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0490

ANNEXURE - A

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW

INDEX SHEET

CAUSE TITLE G.A. 381 of 1990 (L)

Name of the parties

K. S. Choudhary Applicant.

Versus.

Union of India Respondents.

Part A.B.C.

Sl No.	Description of documents	Page
1. Check list	A1 - A2	
2. Order sheet	A3 - A4	
3. Designated date 12-7-91	A5 - A11	
4. Location	A12 - A26	
5. Power	A27 - A33	
6. Annexures	A34 - A93	
7. Annexures	A94 - A103	
8. A.A.	A104 - A105	
9. R.O.		
10. M.P. No 334/91		

~~Remain copy~~ A1 - A105

~~C. Copy~~ A1 - A105

~~File B/C Wadded out /~~

By  
S.O. (5)

(A1)

26/11/90

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

26/11

Registration No. 331 of 1989/90/14

APPLICANT(S) Shri. Kamuna Shanker Chaudhary  
RESPONDENT(S) Union of India or others

Particulars to be examined application 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? application yes
3. a) Is the appeal in time? yes  
b) If not, by how many days it is beyond time? N.A.  
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/relied upon by the applicant and mentioned in the application, been filed? yes  
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly? yes  
c) Are the documents referred to in (a) above neatly typed in double sapce? yes
8. Has the index of documents been filed and paging done properly? yes
9. Have the chronological details of representation made and the out come 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? yes

(A2)

Particulars to be Examined

Endorsement as to result of examination

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

main & Bench copy

yes

yes

Annexure is on

both side

yes

yes

yes

N.A.

after 10/11

yes

yes

no

yes

findings

? One page & annexure is on both side. yes

26.11.90  
D.R.

Put up before the Hon. Bench, 26/11

on 27/11 for orders.

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26.11.8.

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27.11.1990

Hon'ble Mr. Justice K. Math, J.C.

Hon'ble Mr. Justice K. Math, J.C.

Admit.

Issue notice to respondents to file a counter within four weeks to which the applicant may file rejoinder within two weeks thereafter.

In the matter of interim relief issue notice and list for order on 11.12.90 in the meantime any result shall be without prejudice to the right of applicant.

sd/ sd/  
.....

//True Copy//

Notices Issued

30-11-90

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11/12/90

Hon. Mr. Justice K. Math, re.  
Hon. Mr. K. Chayya, An.

Notices in the matter of interim relief were issued on 30/11/90 but no appearance is made on behalf of respondents. Notices may be awaited and put up for further orders on 8/1/91; in the meantime, the respondents are directed to keep one post of Assistant Commercial Officer / Supt. vacant till further orders of this Tribunal.

Am.

V.C.

OR

Notices were issued on 30-11-90

Neither reply nor any unusual reply has been seen from S.F.C.

5/12

OR  
Neither reply nor any unusual reply has been seen from S.F.C.

5/12

(Rec) CA 301/905

2 S.S. 91

No Stamp Adj to 6.9.91

L

3-7-91

Now Mr. Justice V.C. Seivadewa - V.C.

Now Mr. A. B. Gorti

Am

Judgment <sup>Reserved</sup> ~~made~~ in

OK

Case is fixed today  
by the order of V.C.

CA fixed  
No RA fixed

S. f. 4

2/9/91

Secretary

Am  
9/7/91

Recd  
10/7/91

(K.S. CHANDREY)  
Cm. H. H. (20)

(AS)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALIYABAD

LUCKNOW CIRCUIT BENCH

Registration O.A. No.381 of 1990

K.S. Chaubey ..... Applicant

Versus

Union of India & Others.... Respondents

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

Hon.Mr. A.B.Gorthi, Member (A)

(By Hon.Mr. A.B.Gorthi, Member (A) )

This application from Shri K.S. Chaubey, / is an  
Commercial Inspector, Northern Railway, Lucknow  
alleging that the respondents wrongly denied him an  
opportunity to appear for the Limited Departmental  
Competitive Examination held on 22/23.9.90 for  
selection to group 'B' service in the Commercial Branch  
of T(T) & C Department. His prayer is that the  
respondents be directed to hold the examination  
again so as to enable him to appear for it.

2. Some time in January, 1989, NR H.Lrs. office  
decided to hold a selection for promotion to group 'B'  
service for filling up 25% vacancies in the Commercial  
Branch of T(T) & C Department through a Limited  
Departmental Competitive Examination. Applications  
from eligible candidates were invited and a list of  
those found to be eligible to take the examination  
was finalised. The said list was forwarded to all the  
Divisions including Divisional Railway Manager (DRM for  
short), Lucknow. The examination, which was initially

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- 2 -

scheduled to be held on 29/30.7.89 was postponed a number of times.

3. DRM, NR Circular letter dated 10.7.90 (Annexure-1 to the application) states that examination would be held on 21/22.7.90 at the H.Qrs. office NR Delhi, that eligible candidates should be given authority letters or identity cards and that they should be relieved from duties so as to enable them to appear for the test at Delhi on the due dates. The name of the applicant appears at Sl.No.23 in the list of candidates attached to the said circular letter (Annexure-1). The applicant's case is that he was completely ignorant<sup>to</sup> of the contents of this letter and of the fact that the examination was to be held on 21/22.7.90. In any case, the examination was once again postponed to 8/9.9.90, but even these dates were finally changed to 22/23.9.90 as can be seen from N.R. Telegrams dated 4.9.90 and 19.9.90 (Annexures C-13 and C.14 to the Counter Affidavit). The applicant states that none of the aforementioned communications were brought to his notice by the concerned authorities. It was only on 12.10.90 that he came to know through his colleagues that the examination was, in fact, held on 22/23.9.90 and that he was one of the candidates who should have appeared there at. The case of the applicant, in short, is that he should not be penalised for his non-appearance at the examination as he was never informed about it due to the fault of the concerned officials in the Divisional Office at Lucknow.

4. The respondents' version as can be seen from the

Counter Affidavit is that the applicant was given copies of DRM, NR Circular letter dated 10.7.90 (Annexure-1) and DRM, NR Telegram dt. 19.9.90 (Annexure-C.14) through official messengers. The applicant was thus all along aware of the examination scheduled and of its postponement. As regards the circular letter dated 10.7.90, the DRM had explained to the General Manager on 22/2/91 as under :-

" Checking of the Dak Guidance Book maintained by Free Service Railway Dak Office for CMI/LKO for the period from 6.1.90 to 31.12.90 reveals that the letter of even No. dated 10.7.90 was entered in the Dak Guidance Book on 12.7.90 indicating the challan No. by which this particular letter was sent to Free Service Dak Office by the Despatch Section of DRM Office, Lucknow that is 16. After sorting the letters marked to CMI, those are kept in the pigeon hole earmarked for CMI/Lucknow which has been given S.No.77. As per practice the letters pertaining to a particular subordinate are either collected personally or by deputing his peon who in turn puts his initials on the Dak Guidance Book as a token of having collected the letters kept in the pigeon hole. In this particular case the letter which was kept in his pigeon hole bearing No.77 has been collected by somebody, may be his peon who has put his initial as a token of receipt of the letter on behalf of the CMI/Lucknow to whom it was addressed."

5. Similarly, as regards the telegram dated 19.9.90 (Annexure-C.14), it has been stated by the respondents that "it was delivered at the residence of the applicant as certified by Head Signaller,

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Charbagh Station Building, Lucknow vide his Memo dated 22.2.91<sup>st</sup> (Annexure-C.15)<sup>th</sup>. The said certificate states that the telegram was delivered on 19.9.90 at 22.00 hours at the residence of the C.M.I. (the applicant) and that it was received by one Bipat Ram as per copy of the Message Delivery Receipt.

6. The applicant in his rejoinder alleged that the documents <sup>purporting to</sup> ~~for quoting~~ to show that the relevant official communications sent to him were, in fact, fabricated by the concerned officials with a view to protect themselves from being held responsible for their negligence.

7. The respondents raised a preliminary objection on the ground that since there was no "order" of the respondents on which the applicant felt aggrieved <sup>its application to</sup> ~~is~~ is not maintainable. The objection is obviously inspired by the wording of Section 19 of the Administrative Tribunals Act, 1985 which lays down, inter alia, that the person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance (emphasis added). The arguments, though verbally attractive, lacks in substance. It is obvious that the applicant considers himself aggrieved by the order of the respondents holding the examination ~~of~~ which he had no prior information whatsoever.

8. The respondents have drawn our attention to the case of A.P. Sonkar and Others Vs. Union of India and Others (C.A. No.1/91) decided by the Allahabad Bench

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of this Tribunal on 25.1.91. In that case too, Sonkar and several others similarly situated as the applicant in this case, alleged that they were not aware of the examination held on 22/23.9.90. Several of the applicants in that case belonged to the reserved category and were given special training to prepare for the said examination. It seems that one of the reasons for the postponement of the examination was to enable them to complete their training, which concluded in August, 1990. Another three applicants in that case were those who had declined to take the examination. For these and certain other reasons, it was held in that case that the applicants therein had prior knowledge of the examination that was to be held on 22/23.9.90. It being essentially a finding of fact, will be of no assistance to us in this case which has to be examined on its own merit.

9. The short but crucial question is whether or not the applicant knew of the examination before it ~~which~~ was held on 22/23.9.90. The facts adduced by the respondents do not clearly establish that the two official communications (Annexure-1 and C-14) were indeed received by the applicant. The circular letter dated 10.7.90 is said to have been put in the pigeon hole meant for the applicant from where his peon or someone picked it up. The applicant stated in the rejoinder that the C.M.I. office peon was Sukhdin and his signature does not appear on the dak book (Annexure-C.19). As regards the handing over of the telegram dated 19.9.90 (Annexure-C.14) to Bipat Ram, the applicant contended that he knew no

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- 6 -

such Bipat Ram. He was not his servant nor a family member nor a colleague.

10. In all these allegations and counter allegations, what comes to our notice rather strikingly is the DRM's letter to the General Manager (P) NR dated 23.10.90 (Annexure-A3). It reads as under :-

" Some of the Commercial staff of this Division who had earlier volunteered for the aforementioned examination and were eligible, have represented through proper channel through the representation dated 26.9.90 (copy enclosed for ready reference) that they were neither intimated nor spared for the aforesaid examination, which was scheduled to be held at HQrs. office on 22/23.9.90.

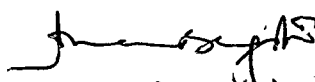
The intimation was received on 6.9.90 from HQrs. office and circulated on 19.9.90 whereas the examination was fixed on 22.9.90 and 23.9.90. But it could not be circulated upto 18.9.90 resulting thereby the staff could not be circulated upto 18.9.90 resulting thereby the staff could not be informed and therefore, they could not attend the examination.

It is, therefore, recommended that these staff may be given an opportunity to appear in the supplementary examination."

11. The above communication clearly establishes that there were some members of the commercial staff who represented that they were not informed of the examination scheduled to be held at Delhi on 22/23.9.90. There was also a clear admission by the DRM that "the information of the examination dates could not be circulated upto 18.9.90 resulting thereby the staff could not be informed and therefore they could not attend

the examination. The respondents tried to assert that the DRM subsequently withdrew the said letter. We do not agree. The DRM merely regretted having made an incorrect recommendation for the holding of a supplementary examination for the affected candidates, as such a recommendation was contrary to the policy laid down earlier by the Northern Railway HQrs for not holding any supplementary examination. The DRM's official statement to the General Manager (P) sufficiently refutes the respondents' contention that there was no question of the candidates not knowing about the examination. On the other hand, it lends credence to the applicant's complaint that he was not informed of the dates of the examination. We are therefore inclined to accept the contention of the applicant in this regard.

12. The application is allowed and the respondents are hereby directed to give the applicant at least one chance to take the Limited Departmental Competitive Examination which the respondents shall hold as early as possible and in any case within two months from the date of communication of this order. The question of giving the consequential promotion to the applicant will of course depend on the comparative performance of the applicant in the said examination vis-a-vis those already selected. Parties to bear their own costs.

  
Member (A)

  
Vice Chairman

Dated the 5 July, 1991.

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(A12)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

O.A. No. 381 OF 1990 (L,

Karuna Shanker Chaubey ... Applicant

Versus

Union of India & others ... Opp. Parties

I N D E X

<u>S.No.</u>	<u>Particulars</u>	<u>Page No.</u>
1.	Application	1-74

Dated, Lucknow  
26/11 November, 1990

M.P. Sharma - Advocate  
Counsel for  
Applicant

A13

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

O.A. No. 331 of 1990 (2)

Karuna Shanker Chaubey aged about  
40 years, son of Sri J.P. Chaubey,  
resident of Quarter No. L-17B  
Munawar Bagh Railway Colony,  
Alambagh, Lucknow.

..... Applicant

Versus

1. Union of India through the Secretary,  
Railway Board, Ministry of Railways,  
Rail Bhawan, New Delhi.
2. Railway Board, through General  
Manager, Northern Railway,  
Baroda House, New Delhi.
3. Divisional Railway Manager,  
Northern Railway,  
Hazratganj,  
Lucknow.
4. Divisional Commercial Superintendent,  
Northern Railway,  
Lucknow.

*2. By post dated  
11-7-90  
14/12/90*

..... Opposite Parties

DETAILS OF APPLICATION

Column No. 1 - Particulars of order against which the application is made :

On the basis of Divisional Railway Manager's letter dated 10.7.90 the applicant prays for a direction to the opposite parties to hold the departmental examination against 25% quota for the post of Assistant Commercial/ Officer / Superintendent. A true copy of order dated 10.7.1990 is enclosed as Annexure No.1.

Annexure No.1

Column No. 2 - Jurisdiction of the Tribunal :

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

Column No. 3 - Limitation :

The applicant further declares that the application is within time of limitation prescribed under section 21 of the Administrative Tribunal Act 1985, on the basis of order dated 10.7.1990 drawn against the applicant.

Column No. 4 - Facts of the case :

- (A) The applicant is at present working as Commercial Inspector under opposite parties No.3 & 4, Northern Railway, Hazratganj, Lucknow in scale of pay Rs. 2000-3200(RPS).

- (B) That the applicant has rendered services for the number of years previously holding the post of Commercial Inspector and at present also on the post of Commercial Inspector is working and his conduct always remained good.
- (C) That, however, a number of posts of Grade 'B' service i.e. Assistant Commercial Officer/ Superintendent have fallen vacant under the opposite parties which were required to be filled against 25% quota fixed for the departmental candidates and accordingly with a view to fill up the aforesaid posts, the General Manager, Northern Railway by issuing directive to the opposite party No.3 directed thereby to invite eligible candidates as per enclosed list to appear in the departmental examination for the post of Group 'B' Assistant Commercial Officer / Superintendent in scale of pay Rs.2000-3500(P.S). It is further submitted that the date of examination was fixed for 21.7.90 and 22.7.90 at New Delhi which was deferred and further date was fixed for 22/23rd September 1990.
- (D) That on the basis of General Manager's direction the opposite party no.3 was pleased to circulate a letter dated 10.7.90 which is enclosed herewith as Annexure No. 1 to this application in which it has been mentioned
- Handwritten signature and scribbles at the bottom left of the page.*



20/7

that the examination date and time is in accordance with the terms of General Manager's letter and for that purpose a wide circulation and intimation to the concerning eligible persons, whose names were enlisted in the list Annexure 'A' enclosed with the letter dated 10.7.90, be made immediately. Ultimately it was further ordered by the opposite party no.3 that the persons named in the eligible list Annexure 'A' enclosed with the order dated 10.7.90 may be intimated and also relieved for the purpose of appearing in the said departmental examination in New Delhi.

(E) That the applicant humbly submits that whatever the letter was issued by the opposite party no.3 as per Annexure No.1 and in the list of eligible persons enclosed with that letter dated 10.7.90 the name of the applicant had find place at S.No.23 but the applicant specifically submits that neither the applicant was intimated about the said departmental examination for the post of Group 'B' Assistant Commercial Officer / Superintendent by any of the parties including opposite parties nor he was relieved for the said examination as mentioned in the order dated 10.7.1990.

(F) That, however, to four persons the intimation was given by the opposite party no.3 and

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under that intimation they were relieved for examination timely and they have been allowed to appear in the said examination held on 22/23.9.90 in New Delhi.

- (G) That it is specifically submitted that the order dated 10.7.90 for the first time came to the notice of the applicant on 12th October 1990 when he heard some rumour from other colleagues in the office that they have made a representation to the department locally and then the applicant had also moved an application to the General Manager through proper channel submitting it to his superior officer requesting therein that neither the examination date nor the circular dated 10.7.90 was brought to his notice and therefore he was debarred to his right to appear in the said examination particularly when he was found eligible by the railway administration and his name was placed at SNo.23 in the eligible list. He also made a request that it was the fault of the department and therefore it would be proper to allow the applicant to appear in the aforesaid examination for the post of Group 'B' Assistant Commercial Officer / Superintendent as soon as possible. True copy of the representation of the applicant is enclosed as Annexure No. 2 to this application.

Annexure No. 2

180

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(H) That it is further submitted that some other employees and colleagues of the applicant have also preferred a representation on the basis of order dated 10.7.90 to the General Manager, Northern Railway on 26.9.90 and their local office has received it and it is further submitted that the Divisional Railway Manager, Lucknow vide his letter dated 23.10.90 forwarded the representation of other colleagues to the General Manager (P), Northern Railway, Baroda House, New Delhi on 23.10.90 intimating therein that the circular dated 10.7.90 was neither brought to the notice of all the eligible employees as per eligible list and they have also not been relieved for the purpose of giving examination of Group 'B' post and therefore recommendation was made to the General Manager that further opportunity may be given to the eligible employees as per list dated 10.7.90 for examination. A true copy of the letter dated 23.10.90 is enclosed as Annexure No. 3 to this application.

