and put up with de
fixed. J.P.
4/5

Learned counsel for the applicant
says that an amendment
application CMA No. 84/90 was
filed on 8-2-90. The same is not
on record. The office may trace
it out and act for admission on
21/5/90

J.P.

J.P.
AM

J.P.
V.C. OK

CMA No 84/90
has been traced out
Submitted for

21.5.90

Hon. Mr. B.C. Mathur, V.C.
Hon. Mr. D.K. Agrawal, J.M.

Shri P.K. Sharma, counsel for the
applicant has filed an Amendment Application
Heard the learned counsel. Separate orders passed.
The application dismissed summarily on the ground
of limitation.

J.P.
J.M.

J.P.
V.C.

J.P.
23.5.90

L
18/7

D. 10/11/90
Date of ...

In the Hon'ble Central Administrative Tribunal
Lucknow Bench

Application No. 9/904)

A.P.Chaturvedi Applicant.

Versus

The Director General / RDSO, Ministry of
Railways, Lucknow Respondent.

Detail of the application:

1. Particulars of applicant.

i) Name of the applicant	Anandi Prasad Chaturvedi
ii) Father's name	Late Shri D.P.Chaturvedi
iii) Age of applicant	50(Sixty) Yrs. as on 31.1.90
iv) Designation and particulars of office in which last employed.	Chief Design Asstt./ GE Wing GE Drawing Office / RDSO Ministry of Railways, Alambagh, Lucknow.

2. Particulars of Respondents:

i) Name of the Respondent	1. Shri Dina Nath Singh
ii) Name of the Father	2. Dr. M. Ananthanarayan Not aware May be call for from the Office records.
iii) Age of the respondents	56(fifty six) years. approx.
iv) Designation and particulars of office in which employed.	Director General / RDSO Additional DG / RDSO Ministry of Railways, Alambagh, Lucknow.
v) Address of Service of Notice.	RDSO / Alambagh, Lucknow- 226011.

3. Particulars of order against which the application is made.

The application is against the following order.

Contd..I.2.

194/3

- 2 -

- i) Order No. with reference to Annexures. S.P.O.No. 512/82 dated 20.12.1982 -Annexure No. 3. ART/74 dated 2.11.1983 - As Annexure No. 5.
- ii) Date 20.12.1982 & 2.11.1983
- iii) Passed by DE/RDSC - LG/ RDSC: Lucknow
- iv) Subject in brief

The Adhoc promotion of the applicant made vide S.P.O No. 509 of 1982 dated 19.12.1982 duly APPROVED by ADRT, was cancelled by N.Ananthanarayan without assigning any reason and too followed by the reply of Director General dated 2.11.1983.

4. Jurisdiction of Tribunal

I, A.P.Chaturvedi, the applicant hereby declared that the subject matter of the order against which I want redressal is within the jurisdiction of the Hon'ble Tribunal.

5. Limitation.

The application is in within the limit as per article 21-1-b, as no reply has so far been received of the representation submitted on 11.7. after retirement on 31.1.1988.

- (b) Even then if the Hon'ble Tribunal feels that the application is not under limitation, then it is requested that the limit may be considered under article 21(3)/(2), that the applicant has sufficient cause for not making the application within such period, because material facts which the application is presenting was beyond the reach and control of the applicant.

The applicant got the sufficient

Contd..3.3.

to institute this application before the Hon'ble Tribunal.

