

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,BENCH

OA/TA/RA/CP/MA/POA 41.....of 20-90

B.K. Shukla.....Applicant(S)

Versus

O.O.G.....Respondent(S)

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Certified that the file is complete in all respects.

B.C. file weeded and destroyed
 15/10/2012
 Signature of S.O.

Signature
 12/6/12
 Signature of Deal. Hand

(A6)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

O.A.No.41 of 1990.

B.K.SinghApplicant.

Versus

Union of India & 40 othersRespondents.

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

Hon'ble Mr.A.B.Gorthi,A.M.

(By Hon'ble Mr.A.B.Gorthi,A.M.)

By means of this application, Shri B.K.Singh, the applicant, requests our intervention to determine his seniority as a Senior Hydrogeologist vis-a-vis some of the respondents in a particular manner he claims that it should have been done. This will be evident from the reliefs sought by him, which are reproduced below:-

- "(a) direct the authorities to place the applicant either at Sl.6 of the 1984 vacancies or at the top of 1985 vacancies with his date of promotion being 4.3.1985 or to take Shri Jagannathan-respondent no.5 to 1984 vacancies and place Shri M.C.Jindal at Sl.No.1, the applicant at Sl.No.2 and Shri S.N.Dullu at Sl.No.3 of the 1985 vacancies and to treat their promotion from 2.3.1985, 4.3.1985 and 11.3.1985 respectively, if necessary by quashing the orders contained in Annexure-A1 to the extent necessary, and
- (b) grant such other relief(s) as may be deemed fit and proper in the circumstances of the case by this Hon'ble Tribunal with costs of the application."

2. The essential grievance of the applicant, however, is against the Office Order No.96 of 1989 dated 7.2.89 which places him at Sl.No.6 of the batch of Officers recommended for promotion to the post of Senior Hydrogeologist against the vacancies for the year 1986. The genesis of the problem lies in the initial selection and promotion of the applicant to the post of Junior

Hydrogeologist in 1974 against the vacancies existed in 1973. The applicant, who was working as Assistant Hydrogeologist, was selected by UPSC as a direct recruit and his merit position was at Sl.No.5 out of a total number of 84 candidates selected. He worked as a Junior Hydrogeologist from 2.4.1974 till 3.3.1985 when he was further promoted as a Senior Hydrogeologist. After having been selected by the Departmental Promotion Committee(D.P.C.) held for the year 1984. The seniority list that was prepared as on 1.1.78 was circulated to all concerned vide Central Ground Water Board's letter dated 2.12.1980. The applicant had no grievance against it, but a promotee candidate V.H.Sikka challenged the same before the High Court of Punjab and Haryana through Civil Writ Petition No.3392 of 1981. In that writ petition, the main issue agitated by Shri Sikka was that in the matter of his promotion against the vacancies created in the year 1973, the respondents ignored the recruitment rules as existed in 1972 and followed the said rules as amended in 1974. Whereas the recruitment rules of 1972 provided for 100% posts of Junior Hydrogeologists to be filled by promotion failing which by direct recruitment, the amended rules of 1974, however, restricted the quota of promotees to 20% leaving the remaining 80% for direct recruitment. The selection made to fill-up the vacancies existing in 1973 by applying the amended rules of 1974 resulted in giving extra advantage to direct recruits over the promotees. Consequently, the High Court of Punjab and Haryana quashed the seniority list of 1978 and directed the Central Ground Water Board to prepare a fresh seniority list, vide judgment dated 1.1.1985. In the mean time, the applicant and also four of his colleagues were promoted to the post of Senior Hydrogeologists.

(18)

When the applicant was thus working in his promoted post of Senior Hydrogeologist, the respondents revised the 1978 Seniority List and refixed the seniority of the applicant at Sl. No. 5 of the Officers who were deemed to have been recommended against the vacancies for the year 1986. Consequently, the applicant's seniority has come down by several stages because a number of promotees came-up to be considered as senior to him. The applicant challenges the revised seniority list on the ground that it is malafide and arbitrary and the review DPC which refixed the seniority acted beyond its jurisdiction and power. He also contended that his service as a Senior Hydrogeologist from the date of his promotion (3.3.1985) could not have been ignored in fixing the seniority in the grade of Senior Hydrogeologist.

