

## FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, .....BENCH

OA/TA/RA/CP/MA/PT 34/96 of 20.....

Udai Bhan Singh.....Applicant(S)

Versus

U.O.9.....Respondent(S)

## INDEX SHEET

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Certified that the file is complete in all respects.

B.C. File Weeded and destroyed

Signature of S.O.

Signature of Deal. Hand

13/6/12

(AS)

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

O.A.No. 34/1990

Udai Bhan Singh

Applicant

versus

Union of India & others

Respondents.

Shri V.C.Tripathi, Counsel for applicant.  
Shri Dinesh Chandra Counsel for Respondents.

CORAM

HON.MR.JUSTICE U.C.SRIVASTAVA, V.C.

HON.MR.K.OBAYYA, ADM.MEMBER.

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

The applicant who was appointed as Assistant Controller in the office of Director Census Operation, in the year 1970, was promoted on adhoc basis on the post of Computer on 28.1.1981. He was given an adverse remark in the year 1981 which was communicated to him on 3.9.82. The remarks were as follows:

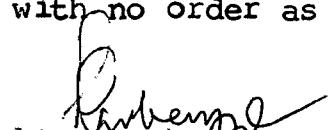
"An average worker. Needs to restrain himself in speech and behaviour." Indulged in unrestrained behaviour in speech and conduct in the office. Despite verbal warnings he failed to show improvement.

The petitioner made representation against the adverse remarks on 21.9.82 to the Registrar General of India who rejected the same which was communicated to him on 27.2.86. It appears that in between the applicant, after

a lapse of four years made representation to the Home Secretary on 30th May, 1986 and another representation was made on 2.5.89.

2. The applicant's representation was rejected. Then after a lapse of four years he made a representation to the Home Secretaty. The said representation was followed by another representation inwhich no interference was made by the Home Ministry. Thereafter, the applicant approached the Tribunal.

3. On behalf of the applicant it has been contended that the entry was communicated to him and representation rejected and the Home Ministry did not interfere in the matter. The said plea that the representation was not decided, will not extend the limitation. The application cannot be entertained as the cause of action had accrued much before. So far as the entry is concerned, only represents the factual position. It appears that after oral warning entry was given to the applicant and Registrar General considered it and did not find it fit case for expunging the same. In our opinion, the application is liable to be dismissed and accordingly it is dismissed with no order as to costs.

  
Adm. Member.

  
Vice Chairman.

Shakeel/

Lucknow: Dated: 15.7.92

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Registration No. 34 of 1980

APPLICANT(S) U.B.Singh

RESPONDENT(S) \_\_\_\_\_

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

(A2)

Particulars to be ExaminedEndorsement as to result of examination

11. Are the application/duplicate copy/spare copies signed ? *Y*

12. Are extra copies of the application with Annexures filed ? *Y*

a) Identical with the Original ?

b) Defective ?

c) Wanting in Annexures

Nos. \_\_\_\_\_ pages Nos. \_\_\_\_\_ ?

13. Have the file size envelopes bearing full addresses of the respondents been filed ? *No*

14. Are the given address the registered address ? *Y*

15. Do the names of the parties stated in the copies tally with those mentioned in the application ? *Y*

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

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

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 ? *Y*

19. Whether all the remedies have been exhausted. *Y*

dinesh/

(AS)

30/1/90

Hon. Justice K. Nath V.C  
Hon. K. D. Raman A.M.

Adm.t

Issue notice  
 List for further orders on 14.3.90

A.M. V.C

OR Shri V.K. Chanchlani  
 Issues notices on behalf  
 of C.P.S.  
 No reply filed.

S. F.O.

10.3.1990

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

L  
13/3

No one appears for the respondents.  
 It appears that office has not sent notices  
 to the respondents. Let, the notice be sent  
 to the respondents again. List it for orders  
 on

14.3.1990

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

Shri T.N. Tewari, appears for the  
 applicant. He files power. No one appears  
 for the respondents. It appears that the office  
 has not sent the notice to the respondents.  
 Let, the notice be issued again to the  
 respondents.

List it for orders on 1.6.1990.

OR  
 Notice issued  
 9/6/3/90

  
A.M.

  
J.M.

sd.

OR  
 Notices were  
 issued on 16.3.90

Dr D. Chanchlani files  
 power on behalf of C.P.S.  
 but no reply has been  
 filed.

S. F.O.

L  
30/1

OA 34790 C

• 23:8.91

No strings adj to 30.10.91

(AM)

30.10.91

No strings to D.B. adjourned

31.12.91

2

31.12.92 No sitting adj to 9.3.92

1

9.3.92

No sitting adj to 12.5.92

1

12.5.92

No sitting adj to 15.7.92

OR  
Decided  
15/7/92

OR  
P.R.A  
exchanged  
soof  
15/7/92

In the Hon'ble Central Admin.istrative Tribunal,  
 Add: Trial Bench Allahabad,  
 Circuit Bench at Lucknow,

O.A. No. 34 of 1990 (L)

Uday Bhan Singh

...Applicant.

Versus

Union of India & another ...Respondents.

I N D E X

Sl. no. upon.	Description of documents replied	page no.
1. Application.		1 11
2. Annexure A-2, Imputed adverse entry.		12
3. Postal order.		13
4. Power.		

Separate

- 5. Annexure A-1, Appointment, promotion and reversal order.
- 6. Annexure A-3, Representation against adverse entry.
- 7. Annexure A-4, Application to the Home Secretary dated 30-5-1986.
- 8. Annexure A-5, Application for promotion to Home Secretary dated 2-5-1989.

For the use in Tribunal office;	Applicant
Date of filing	through
Registration No.	( T.M. T. war ) Advocate counsel
Signature for Registrar.	for the applicant.

1  
AB

In the Hon'ble Central Administrative Tribunal,  
Add'ional Bench Allahabad,  
C. rec'dt Bench at Lucknow.

O.A. No. 34

of 1990 (L)

Uday Bhan Singh aged about 41 years, son  
of late Shri Ram Bharesa Singh, presently  
as Assistant Compiler, Census Directorate,  
U.P. Circle, 25, Newal K'shore Road, Lucknow.

...Applicant.

Versus

1. Union of India Ministry of Home Affairs,  
through Registrar General of India, Census-  
Department, New Delhi.
2. The Director Census Operation, U.P.C. Circle,  
25, Newal K'shore Road, Lucknow.

...Respondents.

DETAILS OF APPLICATION :

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

That the application is made against  
the Letter No. A/SCO-UA/CR-Adv/7 A - 5583 dated  
3-9-1982 ( Annexure A-2) thereby communicating  
an adverse entry for the year 1981 and oral

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refusal of promotion in December 1989, on the basis of the said adverse entry.

2. Jurisdiction of the Tribunal :

That the applicant declares that the subject matter of order against which he wants redressal is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation :

That the applicant further declares that the application is within the limitation period prescribed in Section 21 of the Central Administrative Tribunals Act, 1985.

4. Facts of the case :

(a) That the applicant was appointed on the post of Assistant Computer on 1-7-1970 and further promoted on adhoc basis to the post of Computer w.e.f. 23-1-1981; thereafter on completion of the task assigned, he was reverted w.e.f 12-5-1987 to his original post of assistant computer along with other various computers. The copies of these three orders are annexed.

herewith as EXHIBIT 1-1, to this application.

(b) That in the year 1982 while serving as computer he was communicated vide letter dated 3-9-1982 an adverse entry transcribed in his service document for the year 1981 without any prior warning to such an adverse entry. A true copy of the said communication is annexed herewith as

(c) That the applicant just after receiving information of such adverse entry after elapse of more than 9 months from the date of its award by respondent no.2, represented the matter before higher authorities explaining his innocence with a request to expunge the same from service document. A true copy of the said representation is annexed herewith as ANNEXURE A-3, to this application.

(d) That in the year 1982, itself the services of 118 personnel junior to the applicant were regularised and confirmed and the applicant was not at all considered on the grounds of such an illegal adverse entry.

(e) That it is very much pertinent to mention here that the applicant was neither warned nor subjected to any disciplinary action prior to such an adverse entry as such it has no legal sanctity.

(f) That the adverse entry so awarded was "An average worker needs to restrain himself in speech and behaviour," whereas the applicant had never participated in speech activities. Therefore, the question of speech does not arise at all.

(g) That this is also pertinent to mention here that in the year 1931 Mr. Ravindra Gupta I.A.S was Director who had desired applicant to bring certain woollen garment known as 'Shawl' from Kanpur Lal Yagni Mills but he had not paid the money in advance and as the money was not paid in advance the applicant could not bring the shawl and same led his annoyance.

(h) That it may be submitted that on perusal of the memorandum communicating adverse entry it can be easily seen that there is no such remark which could justify the said

adverse entry and once there is no justification or prior warning, such adverse entry could not have been considered as hindrance to the regular sat on/confirmation of services. The deprivation of service regular sat on in respect of the applicant by respondent no.2 is nothing but only plain arbitrary decision causing infringement of fundamental/constitutional rights of the applicant.