6. Facts of the Case:

1. In the year 1982, the applicant was an employee of RDSO working as SDA in scale of Rs 550-750 in GE Drawing office Research Directorate / RDSO Lucknow, AND RETIRED ON SUPERANNUATION FROM THE POST OF CDA/GE ON 31.1.1988, IN SCALE 2000-3200
2. That on 15th July 1982, one post of ~~CSCDA~~ was available as Mr. K.K.Srivastava was relieved for RITES on 15.7.1982. Being the senior-most Sda, I was only the eligible candidate for the promotion on the post for which my controlling officer had also made the remarks(A true photo-copies is enclosed herewith as Annexure No. 1).
3. Vide S.P.O.No. 509/82 dated 19.11.1982 the respondent No. 1, DG/ RDSO made an promotion order for the applicant for the post of Chief Design Assistant in the Grade of Rs 650-960 along with the other staff which was duly approved by Shri V. Narayan, Additional Director, Research Track who was also the controlling head of the GE wing and a competent authority for making such order, having all powers of the Head of the department, under which the applicant was employed, after fulfilling all the estallishing formalities, character verification etc., vide file No. ART/74 dealt by SCS-I, Annexure(A true photo copies is enclosed herewith as Annexure No. 2).

4. When the applicant had submitted the joining report to the Controlling Officer for taking over charge of the new post, the JD/RGE-III had refused to accept saying that he was verbally instructed by the respondent No. 2, not to accept any joining reports of the staff.
5. On the very next day on 20.11.1982, without stating any reasons, the RN1 had cancelled the SPO No. 509/82 on the remarks made by the respondent No. 2, in collaboration along with the then JDE I and Dy. DG Mr. SK Jagadhari in file No. ART/74 which recently came into knowledge of the applicant.
6. This cancellation was made by RN No. 1 and 2 in an prejudice and malafide intention only to harm and harrass the applicant because they have faced a writ petition followed a contempt cases in the Hon'ble High Court of Lucknow, Judicature and cancelled the promotion order without assigning any reasons in SPO No. 512/82. *ANNEXURE 3*
7. Aggrieved with the wrong order of SPO No. 512/82 dated 20.11.1982 the applicant had preferred a number of representations followed several personal interviews with RN No. 1 and 2, which were un-replied and unresulted in any manner. *ANNE. 4*
8. After all efforts have been made by the applicant, the applicant was not in position to move to court without any solid grounds in writing from the administration.

AC/9

- 5 -

9. Till the time the Central Administrative Tribunal was not at all framed and came into existence.
10. As a result of last interview with M No. 1, on 2.11.1983 after a perusal of the order No. 512 of 1982, deliberately passing the limitation period for moving the court, the M No. 1, had communicated to the applicant that the applicant can not claim Adhoc Promotion as a matter of right. The cancellation of adhoc promotion order vide SPO No. 509/82 by SPO No. 512/82 was in the interest of the administration and it is not obligatory for the administration to indicate the reason therefore to the employee - Annexure (A true copy of the Photostat is enclosed herewith as Annexure No. 5).
11. The applicant had submitted a ~~Most~~ of representations to the higher authorities to investigate into scandle ~~before~~ ~~no~~ result.
12. The applicant had appeared in the departmental selection for the post of XX CPA on 25 and 28th January 1985 and had qualified init, but due to partial, malafide and prejudice attitude of the M No. 2, could not placed on panel for want of vacancy as stated by M No. 2, though deliberately the name of Mr. K:K.Sri-vastava was put against a clear vacancy, who had already permanently absorbed in the XX RIES/ New Delhi.

Contd...6.

13. The applicant was promoted on adhoc basis on the post of CMA/98 Drawing office with effect from 16.2.1985 duly approved by a main AMRGS and later on regularised on the post under restructuring scheme i.e.f. 1.7.1985.

ANNE 6.

14. The applicant was retired on 31.1.1988 on the superannuation from the post of CMA/98 on the initial pay of Rs 2675/- in the revised scale of Rs 2000-3200, having a good service record during the whole service period.

ANNE 7.

15. As all the retirement benefit has normally calculated on pay last drawn as such the applicant had calculated the various items of EP, Bonus, PF, Leave Encashment, Pension, Commutation and other pensionary benefit and find that a great loss have been made to the applicant for the cancellation of the SPC No. 509/82.

1 ANNE, 21
- ANNE. 8

16. The applicant made a statement and again approached the S No. 1 and 2 for regularising the promotion on 11.7.1988, but no action has been taken by the Administration of S.D.