Annexure No.3

(I) That as stated earlier that the applicant for the first time could know about the order dated 10.7.90 only on 12.10.90. Therefore there was no occasion for the applicant to appear in the aforesaid examination on 22/23.9.1990.

21/9

(J) That promotion is a matter of right of the applicant and it is also a condition of service and therefore being eligible for the post of Group 'B' Assistant Commercial Officer/ Superintendent the applicant is required to be considered by taking departmental examination by the opposite parties particularly by the Railway Board or the General Manager, Northern Railway.

(K) That non communication and non circulation of the order dated 10.7.90 to the applicant amounts denial of the right to appear in the promotional course and that has been greatly prejudiced as the applicant is being deprived of getting his promotional avenue and also to appear in the so called examination.

(L) That as per the list set out by the railway administration the applicant was eligible and he was communicated but in the select and panel list it was also directed by the railway administration to the opposite party No.3 to inform the eligible candidate as per list and spare them in time so that the applicants may be able to prepare and appear in the examination but the department has failed to communicate and spare the applicant well in time for the said examination, therefore, there was no fault on the side of the applicant but it was on the side of railway administration.

19/9

420

(M) That my colleagues four in number have also been allowed to appear in the said examination at New Delhi along with other departmental candidates of different divisions; and therefore, hostile discrimination has been made in a very arbitrary manner in not allowing the applicant to appear in the aforesaid examination which caused prejudice to the right of promotion of the applicant and the same is also in violation of Article 14 and 16 of the Constitution of India.

(N) That it would be fair, reasonable and also to avoid stignation the applicant may be allowed to appear in the examination of Group 'B' post i.e. Assistant Commercial Officer / Superintendent as soon as possible and till then the result of the examination which has already been held on 22/23.9.90 may not be declared otherwise the persons who have been allowed locally to appear in the aforesaid examination if they succeed shall be placed in the panel and they shall be treated by the railway administration senior to the applicant in future.

Column No. 5 - Grounds of relief :

- i) Because a number of posts of Group 'B' service i.e. Assistant Commercial Officer / Superintendent have fallen vacant under the opposite parties which were required to be filled against 25% quota fixed for the departmental candidates and accordingly with a view to

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121

fill up the aforesaid posts, the General Manager, Northern Railway by issuing directive to the opposite party No.3 directed thereby to invite eligible candidates as per enclosed list to appear in the departmental examination for the post of Group 'B' Assistant Commercial Officer / Superintendent in scale of pay Rs.2000-3500(RPS). It is further submitted that the date of examination was fixed for 21.7.90 and 22.7.90 at New Delhi which was deferred and further date was fixed for 22/23rd September 1990.

- ii) Because on the basis of General Manager's direction the opposite party no.3 was pleased to circulate a letter dated 10.7.90 which is enclosed herewith as Annexure No.1 to this application in which it has been mentioned that the examination date and time is in accordance with the terms of General Manager's letter and for that purpose a wide circulation and intimation to the concerning eligible persons, whose names were enlisted in the list annexure 'A' with the letter dated 10.7.90, be made immediately. Ultimately it was further ordered by the opposite party no.3 that the persons named in the eligible list annexure 'A' enclosed with the order dated 10.7.90 may be intimated and also relieved for the purpose of appearing in the said departmental examination in New Delhi.

121

(A22)

- iii) Because whatever the letter was issued by the opposite party no.3 as per Annexure No.1 and in the list of eligible persons enclosed with that letter dt. 10.7.90 the name of the applicant had find place at S.No.23 but the applicant specifically submits that neither the applicant was intimated about the said departmental examination for the post of Group 'B' Assistant Commercial Officer / Superintendent by any of the parties including opposite parties nor he was relieved for the said examination as mentioned in the order dated 10.7.90.
- iv) Because to four persons the intimation was given by the opposite party no.3 and under that intimation they were relieved for examination timely and they have been allowed to appear in the said examination held on 22/23.9.90 in New Delhi.
- v) Because the order dated 10.7.90 for the first time came to the notice of the applicant on 12th October 1990 when he heard some rumour from other colleagues in the office that they have made a representation to the department locally and then the applicant had also moved an application to the General Manager through proper channel submitting it to his superior officer requesting therein that neither the examination date nor the circular date 10.7.90 was brought to his notice and therefore he was debarred to his right to appear in the said

186

examination particularly when he was found eligible by the railway administration and his name was placed at S.No.23 in the eligible list. He also made a request that it was the fault of the department and therefore it would be proper to allow the applicant to appear in the aforesaid examination for the post of Group 'B' Assistant Commercial Officer/ Superintendent as soon as possible. True copy of the representation of the applicant is enclosed as Annexure No.2 to this application.

vi) Because as stated earlier that the applicant for the first time could know about the order dated 10.7.90 only on 12.10.90. Therefore there was no occasion for the applicant to appear in the aforesaid examination on 22/23.9.1990.

vii) Because promotion is a matter of right of the applicant and it is also a condition of service and therefore being eligible for the post of Group 'B' Assistant Commercial Officer / Superintendent the applicant is required to be considered by taking departmental examination by the opposite parties particularly by the Railway Board or the General Manager, Northern Railway.

viii) Because non communication and non-circulation of the order dt. 10.7.90 to the applicant amount denial of the right to appear in the promotional course and that right has been greatly prejudiced as the applicant is being deprived of getting his promotional avenue and also to appear in the so called examination.



A24

ix) Because my colleagues four in number have also been allowed to appear in the said examination at New Delhi along with other departmental candidates of different divisions; and therefore, hostile discrimination has been made in a very arbitrary manner in not allowing the applicant to appear in the aforesaid examination which caused prejudice to the right of promotion of the applicant and the same is also in violation of Article 14 and 16 of the Constitution of India.

Column No. 6 - Details of the remedy exhausted :

It is submitted that there is no statutory provision to make representation against the so called examination held by the Railway Administration on 22/23.9.90 but however, to attract the attention of the departmental authorities the applicant has preferred a representation on 22.10.90.

Column No. 7 - Matter previously filed and pending :

Applicant submits that for the present dispute the applicant has not filed any suit or proceeding in any court of law.

Column No. 8 - Reliefs sought for :

In view of the above facts and grounds it is most respectfully prayed that this Hon'ble Tribunal be pleased to direct the opposite party particularly the Railway Board and the General Manager, Northern Railway, New Delhi to hold examination by fixing a date within a

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reasonable time allowing the applicant to appear in the examination for the post of Group 'B' Assistant Commercial Officer/Superintendent as soon as possible by intimating the date, place and time of the said examination.

Column No. 9 - Interim order :

It is most respectfully prayed that this Hon'ble Tribunal be pleased to issue an ad-interim order directing Railway Board/General Manager, Northern Railway to fix a date, place and time for holding examination for the post of Assistant Commercial Officer/Superintendent and also intimate the same to the applicant within a reasonable time and till then the Rly. Board/General Manager, Northern Railway, New Delhi may be restrained from declaring result of the examination held on 22/23.9.90 for the post of Grade 'B' Assistant Commercial Officer/Superintendent.

Column No. 10 - Not relevant.

Column No. 11 - Indian Postal order No. 437011

Name of Post Office Amnabad Dist. Karnal

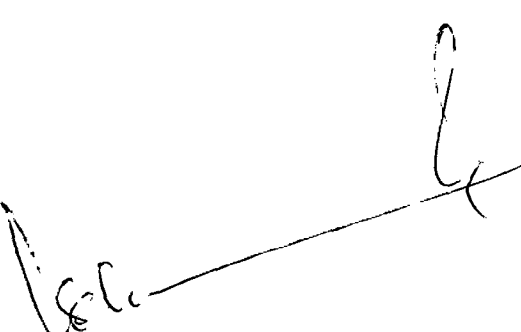
Payable Post Office at GPO Allahabad

Column No. 12 - No. of enclosures.

Annexure No. 1: True copy of order dated 10.7.1990.

Annexure No. 2: True copy of representation

Annexure No. 3: True copy of letter dated 23.10.1990.

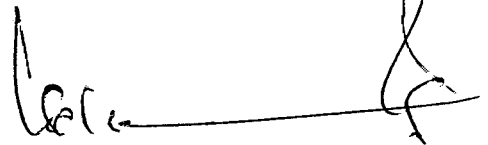
  
Signature of applicant

(126)

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

I, Karuna Shanker Chaubey aged about 40 years son of Shri J.P. Chaubey working as Commercial Inspector Grade Rs.2000-3200(RPS), Divisional Railway Manager's Office, Northern Railway, Hazratganj, Lucknow, resident of Quarter No. L.17B, Munawar Bagh Railway Colony, Alambagh, Lucknow, do hereby verify that the contents of column 1 to 12 of this application are true to my knowledge.

Signed and verified at this date 26-11-90  
at Lucknow.



APPLICANT

126

ववाल... श्रीमान्..... (Court Bench India)..... महोदय

(वादी) अपीलान्त

प्रतिवादी रैस्पान्डेन्ट

वकालतनामा

टिकट

Koruna Shum Kari Singh  
वादी (अपीलान्त)

बनाम

प्रतिवादी रैस्पान्डेन्ट

नं० मुकदमा

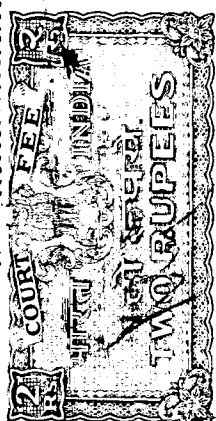
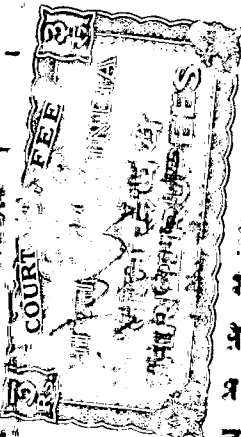
सन्

पेशी की ता०

१९

ई०

ऊपर लिखे मुकदमा में अपनी ओर से



महोदय  
एडवोकेट  
मा वकील नियुक्ति करके प्रतिज्ञा इकरार करता हूँ और लिखे देता हूँ इस  
में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी  
शुद्ध देही व प्रश्नोत्तर करें वा कोई कागज दाखिल कर या लौटावे या हमारी  
में डिगरी जाही करावे और रूपया वसूल कर या सुलहनामा व इकबाल दाबा  
प्रपोल निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और  
तसदीक करें मुकदमा उठावे या कोई रूपया जमा करें या हमारी बिपक्षी  
(रीकसानी) का दाखिल किया हुआ रूपया अपने या हमारे हस्ताक्षर युक्त  
तखती) रसीद लेवे या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब  
बाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूँ कि मैं  
पेशी पर स्वयं या किसी अपने पैरीकार को भेजता रहूँगा अगर मुकदमा अदम  
में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील  
में नहीं होगी। इसलिए यह वकालत नामा लिख दिया प्रमाण रहे और समय पर  
आवे।

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १९

ई०

100

O.A. No. \_\_\_\_\_ OF 1990

Karuna Shanker Chaubey ... Applicant

## Versus

Union of India & others ... Opp. Parties

# I N D E X

<u>S.No.</u>	<u>Particulars</u>	<u>Page No.</u>
1.	<u>Annexure No.1</u> True copy of order dated 10.7.1990.	15-17
2.	<u>Annexure No.2</u> True copy of representation	18
3.	<u>Annexure No.3</u> True copy of letter dated 23.10.1990	19

Dated, Lucknow  
NOVEMBER, 1990

**M.P. Sharma - Advocate**  
**Counsel for**  
**Applicant**

NOVEMBER, 1990

1860 2

(A29) 15

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

---

C.A. No. \_\_\_\_\_ OF 1990

K. S. Chaubey

... Applicant

Versus

Union of India & others

... Opp. Parties

ANNEXURE No. I

18/11/90

लखनऊ दि. 10.7.36.

स्टेशन अधीकार लखनऊ, गतहण्ड, सुलतानपुर, जौनपुर, फैजाबाद सिल्लोपली - रा.पु.रे.सी. वाराणसी  
 (१) अमल बागिचा अधीकार, लखनऊ

भारत सरकार, नई दिल्ली

✓ G.M. (Yig) Hal. obs. *Clusia*, Barro Colorado, N.W.S.

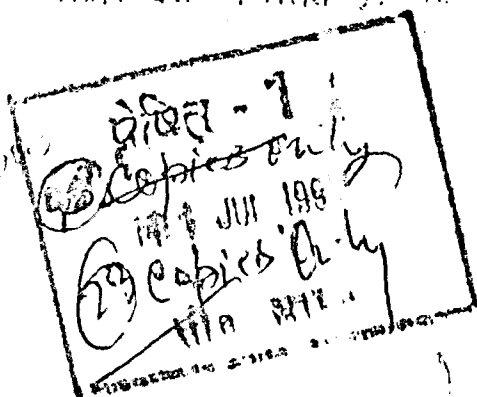
विषय:- ग्रुप "बी" के लिए 25 प्रतिशत कोटे के अन्तर्गत सहायक वाणिज्य अधिकारी पद पर पदोन्नति के लिए वकन ।

प्रधान कार्यालय के तार संख्या 752-ई/67/x.11/ईए दिनांक 23.5.90 के अनुसार उपरोक्त लेखन के लिए दिनांक 30.6.90 व 1.7.90 को होने वाली लिखित परीक्षा अब दिनांक 21.7.90 व 22.7.90 को प्रधान कार्यालय, गडौदा हाउस, नयी दिल्ली में होगी।

इस पत्र के अग्रवन्ध "क" में उल्लिखित कर्मचारियों को प्रधान कार्यालय लड़ौदा हाउस नई दिल्ली में दिनांक 21.7.96 व 22.7.96 को 9 वजे परीक्षा के लिए मुख्य वाणिज्य अधीक्षक के ~~दिनांक~~ सहायक के मास रिपोर्ट देने के अनुरोध देकर लड़ी समय पर उपस्थित किये जाय।

यह सत्यापित करने के बाद कि उम्मीदवार चयन में बैठने के पात्र है। परिशिष्ट "ख" में दिये गये कार्य के अनुसार प्राधिकार पत्र/पडवान पत्र जारी किये जाय। प्राधिकार पडवान पत्र प्रस्तुत करने पर ही उम्मीदवारों को लिखित परीक्षा में बैठने की अनुमति दी जायेगी। कार्य के अनुसार प्राधिकारी द्वारा प्रत्येक प्रत्यागी को यथास्थिति दस्तावेज़ित कि पडवान पर्ची और जिस वेतनमान का निम्नतम स्तर 1400-2300 हो तथा इस वेतन मान में 1.1.89 को पाँच वर्ष पूरे हो गये हो, का एक पत्र अपने साथ ले जाना होगा तथा यह भी आवश्यक जोड़ का जाय तथा यह भी जारी किया जाय की मात्र कर्मचारी सभी शर्तों को पुरा करते है तथा उन्हें चयन में बैठने के लिए पडवान प्राधिकार पत्र जारी किये जाते हुए उन्हें कर्मचारियों को रिलीव किया जाये सभी अध्यापिकों को यह जानकारी दी जाये के इस मामले में कोई बुरक परीक्षा नहीं होगी।

\* कृपया यह सुनिश्चित करें कि इन अभ्यासियों को समय पर भुगतान हो सके है।  
जो ० गलती इन अभ्यासों को है।



दृते गण्डल रेणु प्रोन्नाय  
उत्तरेण/गण्डल

CCSIS/SCN  
CCSIS/SCN  
CIT/BSA

Richardson, C. W.

CADILLAC

1944

[illegible]

1911

19/1381.

8 Dec 1962

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

[illegible]

... ..

LUCKNOW.

17

S.No. NAME DESIGNATION

S/Shri.

32.	O.P.Kapoor		HERC
33.	U.P.Sinha		RS
34.	R.A.Paul	ST	CERS
35.	R.N.Prasad	SC	CCS/LKO
36.	Bachan Ram	DC	-do-
37.	G.P.Shukla		RS/BSB
38.	Kawaloo Ram	SC	CGS/BSB
39.	Gopal Dass		CGS/BSB
40.	B.C.Gupta		CCC/LKO
41.	J.N.Bajpai		RS/LKO
42.	Ashis Kishore	SC	H/Clerk
43.	K.P.Sajpai		RS/Supdt.
44.	Hari Ram	SC	CLA
45.	Ravi Jauhari		CLA
46.	G.P.Mahavanesi	SC	CIT/LKO
47.	Jai prakash Upadhipya		CIT/BSB
48.	V.K.Misra		Platform Inspector
49.	M.J.Misra		ISO/CRT/LKO

30/11/76

15/11/76

15/11/76

16/11/76



Acknowledgement of the candidates for the selection of ACS

1. Name ;
2. Designation ;
3. Station of Posting ;
4. Present pay with Grade ;
5. Whether willing to take selection or otherwise.