(i) That the applicant had represented the matter to the Registrar General of India which could not delineate any result. Consequently the applicant had represented to the Hon'ble Home Secretary to the Government of India but all was in vain. A true copy of the representation to the Hon'ble Home Secretary is annexed herewith as ANNEXURE A-4 to this application.

(j) That it is further submitted that when from the protected correspondence right from 1982 to 1989 nothing could be achieved by the applicant and his juniors were again promoted to the post of computer, the applicant further submitted a fresh application explaining all the facts to the Hon'ble Home Secretary to the Government of India through

proper channel on 2-5-1989 in which it was specifically requested to promote the applicant and more than six months period is elapsed but nothing has been heard from their end also. A true copy of the application dated 2-5-1989 is annexed herewith as ANNEXURE A-4 to this application.

(k) That on personal contacts with dealing concerned it is learnt that nothing will come out from respondents and there is not other way except to approach this Hon'ble Tribunal.

(l) That in the aforesaid circumstances the interference of this Hon'ble Tribunal is very much essentially invited.

5. Grounds for Relief(s) with legal position:

That the applicant being aggrieved of the illegal acts by respondents is seeking relief amongst other on the following

GROUND S

3 min 15 sec

(i) Because the adverse entry has been awarded in contravention of the existing confidential reports policy.

(ii) Because the respondents had deliberately not considered his name for regularisation and further promotion to the post of computer w.e.f. the date of promotion given to the juniors.

(iii) Because applicant was never issued any warning or cautionary letters prior to award of adverse entry.

(iv) Because the adverse entry was awarded was communicated after nine months from the date of its award.

(v) Because the adverse entry's outcome of the malice of respondent no.2.

(vi) Because the applicant had never

participated in political activities.

(vii) Because the adverse entry awarded in the year 1981 and communicated after long gap can not be taken into consideration having no effect and that too after 3 years.

(viii) Because the juniors to the applicant have been promoted after 1987.

(ix) Because the provisions of Article 14 of the Constitution of India have been deliberately violated by the respondents.

(x) Because the applicant has not been given opportunity of hearing.

(xi) Because the principles of natural justice have been fully ignored in promoting the juniors of the applicant as computer and depriving of the applicant's promotion on the

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unlawful ground, unwarranted reasoning, imaginary assessment of service rendered by the applicant and his service document, and is the result of biased and full of malice of respondent no. 2.

(xi) Because the act of the respondents is illegal, unjust, improper, against the principles of natural justice has no legs to stand and is liable to be set aside.

6. Details of remedies exhausted :

That the applicant has already exhausted all the remedies by representing before all the concerned authorities but all in vain and there is no other way out left except to approach this Hon'ble Tribunal for judicial intervention.

7. Matter not previously filed or pending before any other court.

That the applicant declares that he had not previously filed any application, wrt -

petition or suit regarding the matter in which this application has been made before any other Bench of this Tribunal nor any such application, writ petition or suits pending before any of them.

8. Relief(s) sought :

In view of the facts mentioned in para 5 above the applicant prays for the following relief(s) :

(a) That the Hon'ble Tribunal may graciously be pleased to direct the respondent to regularise the services of the applicant w.e.f. 6-10-1982 (from the date his juniors have been regularised) expunging the adverse entry for the year 1981 transcribed in the service records of the applicant and promote the applicant on the post of computer from the date his juniors have been promoted with all benefits of the post.

(b) That any other relief which this Hon'ble Tribunal may deem just and proper in the circumstances of the case.

(c) Cost of the application may also be awarded

in favour of the applicant as against the respondents.

9. Interim relief/any, prayed for:

That pending final decision the applicant prays that the respondents may kindly be directed to keep reserve one post of computer.

10. N/A.

11. A postal order sl. no. B/02-409837 dated 25-1-1990 issued from High Court Bench Lucknow Post Office for Rs.50/- is enclosed herewith as C.F.

12. List of Enclosures:

Annexures A-1 to Annexure A-5.

Lucknow, dated;

January 20, 1990.

3m/n/c

Applicant.

Verification

I, Uday Bhan Singh son of late Shri Ram Bharosa Singh, working as Assistant Compiler, do verify that the contents of paras 1 to 4 hereby ~~substantially different and exists not in~~ and 6 to 12 are true to my personal knowledge and para 5 is believed to be true on the legal advice and that I have not suppressed any material fact.

Lucknow, dated;

January 20, 1990.

3m/n/c  
Applicant.

*Uday Bhan Singh  
20/1/90  
Uday Bhan Singh  
20/1/90*

O.A No. \_\_\_\_\_ of 1990(4)

Udai Bhan Singh ..... .... ... Applicant

versus

Union of India & Another... ... ... Respondents.

ANNEXURE- A-2

No. A- /SCO-UP/CR-Adv./7

Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations, Uttar Pradesh.

6, Park Road,

Dated: Lucknow: 12, 197

M\_E\_M\_O\_R\_A\_N\_D\_U\_M

The observations reproduced below, made in his annual confidential remarks for the period 1974-75, are hereby communicated to him. The duplicate copy may be signed with date in token of having received this memorandum. He may submit his observations, within one month.

1. Health:

2. Intelligence and  
Honesty to learn:

3. Professional ability:

4. Promptness in disposal of  
work:

5. Discipline:

6. Dunctuality:

7. Relation with fellow  
employees:

8. Disprinend:

9. Other observations: An average worker. Needs to restrain himself in speech and behaviour.

(M. K. Gupta)  
Printed by: DIRECTOR OF CENSUS OPERATIONS,  
Uttar Pradesh.

Signature:

By: DIRECTOR (U.P.)

No. A-

(i)/SCO-UP/CR-Adv./7

Dated: , 197

\* The Dy. Director I/C with the  
request that one copy of this communication be served on the  
official concerned and his signature with date obtained on the  
duplicate copy which may please be returned to this office  
immediately.

(M. K. Gupta)  
DY. DIRECTOR OF CENSUS OPERATIONS  
UTTAR PRADESH.

Received on 9/10/2019

for [Signature]

ब अदालत ऑमान  
[वादी अपोलाइट]  
श्री ..... का वकालतनामा  
प्रतिवादी [रेस्पाडेन्ट]

महोदय

A29

## का वकालतनामा

टिकट

वादी (अपीलान्द)

बनाम

प्रतिवादी (रेस्पाडेन्ट)

न० मुकदमा सन् पेशी की ता० १६ ई०

अपर लिखे मुकदमा में अपनी ओर से श्री

Shri V. S. T. P. Pathi, Advocate

बकील  
महोदय  
एडवोकेट

को अपना बकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकदमा में बकील महोदय स्वयं अथवा अन्य बकील द्वारा जो कुछ पैरव्ही द ज्वाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावे या हमारी ओर से डिगरी जारी करावे और रूपया लसूब करें या सुलहनामा व इच्छाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकदमा उठावे या कोई रूपया जमा करे या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर पुक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—बकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होमा मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे बकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर १९१६

साक्षी (गवाह) ..... साक्षी (गवाह) .....

दिनांक ..... महीना - १ - - - सन् १९१६

स्वीकृत

Signature

(T. S. T. P. Pathi) (V. S. T. P. Pathi)

In the Hon'ble Central Administrative Tribunal  
Addl Bench, Allahabad  
Circuit Bench, Lucknow

O.A No. \_\_\_\_\_ of 1990(4)

Udai Bhan Singh ... ... ... Applicant

Versus  
Union of India & Another... ... ... Respondents.

ANNEXURE- A-1

File No. 100-111/  
Ministry of Home Affairs  
Central Bureau of Census Operations,  
Government of India

Dated: Lucknow: June 17, 1970

Mr. Udai Bhan Singh is appointed as Asstt  
Comptroller of census No. 10-180.

With initial salary and other allowances at  
present level, subject to the conditions laid  
down below, claiming the sum of such allow-  
ances for the term of his service on temporary basis

17/7/70 (EN) in the  
Central Bureau of Census Operations, Lodhi Road

Gankhpur.

The conditions of his service will be  
governed by the standard orders in force from time to time.

D. S. CHHABHA  
DIRECTOR OF CENSUS OPERATIONS,  
NEW DELHI

O. No. 100-111/14 of date

1. The present application for necessary action  
is to :-

2. Gankhpur as per his application for the  
posting of his office to his office No. 100-111  
15 July 1970 and 15 July 1970.

3. The concerned Director of Census Operations concerned.

(D. S. CHHABHA)  
DIRECTOR OF CENSUS OPERATIONS,  
NEW DELHI

In the Hon'ble Central Administrative Tribunal  
Addl Bench, Allahabad  
Circuit Bench, Lucknow

O.A No. \_\_\_\_\_ of 1990(B)

Udai Bhan Singh ..... .... ... Applicant

Verlag

Union of India & Another... ... Respondents.

ANNEXURE - A

11

28, 1984.