ANNE 9

17. Recently the applicant had opportunity to get the reasons, upon which the cancellation order of SPC No. 512/82 had been issued by the respondents and the applicant had preferred this application before the Hon'ble Tribunal for consideration and justice. This facts is not being in annexure with the application

but specially put up before the Hon'ble Tribunal for their consideration Annexure for Tribunal (A true copy of the photostat is enclosed herewith as Annexure No. 5-1).

18. That the respondents have cancelled the order duly approved by the DPT, a competent authority, who was also over all head of the GE Wing at that time and the respondent in an mala fide and arbitrarily manners in collaboration and conspiracy with the then Sr. Dy. DO and JGE-I cancelled the promotion of the applicant.

19. That on the facts came into notice of the applicant, which was neither communicated by the Administration and which was beyond the reach and control of the applicant and too was refused to assigned by the respondents in the memo dated 2.11.1983, then the applicant has preferred to make this application before the Hon'ble Tribunal, feeling that it must be a sufficient cause for filing and claiming all the dues pending with the respondents.

7. Relief(s) Sought:

In view of the facts mentioned in para 6, of the applicant prays for the following relief

- 1/27/84
- i) that the Hon'ble Tribunal be pleased to allow the application and direct that the applicant promotion vide SFC No. 509/82 be regularised.
[ANNE. 2]
 - ii) that the Hon'ble Tribunal be ~~xx~~ also pleased to quash S FC No. 512 of 1982 passed by the respondents.
[ANNE. 3]

10/10/72

- 8 -

iii) All the items of the salary may kindly be order to fix in shape of basic pay, PF, Bonus, Pension, MORG, leave encashment and other benefits and arrange to pay with interest to the applicant.

iv) the respondents No. 1 and 2, may also be directed as this Hon'ble Tribunal deems fit and proper in the circumstances on the following amongst other grounds : -

GROUND S :

- (a) Because the work and conduct of the applicant was good through out and therefor he cannot be deprived of his legitimate rights of promotion.
- (b) Because the respondents cannot violate the rules of promotion and principle of natural justice, fair play.
- (c) Because the respondents have grossly violated the provision of article 14 and 16 of the Constitution of India, while they refused the promotion to the applicant, *WITHOUT ANY REASONS.*
- (d) Because the respondents deliberately cancelled the promotion and concealed the reasons in an malafide, arbitrarily and in an prejudice manners and did not communicated the reasons of cancellation of the promotion.
- (e) Because the applicant has exhausted all the departmental channels, but of no avails.

Contd..P.9.

- (f) Because the representations of the applicant ~~the xxxxxx~~ were rejected without of the application of mind.
- (g) Because at every chance of promotion of the applicant, the respondents have played the foul game and deprive the applicant from the benefits of the promotion.

8. Interim order prayed for:

It is requested that the Hon'ble Tribunal be directed the respondents for all the relevant documents including the file No. ART/74 to be deposit with the Hon'ble Tribunal, Lucknow.

9. Details of the remedies exhausted.

The applicant declares that he had availed all the remedies available to him.

10. Matter not pending with any other court etc.

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

11. Particulars of the Bank Draft/ Postal Order in respect of the application fee.

(a) Name of the Bank on which drawn.

(b) Demand draft No. dated -

(c) No. of the Indian Postal Order. 4.12.245147 2 Rs.5.00
4.12.245146 1 Rs.5.00
7.03.446913 5 Rs.20.00
1.03.446912 2 Rs.20.00

(d) Name of Issuing Postal Order Agent. Amimabad P.O. 8.1.1990

(e) Office at which payable. Lucknow

12. Details of the Index:

An index sheet in duplicate containing the details of the documents to be reviewed upon is enclosed.

13. List of enclosures:

As stated in application all the enclosures in Index sheet attached.

Lucknow Dated:

The 0.1.90

[Signature]
Applicant.

Verification

I, Anandi Prasad Chaturvedi, son of late Shri Barga Prasad Chaturvedi aged about 60 years retired from P.S.C and resident of E-2768, Rajaji Puram, Lucknow-226017 Pin, do hereby verify that the contents of paragraphs 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any materials/facts.