Signature

Date

Annexure-D

ACKNOWLEDGEMENT

Name ;

Designation ;

Received letter of selection No. 752-3 IA/ACS/Selection

01.10.95

Signature of the  
Candidate

*[Handwritten signature]*

*[Handwritten signature]*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

O.A. No. \_\_\_\_\_ OF 1990

K.S. Chaubey

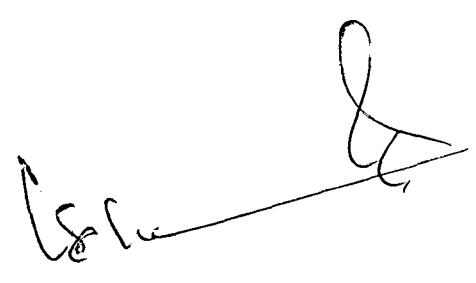
... Applicant

Versus

Union of India & others

... Opp. Parties

ANNEXURE No. 2



To

The General Manager,  
Northern Railway,  
Headquarters Office,  
Baroda House, New Delhi.

(H.S.V.) / 19

( Through : Proper Channel )

M/Sir,

Sub: Limited Departmental competitive examination  
for Group 'B' services against 25% quota in  
Commercial department.

Ref: 1) L(P)'s KKR wireless No.752E/67/XIX/EIA  
dated 24.3.90.

2) DM/Lucknow's KKR Wireless No.752E/IA/ACS/  
Selection dated 19.9.90.

...

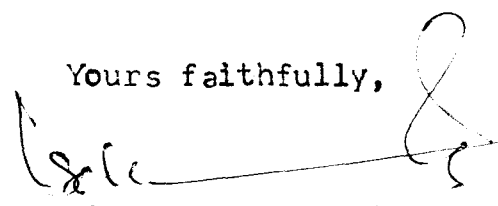
Having been extremely shocked with the arbitrary  
action of DM/Lucknow in not communicating and sparing the  
undersigned commercial supervisors to appear in the LDC  
examination held at Headquarters office on 22/23.9.90, we  
approach your goodself with the following facts for justice  
and providing reasonable opportunity :-

1. That the DM/Lucknow has issued a KKR wireless  
message on 19.9.90.
2. The examination was scheduled to be held on 22/23.9.90  
at Headquarters office and as such a large number of volun-  
teers could neither be informed nor spared well before the  
commencement of the written examination.
3. This action of DM/Lucknow is violative of Railway  
Board directions issued under P.S. No. 9237.

We the following staff pray for justice and be  
given an opportunity to appear in the Supplementary examin-  
ation intimating us the date and venue of the supplementary  
examination.

Thanking you,

Yours faithfully,



Dated: 14.10.90

( K.S. Chaubey )  
C.M.I./LKO. N.Rly.

W

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW  
-----

O.A. No. \_\_\_\_\_ OF 1990

K.S. Chaubey

... Applicant

Versus

Union of India & others

... Opp. Parties

ANNEXURE NO. 3

*[Handwritten signature]*

NORTHERN RAILWAY

No:7521/1A/Comml.Selec.

Divisional Office,  
Lucknow

23-10-1990

The General Manager (P),  
Northern Railway  
Paroda House,  
New Delhi.

Sub : Limited Departmental Competitive  
Examination for group 'P' services  
against 25% quota in Commercial  
Department.

Some of the Commercial staff of this Division who had earlier volunteered for the aforementioned examination and were eligible, have represented through proper channel through the representation dated 26.9.90 (copy enclosed for ready reference) that they were neither intimated nor spared for the aforesaid examination, which was scheduled to be held at Hqrs. office on 22/23.9.90.

The intimation was received on 6.9.90 from Hqrs. office and circulated on 17.9.90 whereas the examination was fixed on 22.9.90 and 23.9.90. But it could not be circulated upto 18.9.90 resulting thereby the staff could not be informed and therefore, they could not attend the examination.

It is, therefore, recommended that these staff may be given an opportunity to appear in the supplementary examination.

Encl: As above.

(Rachoo Ram)  
for Divisional Railway Manager,  
Lucknow.

(P34)

In the Central Administrative Tribunal,

Bench Lucknow.

M. P. No. 216/91 (L)  
O. A. No. 38/1 of 1990 (L)

K. S. Chawbey

Applicant

Versus

Union of India and others

Opposite parties

For the facts, reasons and circumstances, stated  
in the accompanying reply, it is most respectfully  
prayed that the interim order dated 11.12.90 may  
kindly be vacated.

New Delhi

dated: 18 4 91

19.4.91  
(B K SINHA)  
Opposite Parties

Hing, Cane  
Cane  
for

(file)

- 3 -

Column No. 3: Not denied. It is however submitted that in view of the letter dated 10.7.'99 communicating the date fixed is 21st and 22 July 1999 for holding of examination was not acted up by postponing the examination till further orders, the application has become infructuous, being based on the said letter dated 10.7.'99 and is liable to be dismissed.

Column No. 4:

- (1) Contents of para (1) are admitted.
- (2) That the contents of para (2) are not denied to the extent that the applicant is posted as JI/LMO. Facts about the conduct etc. has no relevance to the subject matter of the application.
- (3) In reply to the contents of para (3) it is stated that after finalisation of the selection against 70,5 quota, applications against 25,5 quota through limited departmental examination were called vide L(2)'s letter No. 752-4/87-IV/Lie dt. 3.2.'89. A notification was issued from the office of the General Manager dt. 10.7.'89 to all Divisions and departments of Northern Railway fixing the date of written examination on 29th and 30th July 1989, to advise the eligible candidates as per list attached to the communication dt. 10.7.'89, a copy of which has been annexed as LW/LR dt. 10.8-1 to this reply.

व अदालत श्रीमान

वादी §गुददमा§

प्रतिवादी §गुददालय§ का कालतनामा

01/11/2019 (1990CC)

K.S. Chaudhary vs 401  
वनाम

नं० गुददमा सन 19 फेब्रु की तारीख

उपर लिखे गुददमा में आनी ओर से श्री

L. S. Chaudhary

वकील

वादी §गुददमा§

प्रतिवादी §गुददालय§

19

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एडवोकेट

महोदय

हो अपना वकील नियुक्त करके प्रतिज्ञा §इकरार § करता हूँ। लिखे देता हूँ। इस गुददमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्न करेगा अन्य कोई कागज दाखिल करे या लौटा दें हमारी ओर से डिकरी जारी करावे और समया वसूल करेगा सलहनामा इकबाल दावा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करे और तसदीक करे या गुददमा उठाये या कोर्ट में जमा करे या हमारी या विपक्ष §फरीकतानी § का दाखिल किया समया अपने या हमारे हस्ताक्षर युक्त §दस्तखती § रसीद से लेवेगा पंच नियुक्ति करे वकील महोदय द्वारा की गई वड कर्मचारी इक्को सर्वथा स्वीकार है और होगी मैं भी यह कबुता हूँ। कि मैं दूर फेरी स्वयं या किसी अपने फेरीकार को भेजता रहूँगा अगर गुददमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी।

इस लिये यह कालतनामा लिख दिया कि प्रमाण रहें और समय पर काम आवे।

साक्षी §गवाह§

दिनांक

महोना

हस्ताक्षर

साक्षी §गवाह§

नाम अदालत

नं० गुददमा

नाम परीकन

Accepted

Am



342

The written test however could not be held on 20th and 30.7.'80 due to representation from staff and unions and in this way the dates were subsequently fixed for and lastly on 31/32.7.'80 for which communication was made by D.A. through his letter dated 10.7.'80 on the strength of AIR telegram received from A.P. intimating fixing of dates for holding of examination. In fact, every time, on receipt of the date of examination from General Manager/2, necessary notifications/advises used to be issued to all concerned by opp. party No.3 and 4 under great precautions and abundant care as already has been admitted by the applicant. It is submitted that the fixed date i.e. 31<sup>st</sup> and 22nd. July '80 were postponed ~~indefinitely~~ till further orders. Thereafter 25th. and 26th. Sept.'80 were fixed and postponed to 2nd. and 3rd. Sept. 90, which is also admitted in the para under reply by the applicant, implying that the applicant was also informed of the various postponements of the written examination at the instance of staff and unions.

- (D) Issue of letter dated 10.7.'80 as contained in Annexure No.1 is not denied. It is further submitted that on receipt of the date of examination, from the General Manager(2), necessary notifications/advises used to be issued to all concerned by opp. parties no. 3 and 4 under great precautions and abundant care. Even in the para

under reply, the applicant admits circulation of letter dated 10.7.'90.

- (2) Issue of letter dated 10.7.'90 as contained in Annexure no.1 to the application is not denied. It is also not denied that the name of the applicant appearing in the list issued by Head <sup>as No.56 while the last circulated by DRI for the same</sup> quarter is (at S. No. 23. Rest of the allegations are denied. It is submitted that the applicant was always informed well in time about the written examination having been fixed from time to time, which were postponed at the instance of unions and candidates as mentioned above. Opp. Party No. 3 sent the letter dated 10.7.'90 to despatch section of his office where the letter was entered in challan no. 15 dated 12.7.'90 and sent along with another 16 letters to Free service railway dak office station building, Charbagh for delivering to the applicant. The same was kept in the pigeon hole No. 77 earmarked for G.I/MO (the post on which the applicant was working at that time) after recording into the dak guidance books maintained by the Free service Office. A photocopy of guidance book is annexed to this reply as Annexure No. 2 <sup>19</sup>. The letter dated 10.7.'90 despatched vide challan no. 15 by despatch section of opp. party no.3 was received <sup>by</sup> the applicant's person as would be seen from the photocopy of the relevant page of the guidance book of Free Service

444

Railway Dak Office and SRA/Lko's letter No. 752/14/ACB/Jadlokion dated 22.2.'91, of which a true photostat copy is annexed to this reply as Annexure No. 3-20.

However as already stated above that in view of letter dated 10.7.'90 wherein the date of examination were informed as fixed for 21<sup>st</sup> and 22<sup>nd</sup> July 1990 had already been postponed till further orders, it was therefore considered to have not been acted upon and no prejudice can be caused to the applicant or the same can be made a cause for challenge under this application. The application has thus become infructuous, in view of what has been stated above and as such the application is liable to be dismissed as infructuous.

- (F) In reply to the contents of paragraph (F), it is incorrect for the applicant to say that intimation was given only ~~to~~ 4 persons by opposite party no. 3. In fact all the eligible persons working in the jurisdiction of the opposite party No. 3 were advised through KIR wire. The KIR wire dt. 19-9-90 was also delivered at the residence of the applicant as certified by Head Signaller, Charbagh Station Building/Lko vide his memo dated 22.2.1991 and annexed to this reply as Annexure No. C-75. It is further submitted that at the examination held, 3 candidates posted at Lko appeared, which would also falsify the allegations of the applicant that only 4 candidates were ~~served~~ <sup>served</sup>.

445

(G) In reply to the contents of paragraph (G) of the application, it is submitted that at the very outset a bare perusal of Annexure No.2 would reveal that the said representation has nothing to do with the facts alleged in the writ under reply. The said representation deals with the D.A.'s ~~letter~~ AIR wire No. 752E/37/KIV/MIA dated 24.4.'90 and D.A./Luciano's AIR wire No. 752E/IA/ACB/selection dated 19.9.'90. As already stated above, the letter dated 10.7.'90 issued by D.A. was duly served on the applicant through despatch via Post Service Railway Post Office, St. George Station Building, Mo. The allegations about receiving the knowledge of the said letter dated 10.7.'90 is not connected and false. It is further submitted that the letter dated 10.7.'90 intimated the date fixed for examination as 1st and 2nd. July 1990, which dates were subsequently postponed till further orders and raised question of debarring him from the fixed dates i.e. 1st and 2nd. July 1990 could not and did not arise. Since the letter dated 10.7.'90 is and was not acted upon, the challenge of the said letter dated 10.7.'90 is unwarranted and the application based on the same is not maintainable and is liable to be dismissed forthwith.

(H) In reply, it is submitted that there is no representation made against orders dated 10.7.'90 to the General Manager as alleged by the applicant. It is

(Acce)

- 11 -

submitted that the letter dated 10.7.'90 issued by opposite party no.3 having not been acted upon, in view of the date of examination intimated therein having been postponed till further orders, no question of any representation against the said letter arose to be filed by any candidate. However issue of letter dated 23.10.'90 by ~~XXXXXX~~ the opposite party no.3 ~~has~~ is not denied, but the same was issued inadvertently as has been clarified by him vide his letter dated 22.2.1991, a true certified copy of which has been annexed to this reply as Annexure No. 3-20.

- (1) In reply, it is submitted that letter dated 10.7.'90 was about holding of written examination on 21st and 22 July 1990 instead of 30/6 and 1.7.'90 as advised earlier. The holding of examination on 22/30.7.1990 was communicated through a wire dated 19.9.90 which was delivered to the applicant as stated above on the same day. Hence allegations are baseless about non appearing at the examination. In fact the application is not maintainable against a non-existent letter dated 10.7.'90 and the instant application is liable to be dismissed forthwith.

- (J) In reply, it is submitted that no doubt the promotion is also one of the service condition, but it cannot be claimed as a matter of right. The same can be claimed if one qualifies in the selection and finds place in the select list. The applicant has failed to

avail of the opportunity of appearing in the written examination and therefore he cannot claim to have been deprived of the examination.

- (1) In reply, it is submitted that letter dated 10.7.50 does not relate to holding of the examination. The date fixed in the said letter was postponed till further orders. It is the ~~the~~ wire dated 19.8.'50 which communicated the date for holding of the examination on 2nd and 3rd. 9.' 50, which wire <sup>was</sup> duly delivered to the applicant on 19.8.'50 itself. As such there is no denial of the right to appear in the promotional test. The applicant himself is responsible for not availing the opportunity to appear in the test and make a try to qualify.
- (1) Denied. It is submitted that all the conditions are complied by the opposite parties. It is not denied that the ~~applicant~~ applicant was eligible. The applicant was informed of the date fixed for the examination held on 2nd. and 3rd. Sept. '50 through a wire dated 19.8.'50 delivered to him on the same day, but he failed to avail of the opportunity given to him. There was no fault on the side of the railway administration.
- (1) Denied. The allegations of hostile discrimination are denied specifically. No act of the administration can be termed as violative of Article 14 and 16 of the Constitution of India.

ALV

- 15 -

(1) Denied. It is submitted that having been informed of the date fixed for examination as 22nd. and 23rd. Sept. 1930 through LBA vide dated 10.7.30 delivered on the same day at his residence, the applicant failed to <sup>to appear</sup> avail of the opportunity/at the examination so held. There is no provision to allow the applicant to appear in the examination now. There is no provision of supplementary examination in LBA against 23. Sept.

Column 5 Denied. None of the grounds are tenable under law.

Column 6 Needs no reply.

Column 7 Needs no reply.

Column 8 Denied. The applicant is not entitled to any relief claimed. In fact the application is not maintainable against a non existing order, the date fixed for exam. in the said letter being 21st and 22.7.30 postponed till further orders. The application is liable to be dismissed forthwith.

Column 9 Denied. In view of the facts and circumstances stated above, the applicant is not entitled to maintain the application itself. He is as such not entitled ~~and~~ ~~entitled~~ to any order by way of interim relief and the interim order already passed is liable to be vacated.

Column 10: Needs no reply.

Column 11: Needs no reply.

- 1 -

Column No. 12: No de no r ply.

~~Signature~~

dated: 9.4.91

*Is (in)*  
Opposite to 10/11/18, 1)

Verification.

I, A K SADA

working as SR PERSONNEL OFFICER

in the Northern Railway and Quarter Office, Baroda Town  
New Delhi duly consent and authorize to sign and verify this  
reply do hereby verify that the contents of para 1 to 10 and  
column 1 to 12 of this reply are true to my own knowledge based  
on a serial collected from record and legal advice received.

Signed and verified this 9<sup>th</sup> day of April, 1991 at Baroda Town  
New Delhi.

*Is (in)*  
Opposite to 10/11/18, 1)



# ANNEXURE - C A-I

## NORTHERN RAILWAY

Headquarters Office,  
Baroda House, New Delhi.

Dated: 6 -1-1989.

1/67-XIV/EIA.

The DRMs/DLI, FZR, ALD, KHO, MB, BKN, JU & UMB.  
The C.C.S. (Rates) Hd. Qrs. Office. The Managing Director/IRCON,  
The C.O.P. (G)/HQ Palika Bhawan, Sector-XIII,  
CCO/NDCR/New Delhi. R.K. PURAM, NEW DELHI.  
The Dy. CCS(C)/Varanasi.  
Dy. C.P.O (HQ) & S.P.O/T&C. The Managing Director, RITES,  
The Principal, ZTS/CH, 27 Barakhamba Road, New Delhi.  
C. & C), K. Gata/Delhi.

Sub: Selection for promotion to Group 'B' Service for filling up 25% vacancies in the Commercial Branch of T(T) & C Deptt. by Limited Departmental Competitive Examination.

It has been decided to hold selection for promotion to Gr 'B' Service for filling up 25% vacancies in the Comm. Branch of T(T) & C Deptt. by Limited Departmental Competitive Examination.

In terms of Railway Board's letter No. R(GP)86/2/97 dtd. 14-4-87, circulated under P.S. No. 9264, the employees holding posts in grade minimum of which is Rs. 1400/- or in higher Gr 'C' grades with five years of non-fortuitous service in the grade as on 1-1-89 will be eligible to appear in the Limited Departmental Competitive Examination.