२५५ विद्युत विद्युत विद्युत विद्युत विद्युत विद्युत विद्युत विद्युत विद्युत विद्युत

1.	2.	3.	4.
1.	१११८		
2.	१११९	१११९	१११९
3.	११२०	११२०	११२०
4.	११२१	११२१	११२१
5.	११२२	११२२	११२२
6.	११२३	११२३	११२३
7.	११२४	११२४	११२४
8.	११२५	११२५	११२५
9.	११२६	११२६	११२६
10.	११२७	११२७	११२७
11.	११२८	११२८	११२८
12.	११२९	११२९	११२९
13.	११३०	११३०	११३०
14.	११३१	११३१	११३१
15.	११३२	११३२	११३२

Attn

— 1 —

(H28)

(3)

1. 1000  
2. 1000

3. 1000

$$(5) (42^{\lambda})$$

1975-12-25/83-02/first film negative 1975-12-25, 1/1

卷之三

नायक्त्वं निदेहं उपायं विद्यम् विद्यम् विद्यम्

३, राजा बिहारी राजा,  
३७३ : ३००१।  
विद्यालय, १९७८।

—::: STILET :::—

निम्नलिखित संख्याएँ वही राष्ट्रीय संख्या हैं जो भौतिक 95-1000 वर्षों के विवरणों में विद्युतीय रूप से वर्णित होती हैं।

卷之三

33-80/ठिरामीसो-स्ट्रीट- 15/11/1981

प्रतिविष्ट विषयोंकी तो वृत्तार्थ नहीं ताकः ।

१० अपनिधान लक्ष्मी ।  
 २० देव रवि लक्ष्मी ।  
 ३० लक्ष्मी लक्ष्मी ।  
 ४० लक्ष्मी लक्ष्मी ।  
 ५० लक्ष्मी लक्ष्मी ।  
 ६० लक्ष्मी लक्ष्मी ।  
 ७० लक्ष्मी लक्ष्मी ।

दीर्घ वार्षिक  
समाप्ति

O.A No. \_\_\_\_\_ of 1990(B)

Udal Bhan Singh ..... .... ... Applicant

### Verbs

Union of India & Another... ... ... Respondents.

ANNEXURE - A -

फ्रेमांक: २१-२-२२

१०८५

(10)

१४४ : भौतिकी एवं जैव विज्ञान 1981 की प्रक्रिया विविधता ।

212

जला । अब यह गंगा ने भी किम्बन्न लिहित पूर्वी धैदन लावते अमृत दूरदूर तर  
जला दूर, जिसके अपनामे में ये मुझे 'रुद्र' लागा है कि ताप गंगे प्रतिधैदन तो किम्बन्न  
जला तापमृत दूरिष्ठ है वित्तार लावते मुझे किंतु यही गर्व प्रतिधूल पुरिष्ठतांत्रों लो  
कुरुक्षुर वार देते ।

1- कि में निम्नलिखित दो लम्बन्त्र में पूर्ण उपर्युक्त तारा मरा है।

— Professional ability — Good

2. Punctuality in disposal of work - नियमित रूप से काम

to Dr. J. J. Hill

## Stimuli /

4.  $\int \sin x \, dx = -\cos x + C$

ST 421 1928

$\theta = \int_{-\infty}^{\infty} \cos(\omega t) d\omega$

111

2<sup>o</sup> कि उत्तरी देशों को जोगा तिथि में अ. 1981 में उत्तरी देशों  
की दूरी से अधिक उच्चता बना गया है। मुख्य नीतिगत अधिकारों तिथि अ. 1981  
में शुद्धिकूल प्रतिष्ठितव्यों में उल्लेखित दोषों के समान्य में इन द्वीपीय देशों  
में उत्तरी देशों की अवधि अधिक अवधि रखारे हैं जोहे द्वीपीय देशों की अवधि अधिक  
कर्मसाधी की जो दूरी से अधिक दोष दिल्ली दर्शन में नहीं जाती है तो उत्तरी  
देशों में प्रतिष्ठित प्रतिष्ठितव्यों द्वीपीय देशों की अवधि अधिक अवधि रखारे हैं। अर्थात्  
दोषों का लुप्तार दर्शन है। अर्थात् यह ऐसा दूरी की दर्शन 1981  
में नीतिक अधिकार लिखित रूप से नहीं बनाया गया। मुख्य दोष देशों की अवधि  
में नहीं।

अ- रोपते भीनान ती बुखार रह गूल्यावंश दरमे वा दरट १९ के दुर्दि निर्माणी ग- वर्ष १९। ती प्रविष्टिराँ स्थित बनुरुद्दि दिन लाधारे र्ख सामान्य न्याय के प्रतिकूल है। जाग न वेवल यिमागाद्यक्षे र्ख उस्स ए नम्माननीय

जानकी ने यह लालूरी स्त्री भी है जिसे राधे ने नाना भी लूँा है।  
जो दूरी नहीं रहती है वही लालूरी दृष्टि तेरे दृष्टि तेरे लालूरीन  
मिल जाएगी जो लालूरी दूरे भेरे साथ चाल रहे हैं ।

भद्रदीत,

१२११८५६  
६ अक्टूबर १९५६  
लालूरी,  
लकगांव राजस्थान,  
गोपनीय लालूरी ।

१२११८५६

In the Hon'ble Central Administrative Tribunal  
Addl Bench, Allahabad  
Circuit Bench, Lucknow

O.A No. \_\_\_\_\_ of 1990(B)

Udai Bhau Singh ..... .... ... Applicant

Versus  
Union of India & Another... ... Respondents.

ANNEXURE - A

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(23)

॥ ६ ॥ अपिल ॥ विवरण तंत्र ॥  
महारथ वराहार, युद्धमंत्र तंत्र ॥  
कृष्ण ॥ उद्दली ॥

SCHOLARSHIP IN TURK

ମହାତ୍ମା ଗାନ୍ଧିଜୀ କେବଳ ମନ୍ଦିର କୁ ନାହିଁ ବୁଝିଲୁ ଯୁଧେନ୍ଦ୍ର  
କେବଳ କାମି

- 2 -

ग्राही उम्मलिङ्गित ग्राह्यों के अवधार पर ग्राहे विचारार्थ रूपी त्रैमित्रा एवं रठा है जिसमें यह स्पष्ट हो जायेगा कि विश्वामीष विद्यिकारियों वारा व्याय एवं वक्ता घोट पर तेरे ग्राह लिये तरह एवं ब्रह्मव्याय किया जाया

— ੴ ਯਹ ਫਿ ਜਕਭਾਗਾ ਬਿਵੇਸ਼ਾਤਿ. ੩੦੫੦, ਤਾਂਡੂਲ ਵਿਕਾਂ ੩। ੧੨। ੧  
ਨੰ ੧੧੮ ਦੰਖਾਣੋਂ ਤੋਂ ਬਿਵੇਸ਼ਾਤਿ ਆਧਾਰ ਪਰ ਸ਼੍ਰੋਵਤਿ ਵੀ ਵੱਡੇ ਵਿਸ਼ੇ ਯੇਦਾ  
ਹਾਤ ਲਈ ਧਾ ਕੌਰ ਜਕਿ ਬਿਵੇਸ਼ਾਤਾ ਸੂਖੀ ਮੈਂ ਯੇਦਾ ੧੦੮੦ ਤੋਂ ਸੰਖਾ ੨੪ ਪਰ  
ਤੋਂ ਕੇ ਫਲਦਵਲ ਵੰ ਸ੍ਰੀ ਬਿਕਾ ਕਿਥੀ ਪ੍ਰਵੰ ਸੂਖਤਾ ਏਥੰ ਲਾਰਣਾ ਕੇ ਵਿਵੇਸ਼ਾਤਿ ਕਰਨੇ  
ਕੇ ਬੰਧਿਤ ਹਦ ਦਿਖਾ ਯਥਾ ।

2- ਯਹ ਕਿ ਬਿਵਨਿਤੀਕਰਣ ਵੀ ਪ੍ਰਕਿਵਾ ਪ੍ਰਵਾਦ ਕਰਕੇ ਹੈ ਪਹਿਲੇ ਸੁਖੀ ਕਿਵੇਂ ਕਾਨੂੰਨ, ਬਲਭਾਗ ਦੇ ਅੱਕੜਾ ਸੰਫਲਾ 7983 ਦਿਕਾਂਕ 3.9.82 ਵਾਰਾ ਮੇਰੀ ਪ੍ਰਕਿਵਾ ਸੁਖੀ ਕਿਵੇਂ ਸੁਧਿਤ ਹੀ ਨਹੀਂ ਥੀ। ਅਤਿਲਿਪਿ ਸੰਤੁਤਾ ਜਿਥੋਂ ਨਹੀਂ ਹੈ ਸਤਰ