Place: Lucknow.

[Signature]
Sig. of the Applicant.

Dated: 9.1.1990

9.1.90

To,

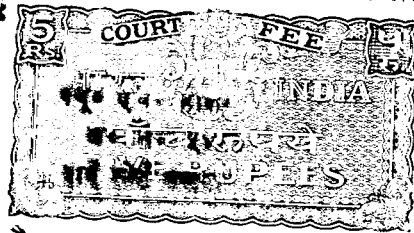
The Registrar,
Central Administrative Tribunal,
Lucknow Circle,
Lucknow.

बुधदालत श्रीमः

High Central Court, Patna

महोदय

वादी (मुद्दै)
मुद्दै (मुद्दालेह)



कालतनामा

A.P. Chaturvedi

Respondent

Sh. R. S. S. S. S.

Respondent

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

नं० मुकद्दमा ७९/१० (८) सन १० पेशी की ता० २१.५.१९९० ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री P.K. Singh

वकील

एडवोकेट महोदय

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

नाम अदालत
नं० मुकद्दमा
नाम फरीकन

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन १९९० ई०



List of the annexure.

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For consideration
of the Hon'ble
Tribunal Only.

A 1

To,

The Director General
R.D.S.O., Lucknow-11.

Sub:-Adhoc promotion for CDA.
Ref:-Deputation of Shri K.K.Srivastava
for RITES w.e.f.15.7.82.

Sir,

In reference to above I beg to state that I am now the seniormost SDA for the purpose of officiating promotion as CDA vice Shri K.K.Srivastava who has been relived for RITES on 15.7.82.

As per the existing policy for the departmental adhoc promotion the senior most SDA is considered for such promotion and as such I may please be given adhoc promotion for CDA as a present I am looking after the duties of CDA, G.E.Drawing Office w.e.f.15.7.82.

An early action is requested please.

Thanking you.

Yours faithfully,

(A. P. Chaturvedi)
SDA/G.E.Wing

For kind consideration please

DRR/GE-C

If Mr. AP Chaturvedi is Senior most SDA/G.E. wing & his work has been satisfactory on the post as SDA, He may be given adhoc promotion as CDA from 15.7.82.

SD AK Mukherjee
24.7.82

DRR/GE-C
Sd/-
on case.

Sd/-
24/7

As per

R.D.S.O.

Memorandum
Dated 19.11.82

A2

Staff Posting Order No. 509 of 1982

(15/11/82)

The following promotions and transfers have been approved by Addl. Director Research(Track) in Research Track and G.E. Drg. Offices pending selection:-

- i) Consequent upon release of Sh.K.K.Srivastava, offg. Sr. Design Asstt/DORGE wef. 15.7.82 AN on deputation to RITES, Shri A.P.Chaturvedi, Design Asstt 'A'/DORGE Scale Rs.550-750 is promoted to officiate as Sr. Design Asstt in scale Rs. 650-960 on adhoc basis w.e.f. the date he has been asked to look after the duties of the higher post or from the date he takes over charge of the higher post, whichever is earlier.
- ii) Consequent upon release of Shri S.K.Agarwal, offg. Draftsman 'A'/DORGE wef. 20.7.82 AN, on deputation to RITES, Shri A.L.Srivastava, offg. Draftsman 'B'/DORGE scale Rs.330-560 is promoted to officiate as Draftsman 'A' in scale Rs. 425-700 on adhoc basis wef the date he has been asked to look after the duties of higher post or from the date he takes over charge of the higher post, whichever is earlier.
- iii) Shri R.C. Saxena, offg. Draftsman 'A' /DORGE is transferred to DORT with immediate effect in the same capacity and posted vice Shri Basant Lal, offg. as DMB against the post of D MA.
- iv) Shri Basant Lal, offg. DMB/DORT on adhoc basis is transferred to DORGE in the same capacity and posted against the post vacated by Shri A.L.Srivastava.
- v) Shri M.S.Sondhi, offg. DMB/DORGE Scale Rs. 330-560 is promoted to officiate as Draftsman 'A' in scale Rs.425-700 on adhoc basis in the vacancy caused due to transfer of Shri R.C.Saxena to DORT.