3. The respondents have refuted the claim of the applicant by stating that it was mis-conceived and untenable. They have also given a detailed version as to how the seniority of the applicant was originally fixed in the seniority list of 1978 and how it came to be revised and refixed. During 1973, 34 departmental candidates were eligible for promotion to the post of Junior Hydrogeologist and the remaining 75 posts were released for direct recruitment through the UPSC. The UPSC had after due selection nominated 59 candidates including the applicant for appointment against the ^{the} quota for direct recruits. As regards 34 departmental candidates, although they were eligible for promotion to the post of Junior Hydrogeologist against the vacancies existing in 1973, they could not be promoted till 1976 as their DPC could not be convened. The vacancies of 1973 were to be filled in accordance with Recruitment Rules of

1972 under which 100% posts were to be filled up by promotion, failing which by direct recruitment. However, applying the Amended 1974 Rules which introduced a quota of 20% for promotees and 80% for direct recruits, a large number of direct recruits, including the applicant, were promoted in 1974. At the same time, the cases of the promotees were not considered for the reason that DPC could not be convened before 1976. The DPC that was held in 1976 recommended 22 Officers including Shri V.M. Sikka (respondent No.6) for promotion as Junior Hydrogeologist. Some of the respondents, though recruited by DPC, 1976 only, were appointed as Junior Hydrogeologist in 1974 against the vacancies of 1973. As the applicant and some of the respondents were appointed/promoted as Junior Hydrogeologist after the enforcement of Amended Rules of 1974, the relative seniority of direct recruits and promotees was fixed according to the provisions of the Amended Recruitment Rules and the merit awarded by the UPSC and DPC. The seniority was fixed following the rota-system of one promotee and four direct recruits. Accordingly, the seniority list was prepared on 1.1.78 wherein the name of the applicant was shown at Sl.No.5. The said seniority list was challenged by Shri V.M. Sikka, respondent No.6 successfully before the High Court of Punjab and Haryana, as already stated. As the High Court quashed the seniority list and directed the respondents to prepare a fresh seniority list, the respondents applied 1972 Rules in fixing the seniority of promotees who became eligible for promotion against the vacancies of 1972-73 as senior to the direct recruits. This was done in 1987. However, in the mean time, the applicant along with four other

110

candidates were selected for promotion to the post of Senior Hydro-geologist against the vacancies of 1983-84. This was done on the basis of their original seniority as contained in 1978 seniority list as the same remained operative till it was quashed by the High Court of Punjab and Haryana in 1985. With the revision of the seniority list and as stated above, the seniority of the applicant came down considerably.

4. With a view to give immediate relief to Shri V. M. Sikka- respondent no.6 and others, 29 Officers were promoted as Senior Hydrogeologists on adhoc basis pending DPC and filling up ^{of} the posts on regular basis vide Office Order No.1109 of 1987 dated 7.7.87. In order to regularise the adhoc promotion as well as promotion made on the recommendations of earlier DPC held in 1984 (which selected the applicant for promotion of Senior Hydrogeologist), the review DPC was held which with a view to implement the judicial verdict, recommended the Officers for promotion in order of merit as under:-

i) Against 1982vacancies	15 Officers
ii) Against 1984vacancies	32 Officers
iii) Against 1986vacancies	11 Officers.

5. The applicant was recommended by review DPC against vacancies of 1986 and he stands at Sl.No.6 in order of merit of the candidates. This is apparent from the Office Order No.96 of 1989 dated 3.2.89 (Annexure-A1 to the application which is the impugned order)

6. The applicant through his rejoinder affidavit has reiterated his grievance that he having been selected for promotion by the DPC 1973 and having been promoted accordingly, the period of his working on the promoted post could not have been ignored by

the respondents in the matter of fixing his seniority. He also challenged the competency of DPC to recommend the candidates against the vacancies of different years and to refix their order of merit.