3- विवारणीयों द्वारा मुझे अचली शून्यिष्ट वी वह छिन्नु चाहीशा है उम्मीद तटकातीव बिदेशाव द्वारा लालम 9 में बिस्त शून्यिष्ट गंकित कर दी गई है । An average worker needs less restriction  
of speech and behaviour

विवारणीय है कि 1981 वी प्रतिकूल शून्यिष्ट मुझे 9 माह दे द्वारा देता है जो भारत सरकार के विषयों के विषयों है । वही दोषकालीन 21010/77स्थान दिनांक 30.1.1978 में सष्ट बिदेशी है कि प्रतिकूल शून्यिष्ट विषयों के एवं वार्ता के अद्वित रुपित कर दी जाए ।

3- यह कि वर्ष 1970 से अब तक मेरा कार्य एवं जावराना उन्नीस अचला द्वारा लालम वर्ष 1981 में उक्त तरह की शून्यिष्ट देता रहित मुझे डांगड़ाहित किया जाता जो तटकातीव बिदेशाव है एवं जावराना का परिपावण है । विवारणीय है कि वर्ष 1982 से वायातिथि तक मुझे जोहर प्रतिकूल शून्यिष्ट बहीं दी गई है ।

4- यह कि जनमण्डला बिदेशावक्य में बहुत के विवारणीयों को प्रतिकूल शून्यिष्ट वी वह की बहुतों के विस्त विभागवी जांच और्वपाही जी वली और उन्हें दोषी जाये जाए पर एपिकल शी दिया जया छिन्नु जा जानी हो दियगित प्रौद्योगिकी प्रशासन दर वी वहैदेवल मेरा जाम ही विभागवी प्रौद्योगिकी विभागवी हीं रक्षा ज्ञात जो तटकातीव तिवैराक द्वारा मुझे दरेशाव दरले की साधित ता प्राप्त है । जिस विवारणीयों दो ऐसा किया जया उन्हें जाता लक्ष्मी जैवकार्य, हीरा जा. 140000000 शीघ्रातय, जी राम मुझे, ग्रामोदय जित्रा एवं जाती 10 शीघ्रातय के जाग फ्रुष्ट है जिसकी जांच की जा सकती है ।

5- यह कि मार, जरकार के विषयों के गठनकैत यह जावश्वकीव यह कि मेरे द्वारा दिनांक 22.9.82 को प्रैरिक किये जाये प्रतिवेदन पर विवार किया जाता हौर तो तीक्तम रूप देते । जाम ही मुझे विषयगती-हरणा के वीपेत किया जाता छिन्नु ऐसा केरे जामले । उन्हीं किया जया इसपर सष्ट है कि मेरे साथ प्रशासन द्वारा किस प्रकार विषयों की गठनकैत करेके मेरेमे शून्यिष्ट के साथ वित्तवाह किया जया ।

6- दूसिंह ने विभागवी अधिकारी मुझे दरेशाव करते हैं जिसे उन्हें किया है जीर मुझे बुक्काल जहाजाव बाहते हैं ज्ञातः ने जामके यही जो जाम है । जी जामके जिसकार्य अधीन जामके यही जामके जामके जामके

11 3 11

## करता है:-

1- दु कि वष' 1981 की वरिक पंजिका के बातम 9 में  
वी गी दृष्टिकोंट दो विवरण दर्शे ही दृष्टा हैं ।

2- दु कि इत्थी दो दंष्टां पर विधित गोबंवति  
दिनी 6.10.82 ऐ दृष्टा ही गावधीर गोरा ताम पंष्टां शेणी  
वी वरिकोंट दृष्टी देश कं 47 24 पर देश दर्शना दाय ।

मा: दृष्टा अमितेषों ही ग्रतिवाँ दृष्टां प्रस्तुत दर्ते दुए अद्वा  
करता है कि दीदात देरे दाय दाय करें एवं भारत है दहा रजिस्ट्रार  
लंक दिल्ली हो उद्दित गोदेश गारित दर्ते ही दृष्टा रहें ।

हे दृष्टा गोवद्वा भारतो रहूमा ।

मूलदीक्षि,

दृष्टा

। उद्यम भारत चिंह ।

दृष्टां दृष्टा दृष्टा, 2<sup>o</sup> दृष्टा दृष्टा दृष्टा, 2<sup>o</sup> दृष्टा दृष्टा दृष्टा  
रोड, लंबुल ।

दृष्टां दृष्टा दृष्टा लो सूधदार्थ एवं ग्रामदण्ड दावदाठी  
दृष्टा दृष्टा:-

1. गोवद्वा ग्रति गावधीर दृष्टा दृष्टा, भारत दृष्टा, दृष्टा दृष्टा, दृष्टा  
दृष्टा ।

2. भारत हे दृष्टा रजिस्ट्रार, 2 ए दृष्टा दृष्टा दृष्टा, दृष्टा दृष्टा ।

3. गावधीर ही दृष्टा दृष्टा दृष्टा दृष्टा, दृष्टा दृष्टा दृष्टा, दृष्टा दृष्टा,  
दृष्टा ।

दृष्टा दृष्टा  
। उद्यम भारत चिंह । ३/११६

दृष्टा दृष्टा दृष्टा दृष्टा दृष्टा

दृष्टा दृष्टा दृष्टा दृष्टा दृष्टा  
2<sup>o</sup>, लंबुल दृष्टा दृष्टा दृष्टा ।

इन दिं आनरेब्लू डार्क सेटल एहमिनीटेटिव ट्रिबुनल,  
सडी० बैन्च, हलाहाबाद  
सर्किट बैन्च, लखनऊ ।

ओ० स० नं०

आफ १९०

उदय भान सिंह ..... अपर्नैकैष्ट  
नाम

पूर्विक्यन आष हीण्ड्या स्थान अद्दस ..... रेस्पान्डेन्ट्स

स्नेजर नं० - "ए-५"

सेवा मैं,

श्रीमान गृहि संधिव महोदय,  
भारत सरकार गृह मंत्रालय  
नई दिल्ली ।

उचित माध्यम द्वारा

विष्यः पदोन्नति स्वं चौरित्र पंजिला मैं नी गई<sup>०</sup>  
प्रतिकूल प्रतिष्ठान दर्श १९८ ।

महोदय,

१:- सविन्य निवेदन है कि प्रार्थी १९७० से सहायक संकलन कर्ता  
पद पर जनगणना विभाग मैं सेवारत है तथा प्रारम्भ से आज  
तक प्रार्थी के किसी प्रकार की पेतावनी तक नहीं दी  
गयी है ।

२:- यह कि प्रार्थी दर्श १९८ । से संगणक के पद पर पदोन्नति  
किया गया तथा १९८७ मैं पदावन्ति ले दी गई परन्तु  
प्रार्थी अपने भाग्य का दोष मानकर चुप रहा ।

३:- यह जिबना आत्मशयल है कि प्रार्थी ला नाम दर्श १९८२ मैं  
नियमित लरने हे जिस दी नदी रहा गया पर्णामस्त्रय  
प्रार्थी तो नियमित नदी किया गया परन्तु प्रार्थी मे नृपत्य  
लोगो वो खिले नियमित अवश्य किया गया जिनकी हुज

लिखा गया

संख्या ॥८ धी। इस नियमितीकरण ली सूचना भी प्रार्थी को नड़ी मिली और पता लगाने पर मालूम हुआ कि प्रार्थी की चरित्र पंजिका में प्रतिकूल प्रौद्योगिक के कारण उसला नाम नड़ी जोड़ा गया।

4:- यह कि ऐसा स्पष्ट है कि प्रार्थी तदर्थ रूप में प्रोन्नति संकणाक पद पर ।९८। से ।९८७ तक से बाहर रहा जिसमें किसी भी प्रकार भी चेतावनी तक भी नहीं दी गई।

5:- यह कि प्रार्थी के साथ तदर्थ प्रोन्नति तत्पश्चात पदालनीति किये गये कई बूनियर लोगों लो पुनः संयोग पद पर प्रोन्नति कर दी गई और प्रार्थी लो उससे लंचित लर्द दिया गया। जिसका मुख्य कारण यह ।९८। ली प्रतिकूल प्रौद्योगिक बतायी गयी।

6:- यह कि प्रतिकूल प्रौद्योगिक प्रधात इन्हें है व्योगिल यह १ माह पश्चात सूचित जी गयी तथा यह प्रौद्योगिक बिना किसी पूर्त चेतावनी के की गई जो कि सर्वदा नियम विरुद्ध है।

7:- यह कि प्रार्थी बहुत ही दृष्टिगति विकासित है व्योगिल अनेकों पत्राचार होने पर भी प्रार्थी की प्रौद्योगिक रद नहीं की गयी। साथ ही सदैव यही कहा जाता कि तत्कालीन सम्बन्धित अधिकारी वे पास से अभी तक हुए नहीं आया। कुछ दिन प्रतीक्षा की और की जाय।

8:- कि ऐसा कि प्रार्थी वे बूनियर पुनः प्रोन्नति पाये हैं, अतः प्रार्थी लो भी प्रोन्नति का जाप मिला चाहिए।