2. The above promotions are purely temporary adhoc arrangements and will not confer on the staff concerned any right for seniority or for similar promotion in future.

3. The charge reports of the staff concerned duly countersigned by the competent authority may kindly be forwarded to Estt.I Section for record.

Da.: Nil
File No. RT/74
Lucknow 11 dt. 19-11-82

(K.K. Soni)
for Director General

Distribution

JDRT-I JDORGE-I DDORGE-I, DORT-VII JDF SO Confdl.
SOE-III (in dup) SDA/DORT SDA/DORGE, Staff concerned
P/Files.

Detd 20

11/11/82

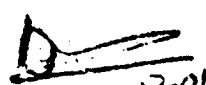
Adv.

Government of India
Ministry of Railways
Research Designs and Standards Organisation

Staff Posting Order No. 512 of 1982

The Staff Posting Order No. 509 of 1982 is treated
as cancelled.

DA/nil
File No. ART/74
Lucknow-11
Dt. 20-11-82


(K.K. Soni) 20/11/82
for Director General

Distribution

JDRT-I JDRGE-I DDRGE-I DDRT-VII JDF
SO/Confdl. SO/E-III(in dup) SDA/DORT ✓ SDA/DORGE
Staff concerned P/Files.

14.15 hrs.
Th. prsn. 20/11

844-212
11/11/82

तार : शोधमन्त्रक-लखनऊ.

Telegrams : 'RAILSTAND' LKO.

टेलीफोन

Telephone

50567 & 50071

A5



सत्यमेव जयते

पत्र संख्या

Our Reference ART/74

भारत सरकार - रेल मंत्रालय

अनुसंधान अभिकल्प और मानक संगठन

GOVERNMENT OF INDIA - MINISTRY OF RAILWAYS

RESEARCH DESIGNS & STANDARDS ORGANISATION

लखनऊ-226011-दिनांक

LUCKNOW-226011-Dated /11/83MEMORANDUM

With reference to his representation dt. 11/2/83 and 18/6/83 and Interview with DG on 5/4/83 & 1/10/83, Sh. A.P. Chaturvedi, Design Asstt. 'A' (Re-designated as Sr. Design Asstt.) G. E. Drg. Office, is advised that he can not claim ad-hoc promotion as a matter of right. It is for the administration to decide if any, adhoc promotion is at all necessary against a vacancy or not. The cancellation of ad-hoc promotion ordered vide Staff Posting Order No. 512 of 1982 was in the interest of the administration and it is not obligatory for the Admn. to indicate the reasons, therefore, to the employees.

DA: M1

N. N. Sehgal

(N. N. Sehgal)
For Director General

Sh. A.P. Chaturvedi,
Design Asstt. 'A',
Research G. E. Drg. Office,
R. D. S. O. / Lucknow.

1/11/83
1/11/83

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8 RESEARCH DESIGNS AND STANDARDS ORGANISATION
MANAK NAG R : LUCKNOW.

STAFF POSTING ORDER NO.203...OF 1986.

As a result of cadre re-structuring of Group 'C' Scientific staff in terms of Railway Board's letter No. PC-III/85/UYG/14 dated 3.7.85, Shri A.P.Chaturvedi, Sr. Design Assistant, GE Drawing office, has been found fit for promotion to the post of Chief Design Assistant in scale Rs. 650-960(RS). Consequently Shri A.P.Chaturvedi, Sr. Design Asstt., GE Drawing Office (currently offg. as CDA/GE on adhoc basis) has been promoted to officiate as Chief Design Assistant in scale Rs. 650-960(RS) w.e.f. 1.7.85 on regular basis in G.E.Drawing Office against an existing vacancy.

DA: Nil
No. ART/74
Lucknow. Dt. 30.4.1986.