7. The applicant was a respondent in writ petition filed by Shri V.N. Sikka but did not contest the same. Moreover, the revised seniority list of 1987 was circulated to all concerned but the applicant did not protest.


8. The applicant alleged that action of the respondents in fixing his seniority in the manner that they did was mala fide and discriminatory. The respondents have explained as to how the entire exercise of revision of the seniority list of 1978 had to be carried out in compliance with the judgment of the High Court of Punjab and Haryana. It is not that the seniority of the applicant alone was affected. As can be seen from a comparison of seniority list of 1978 (Annexure-VII to the counter-affidavit) and revised ~~xxx~~ seniority reflected in the impugned order dated 3.2.89 (Annexure-XIII), placement of several other Junior/Senior Hydrogeologists has also undergone^a change in 1989 list. We are, therefore, unable to accept the applicant's allegation of discrimination or malafides..

9. The applicant has also questioned the methodology adopted by the D.C which reviewed the recommendation of earlier D.Cs held in 1983 and 1984 and contended that it had no authority to change the order of merit decided by the original D.C. It is, however, clear that the applicant's selection by the D.C in 1984 and his consequent promotion as Senior Hydrogeologist in 1985 were irregular because in doing so, the concerned authority ignored the recruitment rules of 1972 and wrongly applied the amended rules of 1974, thus, defeating the purpose of the recruitment process.

(112)

of promotees their due promotion and giving the direct recruits, including the applicant, an extra advantage of out of turn promotion. This aberration had to be corrected as per judgment of the High Court of Punjab and Haryana which was sought to be done by the review DPC. Except for the fact that the review DPCs recommendations nullified the benefit of the early promotion of the applicant, he has not been able to show if the review D-C violated any specific provisions of law and if so, how. On behalf of the respondents no.1 to 3, it was clarified that the review DPC evolved its own procedure and accordingly it was on its recommendation that office-Order No.96 of 1989 dated 3.2.89 (impugned order) was issued.


J.C. In the result, we find that the application is without merit and it is hereby dismissed. There shall be, however, no order as to cost.


Member (A)

Dated: 17 Feb 1992

(ug)


Vice Chairman



(140)

1-2-90

CENTRAL ADMINISTRATIVE TRIBUNAL
CIVIL BENCH, LUCKNOW

Registration No. 41 of 1990

APPLICANT(S) R. K. Singh

RESPONDENT(S) UOL

Particulars to be examined

Endorsement as to result of examination

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

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

No

(A2)

Particulars to be Examined

Endorsement as to result of examination

11. Are the application/duplicate copy/special copies signed?
12. Are extra copies of the application with Annexures filed?
 - a) Identical with the Original?
 - b) Defective?
 - c) Missing in Annexures
13. Have the file size envelopes bearing full addresses of the respondents been filed?
14. Are the given address the registered address?
15. Do the names of the parties stated in the copies tally with those indicated in the application?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true?
17. Are the facts of the case mentioned in item no. 6 of the application?
 - a) Concise?
 - b) Under distinct heads?
 - c) Subheaded 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.

Yes

Yes

No

Yes

Yes

NA

Yes

Yes

Yes

Index/

4/90

Order, Mentioning Reference
and date

How complied
with and
date of
compliance

22.2.1990

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

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

Admit.

Issue notice to opposite parties to
file reply within four weeks to which the
applicant may file rejoinder within two
weeks thereafter. List for orders on
12.4.1990.

Shri V.K. Choudhary accepts notice on
behalf opposite parties 1 to 3. Notices
meant for them shall be delivered by the
office to Shri Choudhary.

In the matter of interim relief also
notice and list for orders on 15.3.1990.

A.M.

V.C.

rrm/

Hon. K. Obayya, A.M.

Shri P.K. Srinivasan, L/c to the
applicant is present. For one is
present for the matter. Notices were
issued on 6.3.90. It is presumed, served.
Reply may be filed within four weeks
hereafter, if any, may be filed within
two weeks thereafter. List for orders
on 11.5.90

M.N.

OK

Notices
issued on
6.4.90
Shri V.K.C.
takes notice
of O.P. No 1 to 3
No answer
has been received
No reply filed
on behalf of 1 to 3

S.F.O.