9:- यह कि यह स्वयं सिद्ध है कि प्रार्थी नी चरित्र पंजिला में ।९८। ली प्रतिकूल प्रौद्योगिक ।९८९-९० में प्रधातशासनी नहीं मानी जा सकती, ऐसी परिस्थिति में प्रार्थी लो प्रोन्नति

-५-

दिन 13.5.1987 से ली गयी। अन्यथा प्रार्थी ने याम  
लोह दूसरा तिळन्य नहीं है और प्रार्थी बाध्य होने  
माननीय हेन्द्रीय प्रशासनिक अधिकरण में न्याय हेतु  
प्रार्थना पत्र देगा।

### प्रार्थना

अस्तु उपरोक्त तथ्यों के आधार पर महोदय से निहेदन  
है कि प्रार्थी की संग्राम पद पर प्रोन्नति के आदेश अविलम्ब पारित  
करने की कृपा करें। प्रार्थी आजम्म आभारी रहेगा।

### प्रार्थी

बृ - अपत्नीय

दिनांक- 2.5.1989

। उदय भान सिंह ।

सहायक संकलक

लार्याज्य निदेशाल जनगणना  
25, नट्ट लिपांग रोह,  
लुंनउ।

### सत्य-प्रतीतीतीप

*लार्याज्य निदेशाल*

(1132)

In the Hon'ble Central Administrative Tribunal  
Circuit Bench, Lucknow

O.A.No. 34 of 1990 (L)

Udai Bhan Singh ----- Applicant  
Versus  
Union of India & others ----- Respondent

.....

Counter Reply on Behalf of Respondent

I, Virendra Kumar aged about 57 years, son of  
Sri Krishna Nand Saxena, Assistant Director, Census  
Operations, U.P., Circle, 25 Nawal Kishore Road, Lucknow  
do hereby solemnly affirm and state as under :-

1. That the officer above named is competent to file  
the counter reply on Behalf of the Respondents.
2. That the officer above named has read the petition  
filed by Sri Udai Bhan Singh and has understood the  
contents thereof.
3. That the officer above named is well conversant with  
the fact of the case deposed hereinafter.
4. That it will be birth while to give a brief history  
of the case as under :-

Brief History

The petitioner was appointed as Asstt. Compiler in

..... 2/-

Virendra Kumar

the office of the Director of Census Operations on 17.7.70. He was promoted on adhoc basis on the post of Computer on 28.1.81. The petitioner while working as adhoc Computer was given the following adverse remarks in his Annual Confidential Report for the year 1981 which was communicate to him vide letter No. A-/SCO-UP/CR-Adr/7/A-5583 dt. 3.9.82.

"An average worker. Needs to restrain <sup>himself</sup> in speech & behaviour" "indulged in unrestrained behaviour in speech and conduct in the office. Despite several warnings he failed to show improvement". The then Director of Census Operations, therefore had to warn in the Annual Confidential Remarks of the year 1981. The adverse remarks were communicated to the petitioner on 3.9.82. The petitioner made representation against the adverse entry on 21.9.82 to the Registrar General, India, Who after due consideration rejected the representation. The orders of Registrar General, India were communicated to the petitioner vide letter No. 23/11/83-Ad.I(Pt11) dt. 27.2.86.

The petitioner after a lapse of above 4 years made a representation to the Home Secretary, Census, Ministry of Home Affairs, Govt. of India, New Delhi on 30.5.86 for expunging the adverse entries given to him in 1982. The said representation was followed by another

*Venil Kumar*

(134)

-: 3 :-

Representation dt. 25.5.89 addressed to the Home Secretary, Govt. of India, New Delhi.

The present petition has been against the adverse entry given to the petitioner for the year 1981 which was communicated to him vide letter No. A/SCO-UP/CR-Adv./7A-5533 dt. 3.9.82. It has been prayed that the Hon'ble Tribunal may issue necessary directions for expunging the adverse entry for 1981 and promote him on the post of Computer from the date his junior have been promoted. The petitioner has not indicated the name of such persons, and neither these persons have been impleaded in the present petition.

Para wise Comments

5. That the contents of para 1 of the petition need no comments. It is however stated that there had been no promotion to the grade of Computer from the grade of Asstt. Compiler in December 1989. The petitioner is at present working as Assistant Compiler.
6. That the contents of para 2 need no comments.
7. That in reply of para 3 it is submitted that the petition is barred by limitation under Sec. 21 of the Central Administrative Tribunal Act, 1985. The petitioner has prayed for expunging the adverse entry of his Annual Confidential Report for the year

Yours sincerely,

.....4/-

1981 which was communicated to him as long back as 3.9.82.

8. That the contents of para 4(a) are admitted.
9. That with regards to the averments made in para 4(b) only this much is admitted that adverse entry in his Annual Confidential Report for 1981 was communicated to him vide letter dt. 3.9.82 Rest of the contents are denied.
10. That with regard to contents of para 4(c) only this much is admitted that the petitioner has submitted a representation to the Director, Census Operations, Lucknow against the adverse remarks in his A.C.R. for 1981.
11. That in reply to para 4(d) it is submitted that the petitioner's case was duly considered by the D.P.C. for promotion to the post of Computer.
12. That in reply to para 4(e) it is stated that there is nothing on record to indicate that a written warning was issued to him or any disciplinary action was taken against him.
13. That in reply to para 4(f) it is stated that the adverse entry was based on overall assessment of performance of the applicant including his behaviour with his superior,

.....5/-

*Ferid Huss*

14. That the comments of para 4(g) are not in the knowledge of the deponent hance no comments are offered. But why did the applicant not complain against the Director when the incident occurred. On mention about it has been made in representation either. To make such allegation at the back of the officer and that too after ~~wait~~ about nine years is highly undesirable, mischevious and uncalled for.
15. That in reply to contents of para 4(h) it is stated that the petitioner was an average worker. He needed to restrain himself in speach and behaviour. The entry was recorded when the petitioner failed to show improvement despite oral warnings.
16. That in reply of para 4 (i) and 4(j) it is stated that after rejection of his representation by the Registrar General, India, Census, New Delhi vide Letter dt.27.2.8 the only proper forum where the petitioner should have agitated the matter was the Hon'ble High Court. But the petitioner failed to apporced the Hon'ble High Court for relief. An appeal to the Home Secretary after a lapse of four years was a futile exercise.
17. That in reply to the contents of para 4(k) and 4(l) it is stated that at this belated stage, when the petitioner is time barred, it is liable to be dismissed by the Hon'ble T ribunal also.

*Final Verdict*

-:6:-

18. That the "grounds" indicated in para 5 of the petition have been adequately discussed in the above paragraphs

19. That the contents of para 6 and 7 need no comments.

20. That in view of the submission made in the above paragraphs, the relief sought for in para 8 and interim relief prayed for in para 9 of the petition are not admitted. a.missible.

21. That the contents of para 10 to 12 need no comments.

Wherefor, it is respectfully paryed tha in view of submissions made in above paragraphs, the petition is not tenable in facts and law; it lacks merit and is liable to be dismissed with cost.

Lucknow;

Dated : 31-5-90

*Tiru Devi Kumar*

Respondent.

VERIFICATION

I, the above named Respondent do hereby verify that the contents of paragraphs 1 to ...3.....of this Counter Reply are true to the best of my personal knowledge those of paragraphs...4.5.6.7.8.....are true based on records and the contents of paragraphs.....are believed by me to be true on the basis of legal advice. That nothing material fact has been concealed and no part of it is false.

Signed and verified this the...31/5/90 day of May 1990 within the Court Compound at Lucknow.

Lucknow ;

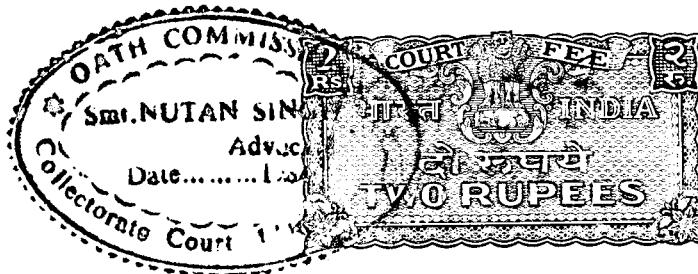
Dated : 31-5-90

*Tiru Devi Kumar*  
Respondent,

(A38)

In the Hon'ble Central Administrative Tribunal,  
Additional Bench, Allahabad,  
(Circuit Bench, Lucknow )

—  
O.A.No.34 of 1990 (L)



Udai Bhan Singh. .... Applicant.  
Versus.  
Union of India and others. .... Respondents.

—  
Rejoinder to Counter Reply.