N.N. Sehgal
(N.N. Sehgal)
for Jt. Director Res./G.E.

Distribution.

DR, JDR/GE, JDF, DDE-I, SC/E-III (in dup), SC/Confdl.,
ARE/GE-II, Staff concerned, P/file, Cl.III staff Assocn.
ADR/GE ADR/T

dir 45-10
77.24

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RESEARCH DESIGNS AND STANDARDS ORGANISATION

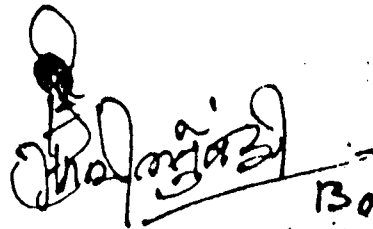
Manak Nagar, Lucknow-11

No. APB/252

Dated:- 23.3.1988

SERVICE CERTIFICATE.

1. Name Shri A.P.Chaturvedi
2. Father's name. (Late) Shri D.P.Chaturvedi
3. Caste. Hindu
4. Date of birth. 30.1.1930
5. Identification (1) 1/2" Scar on right corner of right marks, if any. eye brow. (2) 1, 1/2" x 1/2" scar on the chin
6. Department in which employed. R.D.S.O., Ministry Of Railways.
7. Period of service. Yrs. 31 Month 1 Days 20
8. Appointment when Chief Design Assistant/DOR/GE. leaving service.
9. Rate of pay on leaving Rs. 2675/- service.
10. Reasons for leaving Retired from Railway Service service. w.e.f. 31.1.1988.
11. Conduct. V. Good
12. Railway Servant's signature of thumb impression.



Bal Krishna

(Bal Krishna) 273
Jt. Director Research/GE-II
R.D.S.O./Lucknow-11

Joint Director Research
Research Designs & Standards Organisation,
LUCKNOW.

Attested

Ant. Documentation Officer (Pub) 88
R.D.S.O (MO & Iys)
Manak Nagar Lucknow-226011

Attested

9-8-A

[illegible]

Page II 5/81-45
Page I 3371.20
Total. 8552.65 09/10/00

A8c
(9/11)

Month	Day	DA	DP	CEA	1A	Total	PF	Pay	DA	DP	CEA	1A	Total	PF	Pay
Jan 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Feb 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Mar 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Apr 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
May 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Jun 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Jul 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Aug 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Sep 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Oct 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Nov 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Dec 87	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	
Jan 88	2600	208	75			2883	210	2750	220	358	75		3403.00	520.00	

Pr. reported w/ 1.6.87.

retired on 31.1.1988

7718.00 Pay 11 Apr
5781.00 11 Apr 2003
3321.00 11 Apr 2003

less in
PF difference. [on basis on PF]
3 Gratuity 25%
4 Gratuity 25%
5 Gratuity 25%
6 Gratuity 25%
7 Gratuity 25%
8 Gratuity 25%
9 Gratuity 25%
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30 Gratuity 25%
31 Gratuity 25%

1. PF 39715
2. PF 44463
3. PF 1229
4. PF 51338
5. PF 6247
6. PF 1430
7. PF 1929
8. PF 2695
9. PF 1929
10. PF 2695
11. PF 1929
12. PF 2695
13. PF 1929
14. PF 2695
15. PF 1929
16. PF 2695
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25. PF 1929
26. PF 2695
27. PF 1929
28. PF 2695
29. PF 1929
30. PF 2695
31. PF 1929

only pay difference.

PF + Gratuity
Gratuity fixed on last pay.
Gratuity and Gratuity from last pay.
13 Pension commutation 1x144.

16270.00

16270.00

16270.00

16270.00

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The Director General
RDSO/ Ministry of Rlys,
Lucknow.