L
14/1

OK

Many letters
have been received
from the Deptt.

No reply filed

S.F.O.

L
10/5

Dinesh

See
original order
on
main petition

15.3.90

(10)
7-5-91

(AM)

CA 4/90

Hon Mr Justice K Nall, VC.
Hon Mr A B Goss, AM.

Shri V. K Chaudhary files Counsel.
Copy given to applicant's counsel.
3 weeks time is allowed to file
Rejoinder. The case may be listed
for orders in the matter of
interim relief on 24.6.91

(11)

~~AM~~

AM.

AM

VC

21/6/91

Hon Mr Justice K Nall, VC.
Hon Mr K Duggan, AM.

MP 27/9/91 filed
in
711-

Counsel for applicant
requests for and is allowed on
2 weeks time to file
Rejoinder. List before
R R Goss 8.7.91 too
filing Rejoinder.

LC for the applicant
has filed MP 27/9/91
for I.R.
No RA filed
S. 10

in
14/6

AM

(12)

VC

8.7.91
D.R.

AM

AM

Ld. counsel for
the applicant has
not filed Rejoinder
yet so far. He is
ordered to file it,
by 3/8/91 Respondent
is present.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

O.A. NO.
T.A. NO.

1990

DATE OF DECISION _____

Shri L.K. Singh.

PETITIONER

Shri V.C. Sivastava.

Advocate for the Petitioner(s)

Versus

Union of India & 40 others.

RESPONDENT

Shri V.K. Chaudhary

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice V.C. Sivastava, V.C.

The Hon'ble Mr. Justice G. B. Gopal, J.

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether to be circulated to all other Benches ?

GHANSHYAM

[Signature]

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

(CIRCUIT BENCH) LUCKNOW

M. P. No. 271/91 (L)

O.A. No. 41 of 1990 (L)

7.5.91

f.f. 24.6.91

B.K. Singh

..

APPLICANT

vs

Union of India & others ..

RESPONDENTS

APPLICATION FOR INTERIM RELIEF

The applicant abovenamed most respectfully
submits as under:-

- 1) That the abovenoted application was filed in 1990
and written statement ^{& one of the parties} and rejoinder affidavits
have already been exchanged. Hence, the case is
ripe for final hearing.
- 2) That in the meantime, the officers of the opposite
parties are sending many juniors to the applicant
for training abroad ignoring the claim of the
applicant.
- 3) That the Central Ground Water Board, Ministry of
Water Resources have circulated guidelines for
selection of officers for training abroad which
among others
lays down the following guidelines:-

(a) The Officer for general course/training
should not be more than 45 years of age
on the date of commencement of training;

(b) In case of advanced/specialised training
programme, the nominated officer should not

Filed today at 1.00 P.M.
Sg. W.
7/5/91

B.K.

be more than 50 years of age;

- (c) The officer should not have undergone training abroad for one month or more within the last 10 years;
- (d) Efforts should be made to nominate senior officers who have yet not undergone training and who are likely to become over age over the next 3 years, if not deputed.

A true copy of Circular dt nil is annexed as Annexure-S1 to this application.

- 4) That under the above guidelines, recently 21 officers (below 45 years as on 1.1.90) have been sent abroad for training. The perusal of list vis a vis seniority list of officers from Scientist-D to Scientist-B indicate that two criteria have been applied as given below:-

- (a) The officer should be less than 45 years on 1.1.90;

- (b) The seniority of the officer in the category from Scientist-D to Scientist-B taken together.