OATH COMMISSION  
Smt. NUTAN SINGH  
Advocate  
Date 8/1/1991  
Collectorate Court

I, Udai Bhan Singh aged about 41 years, son of Late Shri Ram Bharosa Singh presently working as Assistant Compiler, Census Directorate, U.P. Circle 25 Newal Kishore Road, Lucknow, do hereby solemnly affirm and state on oath as under:-

*Rejoinder  
8/1/91*

1. That the deponent is the applicant/petitioner in the above noted case and as such he is fully conversant with the facts deposed to below.
2. That the counter reply filed by the

*U. B. Singh*

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A31

- 2 -

respondents has been read over and explained to him and he is giving the parawise reply of the hereinafter.

3. That contents of paragraph 1 to 3 of the counter reply needs no reply.

4. That the contents of paragraph no.4 of the counter reply is highly beleted and misguiding hence not accepted as such. It is wrong to say that the applicant was orally warned by the authorities not to indulge himself in speech and behaviour. In fact the petitioner was performing his duties peacefully and he has been victimized due to the malafide with respondent no.2 since he could not give him a 'Sawl' as per his desire. The adverse remark in the annual confidential report of the petitioner/applicant for the year 1981 was communicated to the petitioner after a lapse of <sup>9</sup>/<sub>4</sub> months which is <sup>against</sup> ~~contrary~~ the rules and regulation of the employees of the government of India. After recieving the adverse remark on 3.9.1982 the applicant/petitioner performed an representation to the Director Census Operation Uttar Pradesh on 21.9.1982 against which the applicant received a letter dated 1.7.1983 by Joint Director that his representation could not be considered since the Director Census Operation was gone from the office of the Directorate Census



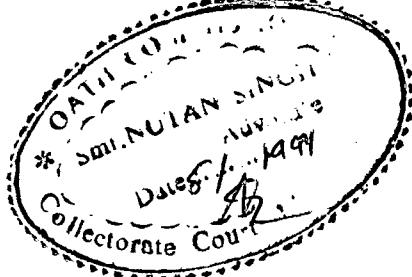
*W.S. Singh*

(10)

Operation Uttar Pradesh. The Photocopy of the letter dated 1.7.1983 issued by the Shri N.L. Gupta ( Joint Director Census Operation is annexed herewith as marked Annexure No.R-A-1 to the affidavit. It is wrong to suggest that the petitioner had represented the matter directly to the Registrar ~~Census~~ General of India (hereinafter R.G.I) but trully speaking the petitioner has represented to the R.G.I. on 11.8.1983 after recieving the reply by Joint Director Census Operation as contained in Annexure R-A-1. The Photocopy of the representation dated 11.8.1983 to the R.G.I. is annexed herewith as marked Annexure No.R-A-2 to the affidavit.

5. That the said representation to the Registrar General of India, was decided on 4th March 1984 in where it was observed that the representation made by the applicant/petitioner is time barred hence rejected. The Photocopy of the letter dated 4.3.1984 by the Assistant Director ( Office of the Registrar General of India, New Delhi rejecting the representation of the petitioner dated 11.8.1983 is annexed herewith as marked Annexure No.R-A-3 to the affidavit.

6. That against the petitioner/applicant sent a letter dated 2.5.1984 to the R.G.I. New Delhi through proper chanal explaing the correßpondence done by him with the officials



- 4 -

and sufficiently explained the reasons of the representation dated 11.8.1983 that how and in what circumstances it could not be filed in time. The photocopy of the letter dated 2.5.1984 to the R.G.I New Delhi indicating the memo of the earlier correspondence one by the petitioner with his authorities is annexed herewith as marked Annexure No.R-A-4 to the Affidavit.

7. That after receiving the letter of the petitioner as contained in R.A.4 the office of the R.G.I. New Delhi has flatly refused without giving any cogent reason. The photocopy of the letter dated 11.3.1986 send by Assistant Director Census Operation U.P. in pursuance ~~ex~~ to the letter No. 22.11.1983 Ad. Ist ((PT & II) dated 27.2.1986 for the office of the R.G.I. rejecting the second re-presentation of the petitioner/applicant is annexed as marked Annexure No. R.A.5 to the affidavit.

8. That when the petitioner moved the classification letter dated 2.5.1984 explaining that his representation was not time barred the office of the R.G.I. rejected his representation Agent that on 30.5.1986 the petitioner filed an appeal to the Home Secretary Ministry of Home Affairs without any delay when he could not get any reply for a considerable period he again send

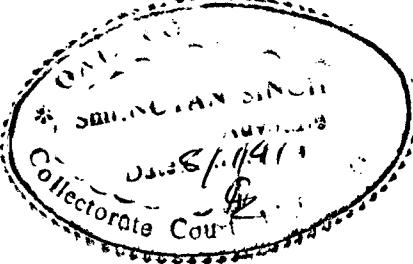


a reminder to him dated 2.5.1989. The photocopy of the appeal to the Home Secretary dated 30.5.1986 and the true copy of the reminder in continuation of the appeal has already been filed by the petitioner in his original application as Annexure No.A-4 and A-5 to the application. The Annexure No.A-1 of the original application shows that during the ad-hoc promotion on 28.1.1981 the name of the petitioner was placed at serial No.3 but the promotion list dated 31.12.1982 shows that the name of the petitioner is not appearing but it ought to appear at serial no.24. The promotion list dated 31.12.1982 from Assistant Compiler to the post of Computer which was given effect to 6.10.1982 is annexed herewith as marked Annexure No.A-6 to the affidavit.

9. That in respect to the paragraph no.5 of the counter reply it is stated that the regular departmental promotions were made vide annexure A-6 to this affidavit is dated 31.12.1982. While drafting the original application due to typing error it could have been written December.1989 but it is December, 1982, therefore it may kindly be corrected and be read as December, 1982.

10. That the contents of paragraph no.6 of the counter reply need no comment.

11. That the paragraph no.7 of the counter-



*W.Singh*

reply is not admitted and in this behalf the paragraph no.3 of the original application is reasserted. In this behalf it is submitted that the petitioner has approached to this Hon'ble Tribunal after exhausting all the remedies and without any delay so the application is under limitation and liable to be allowed.

12. That the paragraph no.8 of the counter-  
reply need no comment.

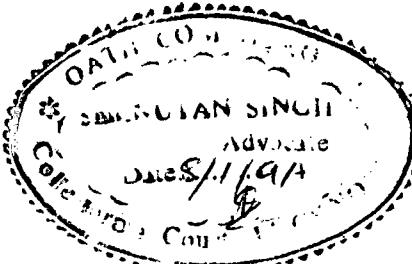
13. That in respect to the contents of paragraph no.9 of the counter reply the paragraph no.4(b) of the original application is reiterated.

14. That in respect to the paragraph no.10 of the counter reply the paragraph no.4(c) of the original application is reiterated.

15. That in respect to paragraph no.11 of the counter reply the paragraph no.4(d) of the original application is reiterated.

16. That the contents of paragraph no.12 of the counter reply are the merely admission of the paragraph no.4(d) of the original application hence need not reply.

17. That the contents of paragraph no.13 of



*Verdict*

of the counter reply is not admitted and in this behalf paragraph no.4(f) is reasserted.

18. That the contents of paragraph no.14 of the counter reply is not admitted and paragraph no.4(g) of the original application is reasserted.

19. That the contents of the paragraph no.15 of the counter-reply is not admitted and paragraph no.4(h) of the original application is reiterated. In this behalf it is submitted that prior to award of the adverse entry the petitioner was neither been subjected to any disciplinary proceedings nor he was warned in writing or in by oral means. The adverse entry was awarded in a very arbitrary and discretionary manner which is liable to be quashed.

20. That the contents of paragraph no.16 of the counter reply is not accepted as such. In fact the original application is neither barred nor it requires to be filed before the Hon'ble High Court. It is wrong to say that the appeal to the Hon'ble Secretary was filed after a lapse of four years but it is said ~~xx~~ during this period the petitioner was marking the representations to the higher authorities.



21. That the contents of paragraph no.17

*W.Singh*

of the counter reply is not admitted and in this behalf the paragraph no.4(k) and 4(l) are reiterated. In this behalf it is submitted that the petitioner is not time barred and is liable to be intimated by this Hon'ble Tribunal.

22. That in place of paragraph no.18 of the counter reply the paragraph no.5 of the original application is reasserted.

23. That the contents of paragraph no.6 and 7 are need not to correct. <sup>Ans</sup> reply.

24. That the contents of paragraph no.20 of the counter reply is not admitted and paragraph no.8 and 9 of the original application is reasserted.

25. That in respect to paragraph no.21 of counter reply the paragraph no.10 and 12 of the original application is reasserted. In this behalf it is submitted that the adverse entry communicated to the petitioner after a lapse of 9 months deserves to be quashed and the petition deserves to be allowed throughout with cost to the opposite parties.

Lucknow; Dated

8. 1. 1991.

  
Applicant. (Deponent)

- 9 -

### Verification.

Nothing material fact has been concealed.  
and no part of it is false. So help me God.

Lucknow: Dated

— 1 ,1991.

Deponent/Applicant.

Signed and verified this the      day of  
1991 within the court compound at Lucknow.