The applications of the willing staff who fulfils the above conditions of eligibility may please be sent to this office on the proforma enclosed as Annexure 'A' by 31-3-89 positively, through Personnel Branch alongwith their Service particulars. The P Branch would scrutinise the applications and only those applications may please be forwarded to this office who fulfils the conditions of eligibility alongwith their service particulars. A clear certificate that the applications have been scrutinised and the staff are eligible may please be sent alongwith the applications.

No applications received direct will be entertained.

The applications of the candidates who are on deputation to other departments may please be sent to this office through the offices where they hold their lien. The staff who are on deputation may be advised well in time.

The syllabus prescribed for Limited Departmental Competitive Examination for Comm. Branch has already been circulated under P.S. No. 7751.

AS1

The Examination will consist of (i) a written Test of a substantially higher standard than that associated with normal selection for promotion to Group 'B' and (ii) Viva-Voce. The subjects for the written examination will be as under :-

(1) WRITTEN EXAMINATION

- Paper-I General Knowledge  
English Language
- cas Paper-II Professional  
(A). Subject
- cas Paper-II(B) -do-
- cpo/ham Paper-III General Financial  
and Establishment  
Rules & procedures.

2. The extant orders governing reservation of vacancies for Scheduled Caste/Scheduled Tribes candidates shall also be applicable in filling up 25% of the vacancies in Group 'B' through Limited Departmental Competitive Examination.

Wide publicity may please be given so that concerned staff may submit their applications in time.

(Urville Chhibbar)  
for General Manager/P.

Copy to the following for information and necessary action:-

1. SE/H11 ( 3 Copies )
2. AS/H1B & H1C ( 3 copies )
3. Supdt. Comml., H. C. (Claims Prevention), Hd. Qrs. Office.
4. PA/COS.
5. Law Officer, Baroda House, New Delhi for similar action.
6. Managing Director, RITES, 27 Barakhamba Road, New Delhi.
7. Managing Director, IRCON, Sector 13, Palika Bhawan, R.K. PURAM, New Delhi.
8. CAO/COFMOW, Tilak Bridge, New Delhi.
9. OSD/Railway Coach Factory, Kaurthala.

82

उत्तर रेलवे

प्रधान कायालय बडीवा हाऊस

बडि दिल्ली

दिनांक. 12/1989

सं० 752 ई/87 -x r1/ ई । ए

मंडल रेल प्रबन्धक दिल्ली, फिरोजपुर, इलाहाबाद,

लखनऊ, मुरादाबाद, बीकानेर, जोधापुर, और अखाता ।

मुख्य वाणिज्य अधीक्षक (दूर) प्रधानकायालय ।

मुख्य परि. अधीक्षक (माल) प्रधानकायालय ।

मुख्य हाउस अपिसर ( एम.डी.सी.आर.) बडि दिल्ली ।

उपमुख्य वाणिज्य अधीक्षक (दावा) वाराणसी ।

उप मुख्य कार्मिक अधिकायी प्रधानकायालय तथापरि. कार्मिक अधि. (टी. एवं सी) प्रधानाचार्य क्षेत्रीय प्रशिक्षण स्कूल चन्दौसी ।

मुख्य इंजीनियर (बिर्माण) लखनौरी मेट दिल्ली ।

विषय :- वाणिज्य शाखा के परिवहन (यातायात) एवं वाणिज्य विभागों के ग्रुप 'बी' ।

सेवा में पदोन्नति के लिए 25% रिक्त पदों को भरने हेतु । सीमित विभागीय ।

प्रतियोगी परीक्षा द्वारा चयन ।

ग्रुप 'बी' की सेवाओं में पदोन्नति के लिए वाणिज्य शाखा के परिवहन (यातायात) एवं वाणिज्य विभागों में 25% रिक्त पदों को सीमित विभागीय प्रतियोगी परीक्षा द्वारा भरने के लिए चयन आवेदित करने का विनिश्चय किया गया है ।

मुद्रित क्रमांक 9284 के अधीन परिपत्रित रेलवे नोटिफिकेशन 14488 के पत्र सं० ई(जी.पी.) 88/2/97 के अनुसार वे कर्मचारी जो न्यूनतम वेतनमात्र 1400/- रु. या ग्रुप 'सी' में उच्च वेतनमात्र चारी हैं तथा उक्त ग्रेडों में 1.8.87 तक पचि वर्षों को निरंतर सेवा पूरी कर चुके हैं । इस सीमित विभागीय प्रतियोगी परीक्षा में भाग लेने के पात्र होंगे ।

उक्त छठ्ठे कर्मचारियों के आवेदन पत्र उक्त सेवा एजिन्का सहित जो पत्रता की उपरोक्त शर्तें पूरी करते हैं । संलग्न पैमाना (क) में उनके संबंधित कार्मिक शाखा के माध्यम से 31.3.89 तक इस कायालय को अवश्य भेजें और कार्मिक शाखा की यह ड्यूटी है कि केवल उक्त कर्मचारियों के आवेदन पत्र अंग्रेजित किए जाएं जो पत्रता की शर्तें पूरी करते हैं । एक स्पष्ट प्रमाण पत्र जिसमें उचित किया गया है कि आवेदन पत्रों की रजि. की गई है तथा कर्मचारी परीक्षा के लिए पात्र हैं आवेदन पत्रों के साथ भेजा जाना चाहिए ।

होना चाहिए मर आवेदनपत्रों कर दिवार बडी आ जाएगा ।

अन्य विभागों में प्रति नियुक्ति के आवाह पर कार्यरत ठर्मवारी अपने आवेदन पत्र उस कार्यालय के माध्यम से छोड़ें जहाँ उनका नियुक्त सुरक्षित है। प्रतिनियुक्ति पर कार्यरत ठर्मवारीयों को पर्यटित समय पहले सूचित किया जाए।

वाणिज्य शाखा के सीमित विभागीय प्रतियोगी परीक्षा के लिए निर्धारित पाठ्यक्रम इस कार्यालय के मुद्रित क्रमांक 7751 के अन्तर्गत पहले ही परिपत्रित किया गया है।

समस्त परीक्षा के लिए ग्रुप 'डी' के व्यक्त के लिए सामान्य स्तर से कुछ उम्मीदवार लिखित परीक्षा तथा सहायक स्तरों पर लिखित परीक्षा के लिए बिना लिखित विषय होंगे।

### 1. लिखित परीक्षा

- प्रथम प्रश्न पत्र सामान्य ज्ञान, अंग्रेजी
- द्वितीय प्रश्न पत्र (क) व्यवसायिक विषय
- द्वितीय प्रश्न पत्र (ख) व्यवसायिक विषय
- तृतीय प्रश्न पत्र सामान्य लेखन सम्बन्धित ज्ञान, स्थापना नियमन तरीके

अनुसूचित जाति व जन जाति के आरक्षण के लिए मान्य नियम ग्रुप 'डी' में सीमित विभागीय परीक्षा द्वारा करें जाने वाले 25% पदों के लिए बी.ताम्. होंगे।

इस पत्र का पूरा प्रचार किया जाये कि कि सम्बन्धित ठर्मवारी समय के अंदर अपनी प्रसन्नतापूर्ण प्रस्तुत कर सके।

-Sd-  
हृते महा प्रबन्धक (टा०)

विलिपि सुवक्ता एवं आक्युत कार्यवाही हेतु :

- अधीक्षक ई. 111 ए 3 प्रतियां
- सहायक अधीक्षक ई. बी. ई. सी. 3 प्रतियां
- अधीक्षक वाणिज्य, परिचालन, प्रधानलिपिक 1



उत्तर रेलवे

प्रधान कार्यालय

बड़ौदा हाउस, नयी दिल्ली।

संख्या 752 ई/67-XIV - ई-ए

दिनांक 10-7-89

मंडल रेल प्रबन्धक उ.रे, दिल्ली, इलाहाबाद, लखनऊ, मुरादाबाद, फिरोजपुर,

जोधपुर, बीकानेर।

सचिव रेल मंत्रालय नई दिल्ली, मैनेजिंग डायरेक्टर/राइट्स नई दिल्ली हाउस बारबम्बा रोड, नई दिल्ली।

अध्यक्ष/यूआरएमयू पंचकुल्या रोड नई दिल्ली एवं एन आर एम यू बारबम्बा रोड नई दिल्ली।

सी.पी.एल.ओ. प्र.का. ब.जा. नई दिल्ली।

वैय.सहायक, मुख्य परिचालन अधिकारी से अनुमति है कि सभी को सूचित किया जाय कि तदनुसार कार्य करें।

सी.पी.ओ.-1। एन.ओ.पी.आर. नई दिल्ली। 10/6 जाम नगर हाउस नई दिल्ली सी.पी.ओ.टी. प्र.कार्य।

सी.पी.आर.ओ।

एन.टी.पी.आर. पटने नगर, नई दिल्ली।

विषय-ग्रुप 'बी' के लिये 250 कोटे के अन्तर्गत सहायक प्राधिकारी पद पर पदोन्नति के लिये चयन।

.....

उपरोक्त सतर्कता के लिये लिखित परीक्षा प्रधान कार्यालय बड़ौदा हाउस, नयी दिल्ली के कमरा नं० 339, 341 ए, 345 में निम्न प्रकार से आयोजित की जायेगी।

रविवार, 29-7-89

10 बजे पेपर - I सामान्य ज्ञान

14 बजे पेपर - II स्थापना नियम और प्रक्रियाविधि

रविवार-30-7-89

10 बजे पेपर - III व्यवसायिक विषय

14 बजे पेपर - IV व्यवसायिक विषय

इस पत्र के अनुसूची 'क' में उल्लिखित कर्मचारियों को प्रधान कार्यालय बड़ौदा हाउस नई दिल्ली में 29-7-89 और 30-7-89 को 9 बजे परीक्षा के लिये मुख्य प्राधिकारी अधीक्षक के वैय.सहायक के पास रिपोर्ट देने के अनुदेश देकर सही समय पर ड्यूटी मूक्त किया जाय यदि सूची में उल्लिखित किसी कर्मचारी का आपके कार्यालय से स्थानान्तरण हो गया हो तो इस कार्यालय को सूचित करते हुए मंडल कार्यालय के माध्यम से उसे उसके नियुक्ति के नये पते पर सूचित किया जाय।

उ- यह सत्यापित करने के बाद कि उम्मीदवार चयन में बैठने के पात्र है। परिशिष्ट 'ख' में दिये गये फॉर्म के अनुसार प्राधिकार पत्र/पहचान पत्र जारी किये जायें। प्राधिकार पहचान पत्र प्रस्तुत करने पर ही उम्मीदवारों के लिखित परीक्षा में बैठने की अनुमति दी जायेगी। वरि.मु.का.अधि. मु.का.अधि.का यह व्यक्तिगत दायित्व होगा कि आवश्यक जांच करें तथा सुनिश्चित करें कि पात्र के लिये पहचान प्राधिकार पत्र जारी किया जाता है। कार्य के अनुसार प्राधिकारी द्वारा प्रत्येक प्रत्याशी को यथाविधि स्तुतिरहित एक पहचान पत्र और जि.उ.वेतनमान का निम्नतम मूल्य 1400-2100 रु० हो इसके नियुक्ति की तारीख का एक पत्र अपने साथ लेना चाहिये तथा यह भी आवश्यक जांच की जाये तथा यह भी जारी किया जाय कि पात्र कर्मचारी सभी शर्तों को पूरा करते है। तथा उन्हें चयन में बैठने के लिये पहचान प्राधिकार पत्र जारी किये जाते हुए उन्हीं कर्मचारियों को गैरितीव किया जाये।

... जारी 2

List of candidates called for Written test for Selection for promotion to Group 'B' Service in Commercial Branch through LDCE of T(T)&C Deptt. to be held on 15-7-89 & 16-7-89

BIKANER

S.No.	NAME	Designation
	<u>S/Sh.</u>	
1		
1.		
1.	Raja Ram SC	CLA/BKN
2.	O.N.Mundra	L Asstt/BKN
3.	Manigar Bhakhar	L.Asstt/BKN
4.	Daya Ram SC	Supdt/Coml.
5.	Ram Singh SC	CRS/BKN
6.	Kanhiya Lal	Sr.RDI
7.	Leela Ram Meena ST	Coml.Insp. SDLP
8.	Madan Lal Meena ST	CIT/HMH
9.	Mohan Lal Bhund	CIT/SDLP
10.	S.P. Dhanwan	Coml.Insp/DEE
11.	Mata Din Sharma	CPC/BKN
12.	Ghanshyam Naithani	BS/DEE
13.	Balwant Singh Arya	BS-BKN
14.	Harprasad SC	BS-RTGH
15.	Jagdish Prasad Meena ST	CGS-LGH
16.	Sarwan Kr. Saini	CGS-SSA
17.	Tek Chand	CGS-SSA
18.	Lajpat Rai Goyal	GS-SSA
19.	Rajender Kumar	CGS-SSA
20.	Rameshwar Dayal	CGS-HSR
21.	M.P. Srivastava	CGS-DEE/Ty.
22.	Hari Dutt Sharma	GS-HMH
23.	Mani Bhushan Tirkey ST	GS-LGH
24.	Kanhiya Lal Meena ST	GS-LGH
25.	Ompakash Singhal	CGS-BKN
26.	Kehar Singh SC	CERC
27.	Radhey Sham Mudgil	CERC/RE
28.	Yadvender Kr. Sharma	HTC-RTGH
29.	Shyam Sunder SC	HTC-RE
30.	Lachman Dass SC	HTC-RE
31.	P.K. Vishnoi	HTC-RE
32.	Sugam Singh Chauhan	HTC-BKN

LUCKNOW

S.No.	NAME S/Sh.	DESIGNATION
65.	O.P.Kapoor	HERC
67.	U.P.Sinha	RS
68.	R.A.Paul	ST CERS
69.	R.N.Prasad	SC CGS/LKO
70.	Bachan Ram	SC -do-
71.	G.P.Shukla	RS/BSB
72.	Kawaloo Ram	SC CGS/BSB
73.	Gopal Dass	CGS/BSB
74.	B.C.Gupta	CGS/LKO
75.	J.N.Bajpai	RS/LKO
76.	Ashis Kishore	SC H/Clerk
77.	K.P.Bajpai	SC As/Supdt.
78.	Hari Ram	SC CLA
79.	Ravi Jauhari	CLA
80.		
81.	G.P.Mahavanesht	SC CIT/LKO
82.	Jai Prakash Upadhiya	CIT/BSB
83.	V.K.Misra	Platform Inspector
84.	M.P.Misra	RSO/CBI/LKO 1/1/83

JODHPUR

85.	Ved Prakash Jhamb	DCMI
86.	Bhikam Choud Singhvi	CBS/Adhoc Sr.CMI/JU
87.	Mool Chand Singhvi	-do-
88.	Upjeet Singh	CMI
89.	Manak Chand Swaranker	PCI/GS
90.	N.K.Khandelwal	CLA
91.	B.L.Sharma	Sr.RDI/JU
92.	Bhopal Singh	SC Supdt.Claim Br.
93.	Nand Lal Meena	ST As/Claims Br.
94.	Ram Narain Solanki	HC/Claim
95.	Om Prakash Saini	HC/Claim
96.	Trilok Singh Chouhan	HC/Claim
97.	Champa Lal Chitara	SC CGS/GOTN
98.	Ram Raksh	SC CBS/JU
99.	Munna Lal Chitara	in Supdt/CG Br.
100.	Mahaveer Raj Bhansali	CPC

Contd...4



AMBALA

S.No.	NAME S/Sh.	DESIGNATION
136.	Hira Lal	CBC/ABS
137.	Ram Prasad	SC Sr./RDI/UMB
138.	V.D.Meena	ST GS/ABS
139.	Piara Singh	SC GS/PTA
140.	Amrit Lal	SC GS/PTA
141.	Sarojini Marya	HTCR/PTA
142.	Jaswinder Pal Singh	Sr-RDI/PTA

DELHI

144.		SC	CLA/DRM's Office/NDLS
143.	Kanwar Pal Singh	SC	Law Asstt./DRM's Office
144.	Inderjeet Singh	SC	BS/DSA
145.	Vijay Kumar Kapoor		HC/Comml./DRM's Office
146.	Arvind Kumar	SC	OSI/DRM's Office
147.	Sewa Dass	SC	Supdt/Comml./DRM's Office
148.	Gopal Krishan Sethi		Asstt.Supdt.Comml./ at present Working as RSO/CBI
149.	Subhramu	SC	Supdt.Comml./-do-
150.	Surinder Kr Sharma		CMI/G/-do-
151.	Mrs.Meena Kumari Anand		CMI/CBC/IRCA Bldg.
152.	Shyam Kumar	SC	CES/CTE/-do-
153.	Mohan Singh Alwaria	SC	CES/Engg. Office/NDLS
154.	Brahamdev Sharma		Comml.Controller/-do-
155.	Uma Shankar Srivastava		CBC/NDLS
156.	Narinder Kr.	SC	Engg.Supervisor/NDLS
157.	Piara Singh	SC	CGS/Subzi Mandi/DLI
158.	Ravi Sharma		CBC/NDLS at present Wkg as SRBI/HQrs.
159.	Surinder Pal Singh		Comml.Insp./NDLS
160.	Roshan Lal Sakhuja	SC	CMI/G/NDLS
161.	Abdool Ghoffar Ansari		CBC/DLI
162.	Brij Kumar		CBC/DLI
163.	Gyan Prakash Kohli		HC/Law Branch/DRM's Office
164.	Inderjeet Mohto	ST	CBS/DLI
165.	Bhagwan Ram Meena	ST	CBS/DLI
166.	Smt. Shanti Meena	ST	CBC/DLI
167.	Balwant Singh	SC	CPC/DLI
168.	Ram Awtar Lawba		CBC/DLI