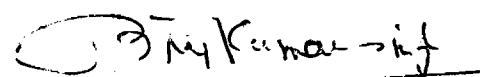
- 5) That the Chief Hydrogeologist & Member and the Selection Committee have again finalised a list of about 22 officers for deputing them for training with United States Geological Survey in U.S.A. In this case the age limit has been kept as 50 years. As far as the applicant understands, the last named officer is Shri G.V.K.Rao who is at serial Number 44 of Seniority list of Jr. Hydrogeologist (Scientist-B); whereas the applicant is at Sl.No.37 of the same list. However, Sri G.V.K.Rao - opposite party No.17 is being treated senior to the applicant on the basis of impugned order dated 3.2.89 contained in Annexure-A1 to original application.
- B9/

(A15)

- 3 -

- 6) That in the past also, the applicant had been denied training abroad when his name was recommended by U.K. Expert (Team Leader) for training in U.K. He was also denied the opportunity to join Indian Institute of Technology, Bombay as Project Scientist in the scale of Rs. 1100-1600/- in the year 1978 on the plea that he is working in a time bound project; whereas on the other hand from the same project five officers were released to take up foreign job in the country ~~like~~ Algeria.
- 7) That the applicant is being again denied the chance of training abroad on the basis of the impugned seniority which has been challenged before this Hon'ble Tribunal.
- 8) That it will be in the fitness of things if the Department is directed to consider the candidature of the applicant on the basis of his earlier seniority so that no injustice is done to him.
- 9) That in case he is denied this opportunity of training abroad, he will be above 50 years when the case will be finally decided and he will be outside the zone of consideration.

WHEREFORE, it is humbly prayed that this Hon'ble Tribunal be pleased to direct the opposite parties 1 to 3 to consider the applicant before Sri C.V.K.Rao for training in U.S.A. i.e. with U.S. Geological Survey with the present batch. Any other order or direction appropriate in the circumstances of the case and deemed just and proper may also kindly be passed.


(B. K. SINGH)
APPLICANT

(4/16)

VERIFICATION

I, P.K. Singh, aged about 48 years, son of Late Sri P.R. Singh, resident of C-291, Niralanagar, Lucknow, do hereby verify that the contents of paragraphs 1 to 9 above are true to my personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

Signed and verified this the day of February, 1990 at Lucknow.



(P.K.Singh)
Applicant

I identify the deponent P.K.Singh on the basis of perusal of records produced before me who has also signed in my presence.



(P.K.Srivastava)
Advocate
Counsel for the Applicant

A/17

SECRETARY, CENTRAL ADMINISTRATIVE TRIBUNAL

(Circuit Bench) Lucknow

O.A. No. 41 of 1980 (L)

B. N. Singh

..

Applicant

Vs

Union of India & others

..

Respondents

ANNEXURE-I

No. HGI/Sec. Com/80
Government of India
Central Ground Water Board
W-IV, Faridabad

Dated: 7

C I R C U L A R

Sub: Guidelines for selection of officers of Central
Ground Water Board for training abroad.

The Policy followed for selecting officers of the Central Ground Water Board for training programmes abroad has been examined by the committee of Central Ground Water Board on Training matters. Consequently, the following guidelines for selecting officers of CGWB for training programmes abroad are laid down with immediate effect:

1. Nominated officers should have completed 5 years of service on the date of the commencement of training.
 2. The nominated officers for general courses/training programmes should not be more than 45 years of age on the date of the commencement of the training. In case of advanced/specialised training programmes, the nominated officers should not be more than 50 years of age on the date of the commencement of the training. In special cases, relaxation of the age limit may be granted provided a special justification exists and the same is recorded in the proceedings of the selection by the Committee.
 3. The nominated officers should not have undergone a training abroad for one month or more within the last 10 years. However, officers who have attended courses abroad on study leave or
- Bf

any other leave can be nominated. If suitable officers who have not attended a training abroad for one month or more within the last 10 years are not available, the officers who have attended a training course earlier may be considered. However, even in such cases, there should be a gap of at least 5 years between two consecutive spells of foreign training.

4. Efforts should be made to nominate senior officers who have not yet undergone training and who are likely to become over-age over the next 3 years, if not deputed.
5. Nominated officers should be suitable and directly concerned with the subject of the training and also likely to work on the same subject ^{returning} after ~~returning~~ from training for a period of at least two years.
6. Nomination of the officers from field units should be encouraged.
7. Nominated officers should be clear from disciplinary proceedings and vigilance angle.
8. There should be adequate representation of Scheduled Castes and Tribes officers and also women officers while nominating officers for training abroad.