Lucknow; Dated

8.1.1991.

*(V.S.Tripathi)*

Advocate,

solemnly affirmed before me in my office to-day  
at 11.30 A.M. by Sardar Niranjan Singh  
who is identified by Shri N.S. Tuli, Police Airt  
clerk to Shri ...  
I have satisfied myself by examining the  
deponent that he understands the contents  
of this statement which he has read and  
explained to me. I further declare that this is true.  
Nutan Singh  
Advocate

Smt. NUTAN SINGH  
Advocate  
Collectorate Court, Bucayaw.

in the Central Administrative Tribunal  
1st Bench (Delhi) (C.Bench)  
C.A. No. 34 of 1982  
Vidhan Sabha vs. -- Appellant  
Union of India -- Respondent  
(प्रभु)

Annexure R.A. - 1

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पत्रांक: एई/ डी०सी०ओ०-य०षी०ए० २६६।

भारत सरकार  
गृह मंत्रालय  
कार्यालय निदेशक जनगणना परिचालन, उत्तर प्रदेश  
प्रशासनिक अनुभाग

25, नवल किशोर रोड,  
लखनऊ : २२६००१  
दिनांक: २५/७/१९८३  
उत्तर प्रदेश

-:: कार्यालय जाप ::-

वर्ष १९८१ की प्रतिकूल प्रविष्ठि के निरस्त करने के बाबत  
उनके प्रत्यावेदन दिनांक २१.९.८२ के सन्दर्भ में श्री यू० बी० सिंह,  
संगणक को सूचित किया जाता है कि निदेशक जनगणना के कार्यालय  
से चले जाने के उपरान्त उनके प्रत्यावेदन पर विचार किया जाना  
सम्भव नहीं है।

✓ एन० एल० गुप्त  
संयुक्त निदेशक

श्री यू० बी० सिंह,  
संगणक।

Ans  
Date 1.7.83

in the Central Administrative Tribunal  
Fifth Bench Directorate (C.B. Directorate)  
C.A. No. 54, of 1982  
Vidya Bhawan, 2nd Floor  
Urmila Lal & Others -- Appellant  
Urmila Lal & Others -- Respondent

Ans

Annexure A - 2

11.8.83

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18

To

The Registrar General, India,  
2/A, Manzil Road,  
New Delhi-110011.

Through Proper Channel.

Subject: Exemption of adverse remarks in the character roll of Sri U.B. Singh for 1981 and regularization on the post of Computer.

Sir,

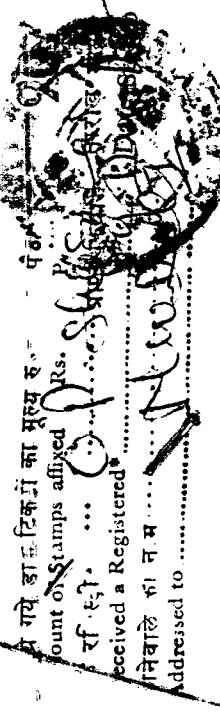
Respectfully I submit that I was appointed as Assistant Compiler in the scale of Rs. 250-400 w.e.f. 1.7.1970 and was promoted as Computer on adhoc basis w.e.f. 1.2.1981 in accordance with my seniority and suitability. According to departmental seniority list my name stands at No. 24 amongst the Assistant Compilers.

2. That as many as 118 adhoc Computers were regularised by the Director of Census Operations vide his order No. AE/DCO-P/R-9807 dated 31.12.82 but unfortunately my name was excluded from the above list without communicating any reasons for the same.

3. That some adverse remarks not concerned with my work and suitability were communicated to me vide letter No. A./SCO-IP/CR-Adv./75583 dated 3.9.1982 (copy enclosed).

4. A perusal of the copy of the report will reveal that the reporting officer under whom I was working has given good remarks but the Director himself has commented on my speech and behaviour. In this connection I have to submit that during entire period of my service I was never given any warning written or verbal from any officer in this regard. I am, therefore, feeling that this is the result of motivation from certain interested person who may have fabricated false and baseless bias against me and have compelled the Director to record such baseless remarks in my character roll.

पारेवाले अधिकारी के हस्ताक्षर  
Signature of Receiving Officer



5. That just after the receipt of the adverse remarks I represented against them vide my letter dated 22.9.1982 (copy enclosed) But to my utter surprise my name was excluded from the order of regularisation dated 31.12.1982 pending disposal of my representation.

6. That according to the existing orders/instructions of Govt. in this regard no adverse view of such remarks may be taken unless the representation, if any, against such remarks is finally disposed off.

7. That I represented for restoration of my name in the list of regular candidates vide my letter dated 7.1.83. After continuous pursue and reminders I have been communicated vide Joint Director's letter No. AE /000-4/A-2661 dated 1.7.83 (copy enclosed) that nothing can be done on my representation as the Director of Census Operations, U.P. has been transferred.

8. That the reply dated 1.7.83 from the Joint Director is sufficient proof to prove that they have recorded adverse remarks without any basis and that my name has been excluded from the list of regular Computers deliberately due to some bias.

9. Since the local administration is biased and has been trying to harm me baselessly I have no option but to approach you sir for redress of my genuine grievances and pray that :-

- (1) The adverse remarks recorded in my Character Roll be expunged.
- (2) I should be regularised on the post of Computer and my name be restored at proper place (No. 24) of the list according to my seniority.

I may assure you sir that had there been any hope for justice from the local administration I would have been most reluctant to bother you with this small matter. Having every faith in your kind honour I request you to kindly consider my case on merits and favour me with your kind orders on the above two points.

Yours faithfully,

W. B. Singh  
(U.E. SINGH) 11/8/83  
COMPUTER UCO UP LAU.

valmiki  
- 824/11  
11-8-83

3  
A50  
Shri Udai Bhan Singh  
Computer  
Directorate of Census Operations  
Uttar Pradesh  
Lucknow, India

Answer RA-2

Confidential

मार "जनगणना"  
Telegrams "REGGENLIND"

सं. No. 12/21-C/84-Ad.I

भारत सरकार  
GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

भारत के महारजिस्तार का कार्यालय

OFFICE OF THE REGISTRAR GENERAL, INDIA

नई दिल्ली, दिल्ली

New Delhi, the 3rd March, 1984

54 MAR 1984

MEMORANDUM

With reference to his representation dated 11.8.1983, Shri Udai Bhan Singh, Computer, in the office of Director of Census Operations, Uttar Pradesh, Lucknow, is informed that the adverse remarks were communicated to him by the Directorate of Census Operations, Uttar Pradesh, Lucknow, vide their letter No. AE/DOO-UP/CR-Adv/75583 dated the 3rd September, 1982. He has, however, made a representation only on 11.8.1983 i.e. after a lapse of more than 11 months. The representation submitted by him on 11.8.1983 has become time barred. His representation has, therefore, been rejected.

*MoD*  
(B.D. Dargan)  
Assistant Director

Shri Udai Bhan Singh, Computer,  
Directorate of Census Operations,  
Uttar Pradesh,  
Lucknow

*Received on 1.4.84*

*U.P. (C)*

16  
In the Name of the Government of India  
for the State of Uttar Pradesh  
Date: 21.9.83  
Udaibhan Singh - As Appellant  
and others - Respondents

Amritsar RA -

Udaibhan Singh

(19)

To

The Registrar General, India,  
2/A, Moga Singh Road,  
New Delhi.

(20)

Through proper channel.

Subject: Adverse remarks - representation of.

Sir,

With reference to your Memo No. 12/21-C/84-Ad.I dated 4.3.84, on the above noted subject, I respectfully submit that soon after the communication of adverse remark on 3.9.82, I submitted my representation to the Director of Census Operations, U.P. on 21.9.82 on which he informed me vide his O.M.No. A-2661/DCO-UP/ dated 1.7.83 (copy enclosed) that the representation could not be considered in the absence of competent authority. Soon after the receipt of the O.M. referred to above, I submitted my representation dated 11.8.83 to the Registrar General, India.

In the circumstances stated above the representation may not be said time barred. I, therefore, request you kindly to consider the same on merit.

Yours faithfully

Udaibhan Singh 21.9.83

(Udaibhan Singh)

Computer

Directorate of Census Operations,  
Uttar Pradesh.

Enclosure

1. Memorandum No 12/21-C. 84 Ad.I P/43/84  
Regarding Rejection due to time barred
2. order of J. Director June (1982)
3. Representation dated 21.9.83
4. copy of Annual remark of 1981.

1 (15) - 2

In the Writ Petition (Central Administrative Tribunal)  
Field Bench Lucknow (C.B.L.)  
(A.W. No. 34 of 1986)  
Udai Singh vs. -- Appellant  
Umesh Lal & Others -- Respondents

15

ASV

Annexure A-5

22b-172

13/3

20

13

Copy of letter No. 22.11.83-nd.I (Pt. II) dated 27.2.86 from the office of the Registrar General India, to the Director of Census Operations, U.P.