ALLAHABAD

S.No.	NAME S/Sh.	DESIGNATION
203	5. V.D.Bajpai	Hd.TTE
204	. H S Gupta	J.I.T
205	. Nareemi Khan	Hd.TTE
206	. R.U.Siddiqui	-do-
207	. Gulab Chandra Verma	JIT/CONDUCTOR
208	. Paras Nath Ram SC	JIT/Hd.TC
209	. Deonish Minj ST	-do-
210	. Shri Kant Shukla	-do-
211	. Raja Ram Gupta	-do-
212	. Upender Kr Pandey	Hd.TTE
213	. Prithvi Ram SC	COR
214	. Ghulam Istefa Arif	Hd.TTE
215	. B.N.Sonkar SC	-do-
216	8. Jagdish Prasad Pandey	-do-
216	. B.K.Singh	CONDUCTOR
217	. Theodore Kujur ST	JIT/Kanpur
218	. Ram Swaroop Saroj SC	JIT/COR
219	. Babu Ram SC	JIT/Hd.TC
220	. Jagdish Kr.Nigam	Hd.TC
221	. O.S. Gayatri SC	COR/Guard/TEE
222	. S.P.Srivastava	JIT
223	. Banshi Lal SC	-do-
224	1. S.R.Gupta	JIT/COR
225	. Babu Lal Meena ST	CRS
226	. Ganga Din SC	CRS/CNB
227	. Shiv Narain Tripathi	ERC
228	. S.N.Tripathi	-do-
229	. R.B.Pushkar SC	-do-
230	. Binda Din Verma SC	-do-
231	. Smt.Akhilesh Verma SC	-do-
232	. Hari Prakash Bajpai	-do-
233	. ShivaShanker Pathak	-do-
234	. Anwar Khan	-do-
235	. Jitendra Prakash	COR
235	. Lhani Ram SC	CPS/CNB
237	. Ganga Prasad Tiwari	ODLC/Hd/ALD
238	. H.C.Srivastava	OSI/ALD

ALLAHABAD

	NAME S/Sh.		DESIGNATION
284	Shah Karan	SC	CMI/G
285	O.P.Pandey		-do-
286	M. Murali Dhar Pandey		HGC
287	Jagdish Prasad	SC	Hd.G.C.
288	Bhai Lal	SC	-do-
289	R.B.Ram	SC	CGS
290	Ishwari Prasad	SC	-do-
291	Shri Krishna Ram	SC	GS
292	Shambhu Nath Singh		CGS
293	Amar Pal Singh		HGC-
294	Daya Nand Dubey		-do-
295	BN.Sharma		CGC
296	Michael Ekka	ST	CGS
297	Syed Khalid Masood		-do-
298	Ram Nihor Giri		HGC
299	Kailash Nath Yadav		-do-
290	Sahdeo Chauhan		-do-
291	Daya Ram	SC	CGS
292	Lakshman Singh	SC	GS
293	Sobarn Singh	SC	CGC
294	Ved Ram Sharma		-do-
295	Mohindra Pal Singh	SC	CGS
296	Chandrika Singh		GS
297	Ram Sewak Sharma		CGC
298	DinDayal Jatav	SC	OSI
299	D.K.Bhattacharya		PLI
300	A.J.Khan		CMI
301	Hira Lal	SC	Coml.Controller
302	Narendra Singh	SC	CMI
303	P.C.Malviya		GS
304	Mohammad Iqbal		Coml.Controller
305	Laxmi Narain Pandey		OSI
306	Ashok Kumar Pandey		OSI
307	B.P.Tripathi		Supdt/Coml./ALD
308	R.K.Mathur		-do-
309	S.S.Singh		-do-
310	A.K.Sonkar	SC	Asstt.Supdt/Coml/ALD
311	S.C.Dubey	SC	Hd.Clerk
312	Suresh Narain Bajpai		-do-

Hd. rs. Office

S.No.	NAME S/Sh	DESIGNATION
349	S.C.Bali	E&RC
350	Bhagwant Singh	-do-
351	Rattan Singh Sachdeva	CE&RS
352	Hans Raj Gupta	E&RC
353	Ram Lal Verma	-do-
354	P.Bhandari	-do-
355	I.D.Wadhwa	-do-
356	Banchu Gopal Banerjee	-do-
357	V.P.Mittal	-do-
358	Abdul Samad Khan	-do-
359	AmritLal Handa	-do-
360	S.P.Trikha	-do-
361	Jetha Nand	-do-
362	N.P.Bhatia	-do-
363	Charan Singh Sukheja	-do-
364	R.M.Thapar	-do-
365	P.N.Batra	-do-
366	Vir Vikram Sharma	-do-
367	Markandey Singh	-do-
368	Partap Kr Kochar	-do-
369	Daij Nath Sharma	-do-
370	K.U.Khan	-do-
371	Ram Prakash Gupta	-do-
372	Mirdul Kr Sharma	-do-
373	Jagdish Raj Mahajan	E&RS
374	Shyam Sunder Verma	-do-
375	K.L.Handa	-do-
376	Shiv Ky Chadha	-do-
377	Pran Nath Sharma	-do-
378	Kashmiri Lal Malhotra	-do-
379	Krishna Kumar Gupta	-do-
380	S.P.Seth	CE&RS
381	Hem Raj Sharma	-do-
382	Ram Chand SC	-do-
383	Ved Prakash Indoria SC	-do-
384	Dhani Ram SC	-do-
385	Jagdish Rai SC	-do-

MORADABAD

Sl. No.	NAME S/Sh.	DESIGNATION
422	I. D Saxena	CMI/MB
423	Panne Lal	SC CPS/RMC
424	H. N. Tandan	CMI/MB
425	M. S. Verma	CGS/HBU
426	A. K. Mehrotra	PS/MB
427	S. R. Tewari	GS/HOI
428	R. K. Ratnakar	SC CIT/MB

FEROZEPUR

429	Gurmukh Singh	SC	CE & RS ASR
430	Sher Singh		ERS/LH
431	Inder Mohan		E&RS/ASR
432	Jagir Chand	SC	CRS/JUC
433	Kanshi Ram	SC	CGS/PTK
434	Subhash S/O Ram Chandra	ST	CGS/LH
435	Baij Nath Sharma		CBS/ASR
436	Deepak Kumar		CMI/G
437	Narinder Nath Sheel		Sr. RDI
438	Rattan Chand	SC	ACS-II/FZR/Adhoc
439	Shankar Dass	SC	Supdt. Comml.
440	Naval Singh	SC	CPS/JUC
441	Romesh Kumar	SC	Hd. TCR/ASR
442	Surinder Kumar		Hd. TCR
443	Rajinder Singh Dyan		JIT/LH
444	Deedar Singh		Hd. TTE/LH
445	Surjit Singh	SC	JIT/LH
446	Ram Chander Sagar	SC	JIT/LH
447	Manjit Singh		CIT/ASR
448	Ranjeet Singh	SC	CBS/MQF
449	Har Narain	SC	JIT/ASR
450	Kali Dass	SC	CGS/JAT
451	Ram Lal/	SC	JIT/ASR
452	Jagdish Singh		Hd. TTE

VARANASI

S.NO NAME

DESIGNATION

485	Lalmani Singh		H.C.
486	Chhedi Ram		H.C.
488	.	ST	O.S.
487	J. B.S.P. Gupta		H.C.
488	Bali Ram Singh		H.C.
489	Moti Lal	SC	C.S.
490	Mahendra Prasad	SC	CS
491	S.C. Tripathi		AS
492	Sudama Ram	SC	AS
493	S.C. Saxena		HC
493	Aliyar Khan		HC
494	S.P. Pandey		HC
4			
	<u>HQrs.</u>		
495	V.P. Kohli		CLA/HQrs.
496	Deewan Chand Arora		CMI/HQ
497	...		...
498	Satish Chandra		CLA/HQrs.
499	Jemal Irfan	C	CLA/HQ
500	Ram Bharose Lal	SC	CLA/HQ
501	Sudarshan Kr Kurich		CLA/HQ
502	P.S. Raizada		CMI/C/NDCR
503	S.C. Saxena		IIV/Spl. Sq./Rly. Bd.
504	Deo Narain Gaur		Sr. TCI/HQ
505	S.P. Saxena		CRS/BE
506	N.C. Gupta		SRDI/Rly. Bd.
507	Udai Vir Singh Prabhakar		
508		SC	CPC/ALD
509	K.K. Sharma		CLA/MTP(R) Patel Nagar
510	Esai Kr Bar	ST	Sr. CMI/C/NDCR
511	P.K. Vashney		CMI/C/NDCR
512	Jaswant Singh		CLA/K. Gate
513	Ram Ashray		LA/HQ
514	K.N. Srivastava		CLA/IRCA Bldg.
515	.		ACO/Claim/NDCR
516	Anokhe Lal		CIT/MB
517	Jaipal Singh	SC	TTE/MB
518	H.S. Eswarijey	ST	CIT/BE
519	N.K. Srivastava		TTE/MB

Contd..

# ANNEXURE - IV

NORTHERN RAILWAY LICENSED TELEGRAPHS

<u>Office of origin</u>	<u>Dated</u>	<u>S/Instructions</u>
New Delhi	24-07-89	XXR Wireless

The Div Rail/ DLI FZR ALD LKO MB BKN JU & UMB  
The Secretary, Railway Board, New Delhi.  
The Dy.CCS/C/BSB  
The Principal, ZTS/CH  
CCS/Rates/HQ  
The CCO-II/NDCR/NDLS  
The CFTS-II/HQ  
The CCS/TS & CAO(Con)Office, K.Gate, DLI  
SPO/HQ & SPO/T&C/HQ  
The Managing Director, RITES, 27-Barakhamba Road, New Delhi.  
The Central Organisation for Freight Operation & Central  
System, Safdarjang Station Bldg. New Delhi.  
PA/CCS/HQrs.  
CCS(CR)IRCA Bldg. New Delhi.  
CPRO/NDCR/New Delhi.

No.752-E/67/XII/ELA aaa FENIAN even No. dt.11-7-89 aaa  
Written Examination for selection for promotion to Group 'B'  
Service in Commercial Branch of T(T)&C Department against  
25% quota fixed for 29th & 30th July '89 is postponed to  
12th & 13th August, 1989 aaa List of eligible staff already  
circulated vide this office letter of even number dt.10-7-89 aaa  
advise the staff accordingly aaa

(J.P.Jain)  
for General Manager/P.

Partha  
19-07-89.

# ANNEXURE - V

C-4

NORTHERN RAILWAY LICENSED TELEGRAMS.

Office of origin        Date 01.8.1939 & Instructions WCR Wireless  
ADLS

Divrail/DII-FER-MD-LAC-MB-LCC-OU & UMB

Secretary, Rly. Board, ADLS

Dy. CCS/C/S B

Principal, ZTS/CH

CCS/Asst/CH

CCS-II/DCR/DLS

CPS-II/HQ

CCS/TL & CAO (Com) Office, K. Gate, DLI.

SFO/HQ & SFO/TSC/HQ.

Emerging Director, RITS, 27-Barakamba Road, DLS

Central Organisation for Freight Operation & Central  
System, Seiderjang Station Bldg. DLS

FA/CCS/CH

CCS(CR)/IRCA Bldg. FAS

CPR/DCR/DLS.

752-3/67/XII/sic see PENIAL even No. dated 11.7.39 see  
Written advertisement for selection for promotion to Group 'B'  
service in Commercial Branch of T(T)&C Deptt. against  
25% quota fixed for 12th & 13th Aug, 1939 is postponed to  
9th & 10th, Sept. 1939 see List of eligible staff already  
circulated vide this office letter of even number dated  
10.7.39 see Advise the staff accordingly see

NORTHERN RAIL

(J.F. Jain),  
for General Manager(s)



# ANNEXURE - VI

## NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of Origin      Dated      S/Instructions

New Delhi.      6-9-89      XMR Wireless

Div rail/DLI-FZR-ALD-LKO-MB-EKN-JU-UMB

Secretary, Rly. Board, New Delhi.

Dy. CCS/C/BSB

Principal/ZIS/Chandauli

CCS/Rates/HQ

CCO-II/NDCR/NDLS

CFTS-II/HQ

CCS/TS & CAO (Con) Office, K. Gate/DLI

SPO/HQ & SPO/T&C/HQ

Managing Director, RITES, 27-Barakhamba Road, New Delhi

Central Organisation for Freight Operation & Central  
System, Safdarjung Station Bldg New Delhi.

PA/CCS/HQ

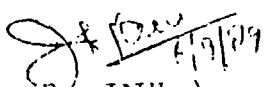
CCS(CR)/IRCA Bldg.

CPRO/NDCR/NDLS

752-E/67/XII/E1A aaa FENIAN even No dt 1-8-1989 aaa

Written Examination for selection for promotion to Gr 'B'  
Service in Commercial Branch of T(T) & C Department against  
25% quota fixed for 9th & 10th September, 1989 is postponed  
to 23rd & 24th Sept. '89 aaa List of eligible Staff already  
circulated vide this Office letters of even No dt. 10-7-89  
and 1-9-89 aaa Advise the staff accordingly aaa

NORTH RAIL

  
( J. P. JAIN )  
for General Manager/P.

# ANNEXURE - VII

Northern Railway Licensed Telegraphs

Office of origin NLS Date 29/9/1989 Service Instructions X/R/Wireless

Divrail/LLI-FZR-ALD-LKO-MB-BKN-JU-UMB.  
Secretary, Railway Board, NLS.  
Dy. CCS/C/BSB.  
Principal/ZTS/Chandauli  
CCS/Rates/HQ  
CCO-II/NDCR/NLS.  
CFTS-II/HQ.  
CCS/TS & C&P (Con.) Office, K. Gate, DLI.  
SPO/HQ & SPO/T&C/HQ.  
Managing Director, RITES, 27-Barakhamba Road, NLS.  
Central Organisation for Freight Operation & Central  
System, Safdarjang Station Bldg. New Delhi.  
PA/CCS/HQ.  
CCS(CS)/IRCA Building, NLS.  
CPRO/NDCR/New Delhi.

No. 752-E/67/XII/Ela aaa FENION even No. dated 19.9.89 aaa  
Written Examination for selection for promotion to Group-B  
service in Commercial Branch of T(T)&C Department against  
25% quota fixed for 7th & 8th Oct. 1989 is postponed to  
14th & 15th Oct. 1989 aaa List of eligible staff already  
circulated vide this office letters of even no. dated  
10.7.89 and 1.9.89 aaa Advise the staff accordingly aaa  
SC/ST candidates to imparted preselection coaching for  
the 25% Group 'B' selection of Commercial Branch at your  
end aaa

NORTHRAIL

*[Signature]*  
29/9/89  
for General Manager (P)

# ANNEXURE VIII

*in for ho-urly for 1003*

*9/10*

*M/C. Ph. nbs SNo 130*

*34*

*(AET)*

## NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of origin	Date	S/Instns.
NILS	9/10/1989	XXR/Wireless

Divrail/DLI-FZR-ALD-LKO-MB-BKN-JU & UMB.

Secretary, Railway Board, NILS.

Dy.CCS/C/BSB.

Principal/ZTS/Chandauli

CCS/Rates/HQ

CCO-II/NDCR/New Delhi

CPTS-II/HQ.

CCS/TS & CAO (Con) Office, K. Gate, DLI.

SPO/HQ & SPO/T&C/HQ.

Managing Director, RITES, 27-Barakhamba Road, NDLS.

Central Organisation for Freight Operation & Central System, Safdarjang Station Bldg, New Delhi.

P.A/CCS/HQ.

CS (CS/HQ IRCA Building, New Delhi)

CCRO/NDCR New Delhi.

*SN/27*

No.752-E/67/XII/Eia aaa FENION even no.dated 29.9.89 aaa  
Written Examination for selection for promotion to  
Group-B service in Commercial Branch of T(T)&C Deptt.  
against 25% quota fixed for 14th & 15th Oct.1989 is  
postponed till further advice aaa

NORTHRAIL

*9-10-89*  
for General Manager (P).

# ANNEXURE - IX

## NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of Origin      Dated      S/Instructions.

New Delhi      12.8.90      XPR-Wireless

No (T) CPO

The Div Rail/LLI, EZR ALD LKO MB BKN JU & UMB

The Secretary, Railway Board, New Delhi.

The Dy. CCS/C/BSB

The Principal, ZTS/CH

CCS/Rates/HQ, OSD/CH, CCS(CTG)/HC, CCS(IG)/HC, CMS/HQ, CCS/HQ

The CCO-IF/NDCR/NDLS, OSD/CH, CPO/S, E. K. G. S. New Delhi

The CFTS-II/HQ

The CCS/TS & CAO (Con) Office, K, Gate/LLI

SPO/HQ & SPO/T&C/HQ

The Managing Director, RITES, 27, Barakhamba Road, New Delhi.

The Central Organisation for Freight Operation & Central System,

Safdarjang Station Bldg. New Delhi.

PA/CCS/HQrs. Office.

The Managing Director/IRCON, Palika Bhawan, Sector-XI

R.K. Puram New Delhi.

Subdt Police, CBI/Su. 10/6 Jinnah Nagar House Akbar Road

New Delhi-11004.