(P/L) Ag. a

- Sub. Regularisation of Promotion made vide SPO No 509 of 1982 dated 19.11.82 which was cancelled by SPO No. 512 of 82 Dated 20.11.82 without any solid reason in an prejudice manner by DR.
- REF. Promotion approved by ADRT vide SPO No. 509 of 82 SPO No. 512 of 82 cancelled by SPO No. 512 of 82
3. Noting and drafting of file ART/74
 4. DR's prejudiceness as there was a court case no. WP 4442 of 82 and still facing a contempt case no C.1/84 in the Hon'ble High Court of Lucknow jurisdiction.
 5. I have been financially effected by this wrong order of DR which was contemplated alongwith JDE and the then Dy.DG Shri SK Jagdhari.
 6. My representation dated 21.3.88 on the subject.
 7. Any others relief, which is deemed fit in the case with interest upon it.
- * * * * *

Res. Sir,

In reference to above, I beg to remind your honour to very kindly look into the matter and save me from the hardship in these dear days, after my retirement by regularising my promotion as referred vide no. 1.

The following are the bare facts of the case.

1. That I have served RDSO as CDA in GE Wing, was retired on 31.1.88.
2. As per normal procedure, the Joint Director is normally the competent authority for ordering any adhoc promotion and I have already got it vide SPO No. 261 of 1981 dated 19.5.81.
3. Vide ref. No. 1 my promotion was approved by the ADRT the higher authority than the Joint Director.
4. When I along with other have submitted the joining report my controlling officer told me DR had phoned him, not to take joining report.
5. And On 20.11.82 vide SPO No. 512 of 82 dated 20.11.82 the promotion were cancelled by DR in collaboration with JDE and the then Dy.DG. Shri SK Jagdhari.
6. As the DR Dr N. Ananthanarayan have already a numbers of court cases filed by me against him for his arbitrary orders, he becomes prejudice with me and contemplated the promotion only to harm me financially as well as mentally by creating my adverse image amongst the staff.
7. On my several representation to know the reasons and interview with the DG/RDSO I got an reply Ref. ART/74 dated 11.84 that promotion was cancelled in the administrative interest, best known to DR, JDE and the then Dy.DG.
8. And after it, I have submitted a numbers of representations which were still unrelplied.
9. Still I am in opinion that my adhoc promotion order made by Shri V. Narayan Addl. DRT has been deliberately cancelled by DR in an prejudice manners. Mr V. Narayan is at present is Chief Engineer (West) of Western Railway. may please be asked for his comments on the case.
10. Therefore It is requested that a thorough investigations may kindly be arrange for the conspiracy jointly made by Dr. Dy.DG Shri SK Jagdhari and JDE shri PR Rao and do the natural justice with me by regularising my p-promotion w.e.f. 19th November 82 through which I would be eligible for getting all the financial benefit in the shape of Pay, PF, Bonus, pension, Leave encashment, commutation ets after my retirement to save me from the hard ship in these dear days.

2. 11/82
11/82
11/82

-2-

- 23 -

(4/3)

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I hope that this will convince your honour to look after the case personally and why do the natural justice with me in these dear days.

Soliciting a favourable and early action please.

I want to make it clear sir, that if a reasonable period that is 20 days from the date of receipt of this representation, the undersigned is free to move Prime Minister as well as press at your cost and consequences please.

Thanking you.

Dated 5.7.88

11

DA.

Your Faithfully.

For kindattention to

1. Shri DN Singh
DG/RDSO

2. Shri M.L.Gupta
DSC/RDSO

3. Dr. N. Ananthanarayan
DK/RDSO

A.P. Chaturvedi
ex. CDA/GC
RDSO/ Lucknow.

[Signature]
11.7.88

[Handwritten signature]

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98T/74 (Punk J). Page no. 86

SPB and SOG 98L 19
SPB and SOG 5/2 982 24

9/14

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Staff Meeting Date: no. SOG 9 1982
may be any day and treated as
convenient as the same has not been
issued in the manner of complaint
only.

FOR
HON'BLE
-Tribunal
-ONLY.

SA. Dy. P.B. SA. St. Jyodha
20/11/82

AD (7)

SA. SA. Anandaraman
20.11.82

SA. P.R. Rao
20/11/82

Pratt
D. (10) 1000