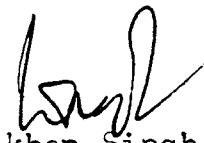
I am directed to refer to the correspondence resting with your letter No. AE/DCO-UP/A 4842 dated 10th October, 1985, on the above subject. The representation of Shri U.B. Singh, Computer against adverse remarks recorded in his ACR for the year 1981 has been considered by the Registrar General, India and in view of the facts of the case it has been decided not to interfere with the said remarks. His representation is, therefore, rejected. He may be informed accordingly.

.....  
No. AE/DCO-U.P./A 1158

Government of India  
Ministry of Home Affairs  
Office of the Director of Census Operations, U.P.

25, Nawal Kishore Road,  
Lucknow: 226001.  
Dated: March 11, 1986.

Copy forward to Shri U.B. Singh, Computer for information.

  
( Lekhan Singh )  
Asstt. Director

%  
GPO  
13/3

26/3/86

26/3/86  
C.P.

in the Hukli Central Administrative Tribunal

Delhi Bench Atulakar (C Building)

C.A. No. 54 Gf 1550(L)

Udareshwar Singh - applicant

Umeshwar Singh - Respondent

16

Annexure RA - 1

पंक्ति पर्याय

पंक्ति अंकों

भारत सरकार  
गृह मंत्रालय  
कार्यालय निदेशक उपायकारी अधिकारी, उत्तर प्रदेश  
प्रशासनिक अनुभाग

25, नगर पालिका रोड,  
लखनऊ : 226001.  
दिनांक : दिसम्बर 31, 1922

:- आदेश :-

निम्नलिखित प्राप्ति संकलनकर्त्ताओं द्वारा, विभागीय प्रोन्हित समिति  
की संस्थापना के अधार पर संगठन कर्तव्य (देतन्मात्र 10 330-560) पर, दिनांक  
6 अक्टूबर, 1932 से, नियमित रूप से प्रोन्हित किया जाता है।

क्रम संख्या का नाम

सर्वाधीन

क्रम संख्या का नाम

1.	राम देव पुराणी रामेश्वर इन्द्राद	29. ✓ अक्षयतर शुक्ला
2.	गंगा देव मिश्र	30. राम शंकर मिश्र
3.	प्रिया वन्दु तिवारी	31. राम कुमार गुप्त
4.	प्राप्ति वन्दु दिलाठी	32. सत्य नारायण शुक्ल
5.	पिता राम तिवारी	33. गोरी शंकर जयवाल
6.	नोचन शुक्ला	34. श्रीमती मंजू नाग
7.	गंगा देव मिश्र	35. हरी लाल
8.	श्रीमती शीता भद्रेश्वरा	36. गोदिन्द वन्दु गुप्त
9.	श्रीमती देव कुमारी शुक्ला	37. नरेश वन्दु जैन
10.	दिनेश वन्दु शाहेंगे	38. राजेन्द्र लुमार शुक्ला
11.	दादर इन्द्र शर्मा जाव	39. सतपिंग वन्दु श्रीवास्तव
12.	प्रेम वन्दु शुक्ला	40. सामान्द इल
13.	रमेश वन्दु शुक्ला	41. जालसी इन्द्राद जायस्वाल
14.	दुर्वल वन्दु शुक्ला	42. देव देव इन्द्राद शीवारतव
15.	मधुरा वन्दु शुक्ला	43. विजय इन्द्राद शुक्ला
16.	राम वन्दु शुक्ला	44. विजय इन्द्राद राम
17.	राम वन्दु शुक्ला श्रीवास्तव	45. विजय इन्द्राद राम के देव
18.	दुर्वल वन्दु शुक्ला	46. विजय इन्द्राद राम
19.	गंगा देव वन्दु शुक्ला	47. विजय इन्द्राद राम के देव
20.	पिता वन्दु शुक्ला	48. राम वन्दु विजय
21.	लाला वन्दु शुक्ला	49. राम वन्दु विजय
22.	राम वन्दु विजय शुक्ला	50. राम वन्दु विजय
23.	दुर्वल वन्दु शुक्ला	51. राधेन्द्राद
24.	प्रेम वन्दु शुक्ला	52. शार्दूल वन्दु देव राम
25.	कर्मचारी वन्दु शुक्ला	53. विजय वन्दु विजय
26.	दुर्वल वन्दु शुक्ला	54. मनोज विजय

०००००२/-

क्रम संख्या

ASU

सर्वश्री

55. खुर्दीद अहमद  
 56. रमेश चन्द्र  
 57. विशेष्ठ पाण्डेय  
 58. रमापति तर्मा  
 59. छोटे लाल ५००५०  
 60. राज नारायण गुप्त  
 61. सीता राम पुढ़ श्री कड़ीले ५००८०  
 62. मिश्री लाल ५००५०  
 63. बराही लाल ५००८०  
 64. देवेन्द्र शर्मा  
 65. गणेश प्रसाद निवाय  
 66. अगाल हुसैन बद्री  
 67. दिव्या रमेश सर्मेश  
 68. ईश्वर बाबूल ठाकुर  
 69. राम पुढ़ श्रीवारत्न  
 70. लतिल रुमार ५००८०  
 71. रामेश ५००८०  
 72. रिता लाल  
 73. रमेश नाथ तिलारी  
 74. लाल ती ५००५०  
 75. सीता राम पुढ़ श्री खुन खुन ५००८०  
 76. राम देवन ५००८०  
 77. लेचन ५००८०  
 78. राम नारायण ५००८०  
 79. सुदर्शन रुमार शर्मा  
 80. जगदेश नारायण लाल  
 81. जगदेश प्रसाद गुप्त  
 82. चिप्पाद रेण  
 83. भोगद हुसैन  
 84. दिव्येन्द्र प्रसाद अग्रहाल  
 85. रामेश रुमार  
 86. बोम राम लाल श्रीवारत्न  
 87. श्रीमती ऊषा जेटली  
 88. जगाल अहमद  
 89. संतीरा चन्द्र वार्ष्णेय  
 90. कृष्ण रुमार तिलारी

..... 31 -

11  
 12

सर्वश्री

91.	चरन सिंह	अ0ज0
92.	राज लिशोर पाठ्क	अ0ज0
93.	नगर राम	अ0ज0
94.	मेडी लाल	अ0ज0
95.	मोर्ति लाल	अ0ज0
96.	दिजय लुमार	अ0ज0
97.	सुर लाल	अ0ज0
98.	गरपत्तू राम	अ0ज0
99.	राम दलार प्रसाद	अ0ज0
100.	लत्तन राम	अ0ज0
101.	राष्ट्र उहार श्व	अ0ज0
102.	रंगी जाल	अ0ज0
103.	सीता राम दुत्र श्री तेज राम	अ0ज0
104.	राम देव	अ0ज0
105.	राम दाद	अ0ज0
106.	मुह धन्द्र	अ0ज0
107.	लाल चन्द्र प्रसाद	अ0ज0
108.	सीता राम दुत्र नैन दान नैन दान	अ0ज0
109.	बृन्दारी लाल	अ0ज0
110.	ब्रजेन्द्र रिंह	अ0ज0
111.	नत्था राम दुरील	अ0ज0
112.	शिख राज आर्य	अ0ज0
113.	दुर्ग प्रसाद	अ0ज0
114.	दुन्दर लाल	अ0ज0
115.	दूरन चन्द्र	अ0ज0
116.	जे० पै० पोर्टल	अ0ज0
117.	दुरेश लाल	अ0ज0
118.	छंगा लाल	अ0ज0

१० रघुनाथ गुप्त  
निदेश

નિદેશ : ૧૦૦૦૫૦૦૫૦૦-૫૦૦૫૦૦/૯-૦૮૦૭ તદ દિનાંક

— तो ये नियन के सूचनार्थ एवं इस वार्षिक ही के लिए ; पिया :—  
 सम्बन्धित विषयी तरीके  
 भारतीय विषयी तरीके नई दिल्ली ।  
 विषयी तरीके विषयी तरीके नई दिल्ली ।  
 सम्बन्धित विषयी तरीके नई दिल्ली ।  
 विषयी तरीके विषयी तरीके नई दिल्ली ।

7. समस्त प्रवर वर्ग लिपिक/अवर वर्ग लिपि १०४०।  
 8. व्यवित्रित पत्रावली १०४०।  
 9. स्थाईकरण/नियमित पत्रावली।  
 10. महा-मंत्री, जनरल रमेवारी लंगठन, निदेशालय ००५० लिपि।  
 11. निदेशक महोदय के व्यवित्रित पत्रावली।  
 12. स्टाफ रिटर्न पत्रावली।

## ४ एन० एल० गुह्य हंडुट निदेश्म

$A_{2m}^1$

Since  $\lim_{n \rightarrow \infty} \frac{1}{n} = 0$ ,  $\lim_{n \rightarrow \infty} \frac{1}{n} \sin \frac{1}{n} = 0$ .