No. 752-E/67/XII/EIA aaa FENIAN Even No. dt 9.10.1989 aaa

Written Examination for selection for promotion to Group 'B'

Service in Commercial Branch of T(T)&C Department against 25%

quota is now fixed for 30.6.90 and 1.7.90 aaa Inform eligible

staff listed in this office letter of even No. dt. 10.7.89

accordingly aaa ENSILE aaa

for General Manager/P.

(X)  
ANNEXURE - X

NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of Origin      Dated      S/Instructions  
New Delhi      13-06-90      XXR-Wireless

The Div Rail/DLI FZR ALD LKO MB BEN JU & UMB  
The Secretary, Railway Board, New Delhi  
The Dy.CCS/C/PSB  
The Principal, ZTS/CH  
CCS/Rates/HQ, OSD/CP/HQ, CCS (CTG), CCS (G), CMS/HQ, CCO/HQ,  
The CCO-II/NDLR/NDLS, OSD/HQ,  
The CFTS-II/HQ, CFTS-I/HQ, C  
The CCS/TS & CAO (Con) Office, K. Gate/DLI  
CCO-II (CR, NDLS (IRCA Bldg)  
SPO/HQ & SPO/T&C/HQ  
The Managing Director, RITES, 27-Barakhamba Road, New Delhi.  
The Central Organisation for Freight Operation & Central  
System, Safdarjung Station Bldg. New Delhi.  
PA/CCS, HQs. Office.  
CPRO, S.E. Road, New Delhi.  
The Managing Director, IRCON, Palika Bhawan, Sector-XI,  
R. K. Puram, New Delhi.  
Supdt. Police, CBI, S.U. 10/6 Jam Nagar House, Akbar Road, NDLS

No. 752-E/67/XII/EIA aaa FENIAN dt. 28.5.90 aaa Written  
Examination for selection for promotion to Group 'B' Service  
in Commercial Branch of T(T)&C Department against 25% quota  
fixed for 30th June & 1st July, 1990 is postponed to 21st  
& 22nd July, 1990 aaa Advise all candidates accordingly aaa

(B. K. SINHA)  
for General Manager/P.

15/6/90

# ANNEXURE - XI

NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of Origin      Dated      S/Instructions

New Delhi      18-07-90      XXR-Wireless

The Div. Rail/DLI FZR ALD LKO MB BKN JU & UMB  
 The Secretary, Railway Board, New Delhi.  
 The Dy. CCS/C/BSB  
 The Principal, ZTS/Chandausi  
 CCS/Rates/HQ, OSD/CP/HQ, CCS(CTG), CCS(G), C. 3/HQ, CCO/HQ  
 The CCO-II/NDLR/NDLS, OSD/HQ  
 The CFTS-II/HQ, CFTS-I/HQ  
 The CCS/TS & CAO(Con)Office, K.Gate, Delhi  
 CCO-2(CR)NDLS(IRCA BLDG)  
 SPO/HQ & SPO/T&C/HQ  
 The Managing Director, RITES, 27-Barakhamba Road, New Delhi.  
 The Central Organisation for Freight Operation & Central System,  
 Safdarjang Station Bldg. New Delhi.  
 PA/CCS/HQrs.  
 CPRO, S.E. Road, New Delhi.  
 The Managing Director, IRCON, Palika Bhawan Sector-XI  
 R.K.Puram, New Delhi.  
 Supdt/Police, CBI S.U. 10/6 Jam Nagar House, Akbar Road, NDLS.

No. 752-E/67-XII/EIA aaa PENIAN EVEN NO. DATED 13-6-1990! aaa  
 WRITTEN EXAMINATION FOR SELECTION FOR PROMOTION TO GROUP  
 SERVICE IN COMMERCIAL BRANCH OF T(T)&C DEPARTMENT AGAINST  
 25% QUOTA FIXED FOR 21ST & 22ND JULY, 1990 IS POSTPONED  
 TILL FURTHER ORDERS aaa ADVISE ALL CANDIDATES ACCORDINGLY aaa

(B. K. SINGH)  
 for General Manager

NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of origin Date S/Instns  
NDLS 24/8/1990 XXH/1111111111

Divrail/DLI-FZR-AID LKO MB BKN JU & UMB  
Secretary, Railway Board, NDLS.

Dy. CCS/C/BSB

Principal, ZTS/Khandausi

CCS/Rates/HQ, OSD/CP/HQ, CCS(CTG), CCS(G), X CMS/HQ, CCO/HQ,

CCO-II/NDCR/NDLS, OSD/HQ, CPTS-II/HQ, CPTS-I/HQ,

SPO/HQ & SPO/T&C/HQ

The Managing Director, RITES, 27, Barakhamba Road, NDLS

The Central Organisation for Freight Operation & Central

System, Safdarganj Station Bldg., NDLS

PA/CCS, HQ Office,

CPRO, S.E. Road, NDLS.

The Managing Director, IRCON Palika Bhawan Sector XI,

RK Puram, NDLS.

Supdt. Police, CBI, S.U. 10/5 Jam Nagar House, Akbar Road,  
New Delhi.

No. 752E/67/XII/Eia aaa FENIAN even No. dt. 18-7-90 aaa

Written Examination for selection for promotion to

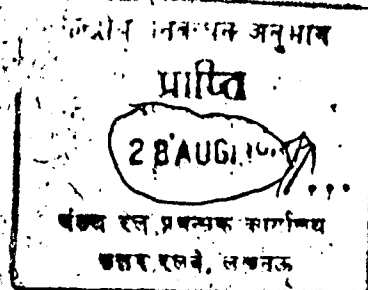
Group 'B' Service in Commercial Branch of T(T)&C Deptt.

against 25% quota is fixed for 8th & 9th Sept./1990 aaa

Inform eligible Staff listed in this office letter of even  
number dated 10-7-89/accordingly aaa ENSILE

aaa Advise all candidates accordingly aaa

NORTHRAIL



( B.K. Sinha )  
for General Manager (P)

# ANNEXURE XIII

NORTHERN RAILWAY LICENSED TELEGRAPHS

Office of Origin

Dated

S/Instructions

New Delhi

04-09-90

XXR-Wireless.

DIV RAIL/DLI FZR LKO ALD, MB BKN JU & UMB  
Secretary, Railway Board, New Delhi

Dy.CCS/C/DSM

Principal, ZTS/Chandauli

CCS/Rates/HQ, OSD/CP/HQ, CCS/CFG, CCS/G, CMS/HQ, CCO/HQ

CCO-II/NDLR/NDLS, OSD/HQ, CPTS-II/HQ, CPTS-I/HQ

SPO/HQ & XPO/T&C/HQ

The Managing Director, RITES, 27 Barakhamba Road, New Delhi

The Central Organisation for freight operation & Central  
System Safdarjung Station Bldg. New Delhi.

PRO, S E Road, New Delhi CCS/(T/O)K.Gate/DLI

The Managing Director, IRCON, Palika Bhawan, Sector-XI, R K PURAM/NDLS

Supdt.Police, CBI, S.U. 10/6 Jam Nagar, House, Akhbar Road, New Delhi.

CCS/CR/IRCA Bldg. New Delhi.

The Railway Claims Tribunal, Rajpur Road, Delhi-54

No.752-E/67/XMI/EIA aaa FENIAN even number dt. 24-8-90 aaa  
Written Examination for selection for promotion to Group B  
Service in Commercial Branch of T(T)&C Deptt. against 25%  
quota fixed for 8 & 9th Sept/90 is postponed to 22nd & 23rd  
September, 90 to be held as under :-

22-09-90  
(Saturday)

- Paper-I General Knowledge  
at 10-00 AM

22-09-90  
(Saturday)

- Paper-II Establishment & 14-00 Hrs. Financial Rules

23-09-90  
(Sunday)

- Paper-III Professional Subject  
10-00 Hrs.

23-09-90  
(Sunday)

- Paper-IV Professional subject  
14-00 Hrs

Syllabus on Financial & Establishment Rules was circulated  
vide this office P.S No 7717 and Syllabus on Professional Subject  
for the T(T)&C Department was circulated vide this office P.S.No.  
7751 aaa Inform eligible staff listed in this office letter  
of even number dt 10-7-89 accordingly aaa

NORTH RAIL

( B. K. SINHA )  
for General Manager/P.



# ANNEXURE - XIV

## NORTHERN RAILWAY LICENSED TELEGRAPHS

C-14  
(K7)

Office of Origin  
LKO

Date  
18.9.90

By  
RMR wireless

CBS/LKO, ECS/SLN; CCS/PRH, CPS/BSB, CPS/LKO, CCS/JHU  
CBS/PD, PS/LKO, BS/LKO, CPC/LKO, HDS/LKO; CBC/LKO  
CPC/JHU, CBC/JHU, CBC/BSB, CHI/LKO, LERC/LKO,  
RS/LKO, RS/RBL, CCS/LKO, RS/BSB, CCS/BSB  
CGC/LKO, CIT/LKO, CIT/BSB, Platform Inspector/LKO  
RSO/CB/LKO.

No. 752E/IA/A /selection aka. TENIAN even No. dt. 2478.90  
aka written examination for selection for promotion to  
group B service in commercial Branch of T(T) & C Deptt.  
against 25% quota fixed for 380 in sept. /90 is postponed  
to 22nd & 23rd september, 90 to be held as under:-

22.9.90  
(Saturday)

Paper-I, General Knowledge  
at 10= W.A.M.

22.9.90  
(Saturday)

Paper-II Establishment at  
14=00 Hrs. Financial rules.

23.9.90  
(Sunday)

Paper-III, Professional  
subject 10=00 hrs.

23.9.90  
(Sunday)

Paper-IV, professional  
subject 14=00 hrs.

Syllabus on financial & Establishment Rules was  
circulated vide G.M.(P)'s P.S.No. 7717 & Syllabus in  
professional subject for the T(T) & C Deptt. was circulated  
vide G.M.(P)'s P.S.No. 7751.

All eligible candidates enlisted in this office  
letter of even no. dt. 10.7.90 may be spared well in time  
to attend the above selection without fail.

For Div. Railway Manager,  
RMR Wireless

1. Mr. Ravi Pandey  
C.A.

2. Mr. Hari Ram Singh  
14/9/90

30 The gm (P) H&R N Rly NDBSH

Sub: Duty of XKR were no. 762E/1A/Ace/Selection  
Dated 19/9/90 issued by JRM dno.

Sir

The above mentioned Telegram was  
delivered to Cmi/1ko vide my D/S no 27 at 22 hrs  
of 19/9/90. The Telegram was being to P no. 27 of Telegram  
was 31. which was received at The residence of  
Cmi by some body named Bipat Ram Photo copy of  
The same is enclosed. Original message already sent  
to STR/INDORE.

B. B. Sam  
R. B. Sam  
R. B. Sam

एन.टी./आर.३/एन.टी.  
(एन.टी.-९/L.T.९)

8/27 तार सुपुंको रस/MESSAGE DELIVERY RECEIPT  
 भण्डार/Division ..... दिनांक/Date ..... 19/6/80  
 स्थान/Station/पार्क/पार्क/Office

क्रम सं Sl. No	सूचना का समय Time messenger	तारी की संख्या No. of Telegrams	प्रेषिका का नाम Name of addressee	प्राप्तकर्ता के हस्ताक्षर या काबिल Signature or Initials of receiver	प्राप्ति का समय Time of receipt
	बाने का sent out	पहुँचने का received			

$93 \rightarrow \text{Cym}$   
 $66, 61, 58 \rightarrow \text{Cbi}$   
 $\frac{41}{xxn}, \frac{51}{xxn} \rightarrow \text{Cni}$   
 $\frac{42}{xxn} \rightarrow \text{Cni (HQ)}$   
 $38 \rightarrow \text{Rsu (CA)}$

*[Handwritten signature]*

*[Handwritten date: 4/12/91]*

*[Handwritten number: 02291]*

STATION ...  
PORT ...

Railway Safety Officer

Result after viva voce (XVIII)  
**ANNEXURE XVIII**

NORTHERN RAILWAY

HEADQUARTERS OFFICE  
BARODA HOUSE, N. DELHI.

152-E/67-IX/Eia.

Dated : 7/12/90.

Managing Director/RITES, 27, Barakamba Road, N. Delhi.  
The DRMs/ALD LKO FZR UMB JU BKN MB & DLI.  
The CCS/Hd.Qrs.Office.  
The CPTS-S.I. & II/Hd.Qrs.  
The CCO-II/NDCR/New Delhi.  
The Dy.OCS(C) BSB.  
The CFTS/I & II/Hd.Qrs.  
The SPO/HQ & SPO(T&C).  
The Secretary, Railway Board, N. Delhi.  
The O&D/K.Gate, Delhi.  
The Secretary, Ministry of Agriculture, Arishi Bhawan, N. Delhi.  
The Principal/ZTS/Chanduasi.

SUB : - Selection for promotion to Group 'B' service in  
Commercial Branch of T(T&C Department against  
25% quota.

.....

-As a result of the written test held on 23/24-9-90  
in connection with the selection for promotion to Group 'B'  
service in the Commercial Branch of T(T&C Deptt. against  
25% vacancies, the persons listed in Annexure-A have  
qualified in the written test.

It has been decided to hold the viva-voce test in  
this office on 3/4-1-91 at 10.00 hrs. in the Room of CCS.  
The staff mentioned in Item 1 to 36 (Annexure 'A') may please  
be directed to appear in the Viva-voce Test on 3, -1-91 &  
Item No 37 to 69 on 4/1/91.

In case any of the candidates, has been transferred  
to another office, that office may please be informed  
urgently to relieve the candidate for the viva-voce test  
under advice to this office.

( B. K. SINGH )  
for General Manager (P)

Copy to :-

1. CVO(T). He may please intimate the Vigilance Clearance  
of the staff mentioned in Annexure-A.
2. CA/CCS/ He may please furnish the D&AR Clearance of the  
staff mentioned in Annexure-A & B. 3. Asstt. Secy. (Confdl)/HQ.
4. PA/CCS. He is requested to inform all the candidates on  
Hot Line.

List of candidates called for viva-voce test for selection for promotion to Group 'B' service in Commercial Branch of T(T)&C Deptt. against 25% quota, to be held on 9/4-1-91.

S.No.	Name & Designation
	<u>S/Shri</u>
1.	Hari Ram, CLA/LKO
2.	Daya Ram, Supdt.(Comm.)
3.	Ram Singh, CRS/DKN
4.	Arjun Chaudhary, CBS/LKO
5.	Ram Kumar, PS/LKO
6.	Ram Prasad, SRDI/UMB.
	Inderjeet Singh, DS/DSA
	Kehar Singh, CERC
9.	Manoj Das, Hd.TC/KE
10.	N.N. Prasad, GS/LKO.
11.	Arvind Kumar, OSI/LLI
12.	M.C. Joshi, CMI/UMB.
13.	Janardhan Prasad, Sr.RDI/UMB.
14.	Ravi Jauhri, CL/LKO.
15.	S.K. Sharma, CMI/LLI.
16.	Ravi Sharma, SRVI/HQ.
17.	Aditya Prasad, CL/BSU.
18.	Inderpal Singh, CC/LD
19.	Alok Chaturvedi, CMI/HQ
20.	V.K. Sharma, CMI/HQ
21.	A.K. Khanna, RDI/HQ
22.	N.C. Jaiswal, SRDI/HQ
23.	Upjit Singh, CMI/JU.
24.	Dayanand Prasad, CBS/JU.
25.	A.J. Khan, CI/LD
26.	Yash Pal, SRDI/HQ
27.	P.N. Sarvan, CTI/HQ
28.	D.C. Arora, CMI/HQ
29.	Leela Ram Meena, CI/SDLP
30.	Bhagwan Ram Meena, CBS/LLI
31.	Smt. Kamla Lugun, GERS/NDLS
32.	T.P.S. Meena, CGA/XX
33.	M.S. Meena, CGS/CDG
34.	M.M. Singh, CMI/UMB.
35.	Ram Kumar Meena, DS/AZM
36.	M.S. Bema, CGS/Dewana
37.	M.L. Meena, CGS/BE
38.	Hari Ram Waghela, CBS/LD
39.	Nand Lal Meena, AS/JU.
40.	E.K. Bara, CMI/NDCR

Contd.....P/2

NORTHERN RAILWAY

Headquarters Office  
Baroda House New Delhi.  
Dated: 25/1/1991

No. 752-E/67-XIV(E1a)

The DRMs/N.Rly. DLI-FZR-ALD-LKO-MB-BKN-JU & UMP.  
The Secretary, Railway Board, New Delhi.  
The Dy.CCS/C/BSB, and The Principal/ZTS/Chandausi.  
The CCS/TS & CAO(C)/K.Gate Delhi.  
The CCS/Rates/HQ. SPO/HQ & SPO/T&C/HQ.  
The Managing Director, RITES, 27-Barakhamba Road, New Delhi.  
The COO-II/NDQR/New Delhi. CCS(G)/HQ, CCS/CR/IRCA Bldg. New Delhi.  
The Central Organisation for Freight Operation & Central  
System, Safderjang Station Building New Delhi.  
PA/CCS/HQrs.

Sub:- Selection for promotion to Group 'B' post in the  
Commercial Department against 25% quota, through LDC.

As a result of written test held on 22/23.9.90 and  
viva-voce test held on 3/4.1.91, in connection with the  
promotion to Group 'B' post in the Commercial Deptt., against  
the 25% quota through Limited Department Competitive  
Examination, the following persons have been placed on  
the 'Provisional' panel, in order of merit :-

1. Shri S.K. Sharma, CMI/DLI
2. " Aloke Chaturvedi, CMI/HQ
3. " V.K. Sharma, CMI/HQ
4. " N.C. Jaiswal, SRDI/HQ
5. " D.C. Arora, SRDI/HQ CMI/HQ
6. " Yash Paul, SRDI/HQ
7. " Ravi Sharma, VI/HC
8. " Roshan Lal, CMI/DLI
9. " Ram Prasad(SC), SRDI/UMB
10. " M.M. Singh(ST), CMI/UMB.
11. " Janardhan Prasad, SRDI/UMB
12. " Arvind Kumar(SC), OSI/DLI
13. " Shyam Sunder(SC), CES/DLI.

of The above named may please be warned that retention  
of their names on provisional panel are dependant on their  
work remaining satisfactory during the currency/panel. The  
fact that they have been placed on the provisional panel  
is no guarantee for their promotion to Class-II service.  
Hindi version will follow.

for General Manager(P)  
25.1.91

- Copy to:- 1. A.S/Confdl.  
2. Sr.DAO/N.Rly.ALD-BKN-DLI-UMB-LKO-MB-JU & FZR  
3. FA & CAO(EG)Baroda House, New Delhi.

\*Yadav\*  
25.1.91

C-18  
41

RESERVED

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No.1 of 1991

P.P. Sonkar and Others ..... Applicants

Versus

Union of India & Others ..... Respondents

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

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

(By Hon.Mr.D.K.Agrawal, J.M.)

This application under Section 19 of the Administrative Tribunals Act, 1985 has been filed with prayers .

- (i) to quash the written examination held on 22/23.9.90 for promotion to the post of group 'B' under the Railway Administration,
- (ii) to direct the supplementary examination to be held for the post of group 'B', Asstt. Commercial Officer/Supdt.,
- (iii) to restrain the respondents from holding the viva voce examination on 3/4.1.1991.

2. Briefly the facts are that according to the Rules of Recruitment of group 'B' service, 25% vacancies in the Commercial Branch of T(T) and C Department are to be filled by Limited Departmental Competitive Examination. For this purpose, notification dated 6/2/89 was issued by the Northern Railway HQrs. Office, Baroda House, New Delhi laying down the procedure for submission of applications by eligible candidates. There is no dispute that the applicants were eligible to appear at

*DK Agrawal*



the examination. It is also not disputed that applicant Nos 1,2,4,5,9,14,15,21 and 25 were candidates belonging to reserved category. The other applicants belonged to general category. It is also not disputed that the candidates belonging to reserved category were given training in order to prepare them for the Limited Departmental Competitive Examination and the training was completed in August, 1990. Various dates of the examination were notified before August, 1990 but those dates are not relevant for the simple reason that the Limited Departmental Competitive Examination could be held only after the candidates of the reserved category had been given necessary training to enable them to appear at the said examination. After completion of the training of the reserved category of candidates, 8/9.9.90 was fixed as date of examination vide notification dated 24.8.90. However, the examination was postponed by an order dated 4.9.90 and notified to be held on 22/23.9.90. The grievance of the applicants is that they were not intimated the date of examination i.e. 22/23.9.90 and therefore they have urged that the examination be quashed and supplementary examination be held. The present petition was filed on 2.1.1991 and an ad interim order was passed that the viva voce be held on 3/4.1.91 as scheduled but the result be not declared.

3. The Railway Administration have filed a Counter Affidavit on 16.1.1991 contending that the applicants have not approached the Tribunal with clean hands inasmuch as three applicant Nos 5,7 and 10 had due notice of the said examination and their plea otherwise was absolutely incorrect because they on their

*27.9.91*



own had declined to appear for the examination. It was further pleaded by them that the applicants have purposely omitted to mention that by means of a notice dated 24.8.90 the examination was notified to be held on 8/9.9.90 and the same was postponed by an order dated 4.9.90 for 22/23.9.90. Therefore it is not relevant as to when the information was actually received by the Divisional Railway Manager's office at Lucknow. If the applicants had notice for the examination to be held on 8/9.9.90, the inference would be that they knew the postponed date of the examination as well. It has also been pleaded by them that large number of applicants belong to Goods, Parcel and Booking Offices of Northern Railway from where candidates appeared in the examination. It has been further pleaded by them that the present claim petition was purposely filed on 2.1.1991 to stall the viva voce or the declaration of the result. It is alleged that one K.S. Chaubey had filed a representation as early as on 14.10.1990. Therefore the plea taken by the applicants that they came to know about the examination having been held on 22/23.9.90 as late as on 24.12.90 is pulpbly false.

4. Five candidates (not parties to the petition) have appeared before us as interveners. Three of them namely Alok Chaturvedi, S.K.Sharma and Ravi Sharma have filed Counter Affidavit and represented through an Advocate. Two of them namely Ram Prakash and V.K.Sharma filed their Counter Affidavit and represented through another Advocate. Their prayer was that they

Decided

484/45

be allowed to be impleaded. We have heard their counsel namely Shri V.K.Burman and Shri K.C. Sinha and instead of impleading the above five candidates as parties we have treated them as interveners. They have also raised plea to the effect that the applicants have not approached the Tribunal with clean hands; that the date of the examination was well within the knowledge of the applicant; that the applicants purposely avoided the examination; that the present claim petition have not been filed with the bonafide object.

5. We have heard the learned counsel for the applicants namely Shri S.C. Budhwar and learned counsel for the Railway Administration namely Shri Prashant Mathur as well as S/Shri K.C. Sinha and V.K. Burman counsel for interveners. The sole point for determination in this case is as to whether the examination already conducted by the Railway Administration and selection completed can be struck down on one ground alone i.e. applicants were not intimated the postponed date of examination i.e. 22/23.9.90. In the first instance, we consider that this claim petition is liable to be thrown away on the sole ground that the three applicants namely S/Shri Lallan Ram, S.N.Misra and I.G. Singh have come forward with a wrong verification inasmuch as they had knowledge of the postponed date of the examination and they actually declined to appear in the examination while they have alleged before us that they had no intimation of the date of the examination. Once we hold that the three

*[Signature]*



AB 50

applicants have falsely verified the claim petition, it leads to an inference that their colleagues i.e. other applicants were in hand and gloves with them. We find it difficult to separate the case of the above three applicants from the remaining applicants in this regard. Secondly, these applicants who belonged to reserved category knew it well that the examination was being postponed earlier because they had not completed their training. If so, they were bound to have information about the date of the examination. Thirdly, it is also relevant that applicant Nos. 2,6,8, 15 and 20 belong to Goods, Parcel and Booking Office and their colleagues in these offices had already taken up the examination. Therefore the inference is that they were likely to have knowledge of the postponed date of the examination. Fourthly, it is not believable that the applicants did not come to know that the examination has already been held. The inference is that they kept waiting till the date for interview was fixed. It was only when the date for interview was approaching that they came forward with the present claim petition praying for stay of the viva voce test. In these circumstances, we do not consider that it is a case where the interim order can be continued or examination struck down on the ground that the applicants were not intimated the date of the examination. In the analogy of dictum laid down in the case of Anamika Misra Versus U.P. Public Service Commission, Allahabad 1990 SC 461. It appears to us that the applicants purposely have not alleged in their claim petition or the Rejoinder Affidavit about the order dated 24.8.90 whereby it was notified

*L. K. Ray*

that the examination will be held on 8/9.9.90. The reason is that once the knowledge is attributed to the applicants of the order dated 24.8.90 or the date of examination i.e. 8/9.9.90, the irresistible inference would be that they had knowledge of the order dated 4.9.90 postponing the examination to 22/23.9.90. In the circumstances, we are of the opinion that the applicants had knowledge of the date of examination and also that they have not approached us with clean hands. We have already heard the learned counsel of the parties on merits. Therefore we hold that there is no merit in this claim petition.

6. In the result, the claim petition is liable to be dismissed. The same is accordingly dismissed without any order as to costs.

*Sd.*  
Member (A)/

*Sd.*  
Member (J)

Dated the 25<sup>th</sup> Jan., 1991.

RKM



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(10.5.1991) 11/91

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Allahabad

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उत्तर रेलवे  
NORTHERN RAILWAY

Divisional Office  
Lucknow

No.:- 752-E/1A/ACS/Selection

Dtd.: 22/2/91

The General Manager  
Northern Railway  
Hd.Qrs.Office,  
New Delhi.

Sub :- OA No. 381 of 1990(C) before CAT/Lucknow  
Shri K.S.Chobey V/s U.O.I.

Ref :- Your letter no. 752-E/67-XIV/Eia dtd.10.1.91.

The despatch of this office letter of even no. dated 10.7.90 has been checked up from the Despatch Section of DRM Lucknow Office and Free Service Railway Dak Office, Station Bldg. Charbagh, Lucknow. As per procedure the above cited letter was despatched by Despatch Section of DRM Lucknow Office on 12.7.90 through the summary challan containing 18 letters issued from the various sections of the DRM Office including the letter of even no. dtd. 10.7.90 entered on S.No. 16 which was also the challan no. of this particular letter through which Despatch Section of DRM Lucknow Office had sent to Free Service Railway Dak Office for delivery to concerned addressees. Checking of the Dak Guidance Book maintained by Free Service Railway Dak Office for CMI/LKO for the period from 6.1.90 to 31.12.90 reveals that the letter of even no. dtd. 10.7.90 was entered in the Dak Guidance Book on 12.7.90 indicating the challan no. by which this particular letter was sent to Free Service Dak Office by the Despatch Section of DRM Office, Lucknow that is 16. After sorting the letters marked to CMI, those are kept in the pigeon hole earmarked for CMI/Lucknow which has been given S.No. 77. As per practise the letters pertaining to a particular subordinate are either collected personally or by deputing his peon who in turn puts his initials on the Dak Guidance Book as a token of having collected the letters kept in the pigeon hole. In this particular case the letter which was kept in his pigeon hole bearing no. 77 has been collected by somebody, maybe his peon who has put his initials as a token of having receipt of the letter on behalf of the CMI/Lucknow to whom it was addressed.

As regards this office letter of no. 752-E/1A/Commercial/Selection dtd. 23.10.90 this is to clarify that on 19.9.90 XXR message no. 752-E/1A/ACS/Selection was also despatched through Despatch Section of DRM Lucknow Office. As per the records of the Despatch Section of DRM Office, Lucknow all the copies of the telegrams addressed to the concerned staff who were required to appear at the selection were collected by the Telegram Peon for serving to the concerned. Further details can be had from the Head Signaller, Station Building, Charbagh, Lucknow.

Cont...../2

उत्तर रेलवे  
NORTHERN RAILWAY

- 2 -

It may further be clarified that in the letter it was inadvertently recorded for holding a supplementary examination though there is no such instructions in the case of selection for Group 'B' posts against 25% quota (LDC).

Photocopies of the relevant challan and pages of the Dak Guidance Book of Free Service Railway Dak Office are enclosed.

DA as above

20/2/2000  
Divisional Railway Manager  
Lucknow





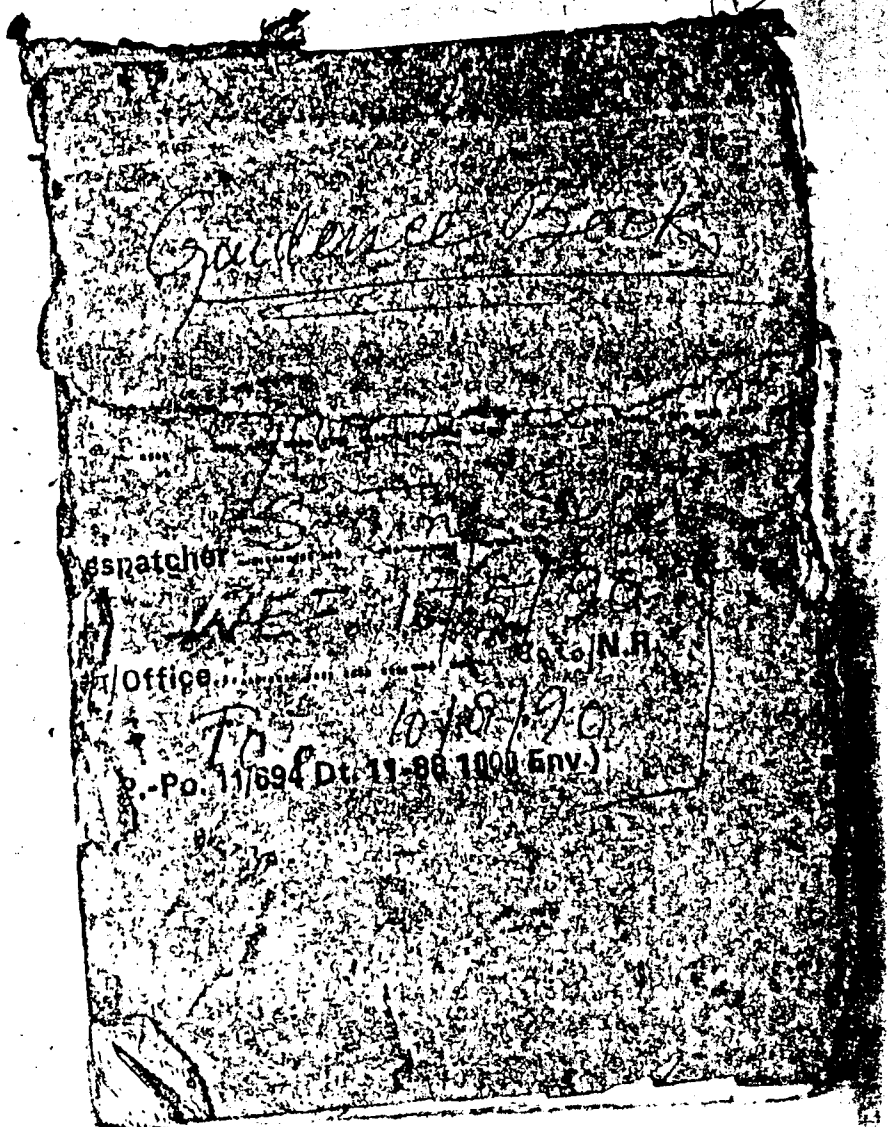


Photo copy of the title of the Guidance  
of Dispatch section / DM / K. S. J. K.  
Containing Summary of Challan  
Billis sent to Free Service Rly  
Date 9/10/90

Alleged

2 days

20/10/90

20/10/90

15

1-SS/mg. 12/7/90

2-1-64

3-22-05/Min/En/90

4-5-96 1/4000 (1/10000)

5-~~6870~~ 1207-25170

Edwards, E.

7-Princeton/Hill/22/46

[illegible]

0-225770militar 00161005/102103

10

$$16 = 39.6 \text{ g} \times 0.133 \times 100 \text{ mg} / 100 \text{ mg} =$$

11 = 39150 Ell 3000 ft / 2000 ft Ell 1000 ft

2602172-1201546934712-34571

13-DRUMMOND, EVAN

[illegible]

15-1-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-

6-2m1	LCG
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17-50/RP/LK

18-~~24~~ / CES / AMV / LK

8.7.3

Attested:


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[illegible]

.....  
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.....

15. The following are the names of the persons who have been appointed to the various committees of the Board of Directors:

... ..



*[Handwritten signature]*

*[Handwritten signature]*

-2122. 17.

445

posts of Group 'B' service, the deponent applied for the same with prescribed time limit.

- 3) That in reply to paragraph 3 it is submitted that neither the order dated Feb. 1989 nor order dated 10.7.89 was addressed to the deponent nor it was ever served on him. The deponent came to know for the first time about these orders when the ~~counter~~ counter affidavit was served.
- 4) That in reply to paragraph 4 it is submitted that it appears from annexures C-3 to C-12 that the examination was ordered to be postponed by the Rly. Administration from time to time and it further appears from annexures No. C-3 to C-12 that the General Manager specifically directed to the officers whom these letters were addressed to advise the eligible candidates individually for the postponement of the examination. The deponent specifically submits that the deponent was never informed in writing by the Rly. administration including the DRM/N.Rly., Lucknow under the instructions of annexures No. C-3 to C-12.
- 5) That in reply to paragraph 5 deponent specifically submits that the alleged letter dated 4.9.90 annexure No.13 is neither addressed to him nor the contents of that letter were disclosed to him. The deponent came across the contents of this letter when the counter affidavit was served.

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- 6) That in reply to paragraph 6 it is submitted that it appears from annexure No. C-14 that the said telegramme had not been addressed to the deponent and the contents of that telegramme were also not disclosed to him. The deponent only came to know about annexure No. C-14 when the counter affidavit was served on him.

It is specifically submitted that the alleged annexure No. C-15 is false and concocted document and therefore, its genuineness is totally denied by the deponent. It is further submitted alleged telegramme dated 19.9.90 was never served to the deponent on 19.9.90 at 22 hrs. as per alleged DS No.27 as mentioned in annexure No.C-15. It is <sup>neither</sup> further submitted that alleged Shri Bipat Ram was <sup>L</sup> the family member of the deponent nor his servant. It is further submitted that the alleged Sri Bipat Ram was also not posted with deponent as his subordinate by the Rly.Administration. The deponent did not know alleged Shri Bipat Ram as named in annexure C-15 and its enclosure. These two documents have been manufactured by the concerned authorities for the purpose of their own use.

- 7) That in reply to paragraph 7 and 8 it is submitted that the examination was illegally held by the Rly. Administration behind the back of the deponent and without giving any opportunity to him to appear in the written examination as well as interview.

18.0

(104)

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

C.A. No. 381 of 1990(L)

K.S. Chaubey

... Applicant

Versus

Union of India & others

... Respondents

REJCINDER AFFIDAVIT OF SHRI K.S. CHAUBEY AED ABOUT 42/2000  
S/C SHRI J.P. CHAUBEY.

The deponent is applicant in the above noted case and is well acquainted with the facts of the case. He has perused the contents of the counter affidavit and under-stand the same and he is making reply as under :-

- 1) That in reply to para 1 of brief and preliminary objection, it is submitted that the contents of this para along with annexure No. C-1 was not in the knowledge of the deponent as annexure CA-1 was neither addressed to the deponent nor it was disclosed to him till the service of counter-affidavit. It is further submitted that the Railway Administration was required to hold examination simultaneously against 75% quota as well as against 25% quota as claimed by them in para under reference.
- 2) That in reply to paragraph 2 it is submitted that when the Divl.Rly.Manager, M.Rly., Lucknow had invited applications for recruitment against the

445

posts of Group '3' service, the deponent applied for the same with prescribed time limit.

- 3) That in reply to paragraph 3 it is submitted that neither the order dated Feb. 1989 nor order dated 10.7.89 was addressed to the deponent nor it was ever served on him. The deponent came to know for the first time about these orders when the ~~counter~~ counter affidavit was served.
- 4) That in reply to paragraph 4 it is submitted that it appears from annexures C-3 to C-12 that the examination was ordered to be postponed by the Rly. Administration from time to time and it further appears from annexures No. C-3 to C-12 that the General Manager specifically directed to the officers whom these letters were addressed to advise the eligible candidates individually for the postponement of the examination. The deponent specifically submits that the deponent was never informed in writing by the Rly. administration including the DRM/N.Rly., Lucknow under the instructions of annexures No. C-3 to C-12.
- 5) That in reply to paragraph 5 deponent specifically submits that the alleged letter dated 4.9.90 annexure No.13 is neither addressed to him nor the contents of that letter were disclosed to him. The deponent came across the contents of this letter when the counter affidavit was served.

APC

- 6) That in reply to paragraph 6 it is submitted that it appears from annexure No. C-14 that the said telegramme had not been addressed to the deponent and the contents of that telegramme were also not disclosed to him. The deponent only came to know about annexure No. C-14 when the counter affidavit was served on him.

It is specifically submitted that the alleged annexure No. C-15 is false and concocted document and therefore, its genuineness is totally denied by the deponent. It is further submitted alleged telegramme dated 19.9.90 was never served to the deponent on 19.9.90 at 22 hrs. as per alleged DS No.27 as mentioned in annexure No.C-15. It is <sup>neither</sup> further submitted that alleged Shri Bipat Ram was <sup>neither</sup> the family member of the deponent nor his servant. It is further submitted that the alleged Sri Bipat Ram was also not posted with deponent as his subordinate by the Rly.Administration. The deponent did not know alleged Shri Bipat Ram as named in annexure C-15 and its enclosure. These two documents have been manufactured by the concerned authorities for the purpose of their own use.

- 7) That in reply to paragraph 7 and 8 it is submitted that the examination was illegally held by the Rly. Administration behind the back of the deponent and without giving any opportunity to him to appear in the written examination as well as interview.

CC



A98

the alleged examination was given to the deponent and no Identity card was also issued to him and even more he was not relieved for the alleged examination date. A detail facts have already been given in Supra Para no. 416b. It is incorrect to say that the deponent cannot challenge the examination in question which has been held behind his back and which has prejudiced the right of the deponent's case for appearing in the said examination.

12) That in reply to para No.2 it is submitted that order dated 10.7.90 contained in item 1 to the application has illegally been given effect, and the same has been legally challenged.

13) That in reply to column 3 it is submitted that the alleged date fixed for examination was never communicated to the deponent. The application has not become infructuous as alleged.

14) Column 4- Para A - need no comment.

Para B - need no comment with the submission that the work and conduct of the Deponent is also a relevant factor for his case.

Para C - that in reply to this para it is submitted that the alleged examination and panel prepared by the department without giving any opportunity to the deponent to appear and participate in the said examination and interview are illegal and against the provision of Art. 14 & 16 of the Constitution of India and are liable to be quashed.

Ad  
3/1/01

Sec

1097

- 8) That in reply to paragraph 9 it is submitted that the alleged written test and interview was illegally held behind the back of the deponent without giving him the opportunity to appear, being eligible candidate.

It is further submitted that the judgement delivered by this Hon'ble Tribunal as contained in annexure No.18 is neither relevant to the present case of the deponent and nor it was correctly decided and the same is required to be reviewed in the present context of the case of the deponent and at the time of argument the point shall be raised properly to distinguish the said judgement.

- 9) That the contents of paragraph 10 are incorrect and denied.
- 10) That the preliminary objection paragraph NIL is incorrect and denied. The entire selection procedure has been challenged.
- 11) That in reply to paragraph 11 parawise reply under column No. 1, it is submitted that in the order dated 10.7.90 contain in Annexure No.1 to the application it is clear that it was directed that the eligible persons may be intimated and they may relieved for examination with identity card. But no such intimation has been given to the deponent by any authority, of Railway Administration. It is further submitted that as stated earlier no information with regards to the date fixed for

(11/2/91)

It is further submitted that as per direction of the Rly. Board and the General Manager (NR) it was the duty of the Rly. administration to intimate the date of examination and also to issue identity card and relieve him, but no such intimation was issued to the deponent as he has averred in Supra Para No. 4 to 6. There is no question of implied information or any knowledge as alleged by the C.Ps at the instances of the union.

Para D - that in reply to this para it is submitted that no such notification was ever issued or communicated to the deponent, which was individually required to be intimated to him. It is submitted that at the time of filing the aforesaid application, the deponent managed a copy of the order dated 10.7.90 in view to prove his case that inspite of the order dated 10.7.90 no efforts have been made by the C.Ps to intimate the date of examination to the deponent.

Para E - that in reply to Para No. E it is submitted that it is totally incorrect to say that the departmental authorities have ever issued any intimation to the deponent for the examination and its date fixed. Even all the letters enclosed with the C.A. reveals that the same were never addressed or served to the deponent.

It is further submitted that there is no signature of the deponent on the face of the Annexure No. C-19, and not a single letter as shown

(11/2/91)

15/11/91

(Alce)

in Annexure C-19 has been served or brought in the knowledge of the deponent even the alleged Dak Bahi and Challan number 16 dated 12.7.90 and Dak Guidance Book has not been maintained by the Deponent nor he has any knowledge about the alleged letters entered in the said challan. He has also no knowledge about any letters kept in the Pigion hole no.77 ass alleged It is also incorrect to say that the order dt.10.7.90 was served through challan no.15 by the depatch Section of O.P.3. the said letter has not been received under challan no.16 by the deponent but after the examination held by Rly.administration, the deponent obtained only on 10.10.90. Copy of the letter dated 10.7.90 and had knowledge of the alleged wireless dated 19.9.90 from the office of the D.R.M. for impuging the same in this case. In fact the order dt. 10.7.90 was also not addressed to the deponent.

The alleged Dak guidance Book of free service did no. bear the signature of the deponent.

It is further submitted that as per report dt. 22.3.91 the DRM/Lucknow has accepted that the letter kept in pigion hole no. 77 has been received by somebody or his peon and put his initial on behalf of the deponent. It is submitted that the Railway administration had posted a Peon in the CMI office whose name is Sukhdin, and it appears from the Dak Book that his signature was also not appear in the said Dak Book as contained in Annexure No. C-19 and further in Annexure No.C-19 of date 12.7.90 no reference of the alleged letter dt. 10.7.90 was made.

7/10/91

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(A101)

It is further submitted that it was obligatory on the part of the ~~xxxi~~ Department to communicate the date of examination, if any, fixed by it to the deponent but the same has not been done. Therefore the deponent's right to appear in the examination was very much prejudiced.

The application has not become infructuous as alleged.

Para F - that the contents of para no. F are incorrect and denied. The alleged telegramme and message contained in Annexure No.C-14 and C-15 was neither communicated to the deponent nor it has been served. The C.Ps had manufactured the C-15 for the purposes to shield their lapse. It is further incorrect to say that all eligible persons working under DRM office have been communicated. No such evidence has been filed. In fact 35 candidates were eligible who are working in DRM/LKO and all other 27 candidates like the deponent have not been communicated.

Para G & H - that the contents of para No. (G) & (H) are not admitted as said. The Annex. No.2 to the application itself proves that the C.P.C. clearly admits that eligible persons were not communicated. With regards to alleged Dak Bahi the deponent claims that the said Dak Bahi and letters did not bear the signature of the deponent. The Annexure No.2 to the application was correctly issued admitting the correct facts for non-communication about the date of examination.

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3/1/91

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A/c 2-

Para I - that in reply to Para I, it is submitted that the D.A.M.(NR)/Lucknow and the G.M. (N.Rly.) New Delhi has not communicated the fixed date for examination to the deponent at any material point of time, and it was mandatory for them to intimate the same, issue identity card and spare in advance to the deponent.

Para J - that in reply to Para No.J it is submitted that the deponent has right to appear in the examination but due to the fault of the Railway department he was deprived off his right to appear hence his right to be promoted in Group 'B' greatly prejudiced.

Para K & L - that contents of Para No. K are incorrect and denied. The alleged letter dated 19.9.90 was neither addressed to the deponent nor it has been served on him.

Para M - that in reply to Para M it is submitted that due to default and lapse of the D.A.M./G.M. the deponent was denied his right to appear in the examination in question and therefore the deponent has been denied the protection of Art. 14 & 16 of the Constitution of India.

Para N - In reply to Para N it is submitted that the alleged letter dated 19.9.90 has not been served on the deponent either to his residence or personally even else-where.

ASO  
APD  
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L&L

8.10.3

It is further submitted that in case the Aily. Administration failed to communicate the date for examination to the deponent, in that it is incumbent to them to take examination of the deponent a fresh. The Deponent should not be suffered for the lapse of the department.

Column 5

Guard taken by the deponent is maintainable.

Columns 6 to 12

In reply to columns 6 to 12 ~~it~~ it is submitted that the applicant is entitled to get relief as claimed.

*[Signature]*  
02/7/91  
DEPONENT

*[Handwritten initials]*

VERIFICATION

I, K.S. Chaubey, aged about 42 years S/o Shri J.P. Chaubey, N/o 4-17 B, Munawar Bagh, Aily Colony, Lucknow working as Commercial Inspector, N.Rly., Lucknow do hereby verify that the contents of paragraphs 11 to 13 are correct to my knowledge and those of paragraphs 14 to 14 are correct to my belief and ~~xxxx~~ legal advice. I have not suppressed any material fact.

*Identify who was deponent in my presence*  
*[Signature]*

*[Signature]*  
02/7/91  
DEPONENT

Lucknow:  
K.S. Chaubey  
Ramod Sharma  
Advocate

17.22 Ru

*[Signature]*  
3/7/91

446

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH

Gandhi Bhawan, Opp. Residency, Lucknow

\*\*\*\*\*

No.OA/TA/

5402-5

dated the 23-11-90

J.A.NO. 381/90(L)  
Registration no.-----of 1990

K.S. CHAUSEY

APPLICANT

VERSES

UNION OF INDIA & OTHERS

RESPONDENT

1. UNION OF INDIA THROUGH THE SECRETARY RAILWAY BOARD MINISTRY OF RAILWAYS RAIL. BHAWAN NEW DELHI.
2. RAILWAY BOARD THROUGH GENERAL MANAGER N.RLY. BARODA HOUSE NEW DELHI.
3. DIVISIONAL RAILWAY MANAGER N.RLY. HARRATGARH LUCKNOW.
4. DIVISIONAL COMMERCIAL SUPERINTENDENT N.RLY. LUCKNOW.

Please take notice that the applicant abovenamed has presented an application, a copy whereof is enclosed herewith which has been registered in this Tribunal, and the Tribunal has fixed ----- (1) ----- day of ----- (2) ----- 1990 for the hearing of the said application.

orders

If no appearance is made on your behalf by yourself your pleaser or by some one duly authorised to act and plead on your behalf in the said application, it will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this  
28 day of 11 1990.

DEPUTY REGISTRAR

\*\*\*\*\*

ENCL: COPY OF PETITION WITH COURT'S ORDER DATED 27.11.90



A/147

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW.

O.A.N. 381 of 1990(L)

K.S.Chaubey ... Applicant.  
Versus  
Union of India & Others... Respondents.

27.11.1990

Hon'ble Mr. Justice K. Math, V.C.

Hon'ble Mr. M.M. Singh, A.M.

Admit.

Issue notice to respondents to file a counter within four weeks to which the applicant may file rejoinder within two weeks thereafter.

In the matter of interim relief issue notice and list for order on 11.12.90 In the meantime any result shall be without prejudice to the right of applicant.

Sd/ Sd/  
A.M. V.C.

//True Copy//

Sd/

Decided by  
Counsel for Applicant  
1 copy  
Adm. Ad.  
14.12.90

checked  
by

29/11/90

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW.

(C) A  
148

D.A.NO. 381 of 1990(L)

K.S.Chaubey ..... Applicant  
Versus  
Union of India ..... Respondents

Hon'ble Mr.D.K.Agarwal, J.M.

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

Dated: 8.01.1991.

Sri M.P.Sharma for applicant Sri B.K.Shukla,  
for opposite parties and states that he will file  
power to due course. He further prays for time  
to file counter. Allowed counter may be filled  
within eight weeks, Rejoinder within two weeks  
thereafter.

List on 19.04.1991 for hearing. Meanwhile  
the interim order dated: 11.2.1990 shall hold good  
till further orders.

Sd/-  
A.M.

Sd/-  
J.M.

// True copy //

R.S.M.

16/1/91

Central Administrative Tribunal,  
Lucknow

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH LUCKNOW.

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O.A.NO. 381 of 1990(L)

K.S.Chaubey ..... Applicant  
Versus  
Union of India ..... Respondents

Hon'ble Mr.D.K.Agarwal, J.M.

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

Dated: 8.01.1991.

Sri M.P.Sharma for applicant Sri B.K.Shukla,  
for opposite parties and states that he will file  
power to due course. He further prays for time  
to file counter. Allowed counter may be filled  
within eight weeks, Rejoinder within two weeks  
thereafter.

List on 19.04.1991 for hearing. Meanwhile  
the interim order dated: 11.2.1990 shall hold good  
till further orders.

Sd/-  
A.M.

Sd/-  
J.M.

// True copy //

R.S.M.

*12/01/91*  
(Mehd. Umar Khan)  
Joint Officer,  
Central Administrative Tribunal,  
Circuit Bench,  
LUCKNOW.

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150

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4.

Dated: 8.01.1991.

Sd/-  
J.M.

1000 1000

1. Mr. Umar Khan )  
 2. Joint Member,  
 3. Administrative Tribunal,  
 4. Central Bench,  
 5. Lucknow.

②

O.A.NO. 381 of 1990(L)

... Applicant.

## Versus

... Respondents.

11.12.1990

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

Received in envelope  
Comed for Applicant  
D. S. A.  
14.12.90  
Checked by  
13/12/90

Sd. /

V.C.

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Sd/

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Date 14/11/80  
[Signature]  
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P.F. 19/4/77

A/51 (2)

अदालत श्रीमान Before the learned Additional District  
वादी (Circuit Bench) Lucknow

प्रतिवादी मुद्दा नं० का रकबा नं०  
O.A NO 381 of 1970 (L)

K.S. Choudhary & others

वादी मुद्दा नं० D.O.H. 11-12-70  
प्रतिवादी मुद्दा नं०

मु० मुकदमा W/S बनाम 8 others  
तारीख 16 मही को तारीख  
उपर लिखे मुद्दों में अपना ओर से श्री

19 ई०

B.K. Shukla

रडकोट  
महोदय

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा इकरार करता हूँ। लिख देता हूँ। इस मुकदमे में कौनसे मुद्दों में अथवा अन्य वकील द्वारा जो भी पैरवी व जवाब देनी पड़ेगी उसी मुद्दे में अन्य मुद्दे का काम वास्तव में या मौखिक रूप से जमाने की ओर से डीजिलरी को भी कराना और कानून वकूत करेगा। अतः इस मुकदमे का काम जमाने की ओर से निगरानी जमाने की ओर से मुद्दे का अपने हस्ताक्षर से वास्तव में या मौखिक रूप से या मुकदमा रद्द करने या जोड़ने में या जोड़ने या हटाने या निरस्त परिष्कारणी का तदनुसार किया गया अपने या हटाने हस्ताक्षर युक्त वस्तु सहित से किया गया है। नियुक्ति को वकील महोदय द्वारा की गई यह कार्य को हफ्ते में एक बार करीब है और हफ्ते में भी यह कहता हूँ कि मैं इस मुद्दे में या किसी अपने भरोसेदार को भरोसा दूँगा अगर मुकदमा अथवा पैरवी में यह तथ्य है कि निगम निगम हो सकता है तो तब भी निगम को न तब तक न हफ्ते।

यह कि यह कानूनन कि प्रमाण रहे और समय पर काम आवें।

साक्षी मुद्दा नं०  
दिनांक महीना

हस्ताक्षर  
साक्षी मुद्दा नं०  
नाम अदालत  
मु० मुकदमा  
नाम परीक्षक

Accepted  
H.S. Shukla  
Advocate