Sd/- B. P. C. Sinha
Chief Hydrogeologist & Member

Issued to:

All Heads of offices in the CGWB. They are requested to bring the contents of this Circular to the notice of all officers working in their respective offices.

3/1

1-2-90

A-9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
(LUCKNOW BENCH), LUCKNOW

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

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

B.K. SINGH

..... Applicant

Vs.

Union of India & Others

..... Respondents

I N D E X

Sl. Description of documents relied upon Page No.
No. -----

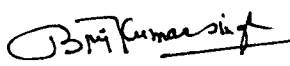
Compilation No. 1

- | | | |
|----|--|---------|
| 1. | Application | 1 - 14 |
| 2. | <u>Impugned Orders:</u> | |
| | Ann. A-1 : Office Order No. 96 of 1989,
dated 3.2.1989. | 15 - 17 |
| 3. | Vakalatnama | 18 |

Compilation No.2

- | | | |
|----|---|---------|
| 4. | Ann. A-2 to A-8 as per details given in
paragraph 12 as also at page 19. | 20 - 51 |
| 5. | Bank Draft/ Postal Order as per details
given in paragraph 11 | |

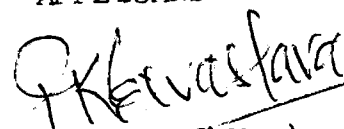
Dated _____, 1990
LUCKNOW


(B.K. SINGH)
APPLICANT

THROUGH :

For use in Tribunal's Office

Date of filing


(P.K. SRIVASTAVA)
Advocate

Counsel for the Applicant

or
Date of receipt by post
Registration No.

Signature
for Registrar.

1-2-90
28/2/90
1-2-90
1-2-90
1-2-90

1-2-90

ANC

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

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

O.A. No. 41 of 1990 (L)

B.K. SINGH, aged about 47 years, son of Late Shri B.K. Singh, Scientist 'C' (Senior Hydrogeologist), Central Ground Water Board, Northern Region, B-43, Mahanagar Extension, Lucknow-226006, presently residing at C-291, Kirlanagar, Lucknow-226 020.

.....Applicant

Vs.

1. Union of India, through Secretary to the Government of India, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. The Chairman, Central Ground Water Board, Ministry of Water Resources, Krishi Bhawan, New Delhi-110 001.
3. The Chief Hydrologist & Member, Central Ground Water Board, Jannagar House, Mansingh Road, New Delhi-110 001.
4. Shri P.R. Subramanian;
5. Shri V. Jagannathan;
6. Shri V.M. Sikka;
7. Shri A.K. Misra;
8. Shri O.P. Pal;
9. Shri N. Malaviya;
10. Shri K.K. Jatti;
11. Shri P. Laxminarayan;
12. Shri M.B. Raju;
13. Shri S.C. Tiwari;
14. Shri E. Ravindranath;
15. Shri Mala Veeranna;
16. Shri S.N. Dulloo;
17. Shri G.V.K. Rao;
18. Shri A.R. Bakshi;
19. Dr. T.G. Ferozuddin;
20. Shri H.A. Dubak;
21. Dr. B.S.R. Narasimha Rao;
22. Shri G.M. Reddy;
23. Shri B.L. Gupta;
24. Shri P. Shivane;

....2/-

25. Shri D. Anjaneyulu;
26. Shri S. Chakladar;
27. Shri N.S. Jethra;
28. Shri A.D. Joseph;
29. Shri R. Mehshram;
30. Shri S.P. Bagade;
31. Shri S.C. Dhiman;
32. Shri K. Keerthiseelan;
33. Shri R. Chakrapany;
34. Shri P. Natarajan;
35. Shri M.R.C.S. Reddy;
36. Shri S.N. Sar;
37. Shri S.J. Prasad;
38. Shri Ch. R.K. Reddy;
39. Shri B.R.J. Rao;
40. Shri O.P. Dalal;
41. Shri M.C. Jindal.

(Persons at Sl. Nos. 4 to 41 above are all Scientist 'C' (Senior Hydrogeologists) and posted at different places C/o. The Chief Hydrogeologist and Member, Central Ground Water Board, Jamnagar House, Mansingh Road, New Delhi-110 011.

.....RESPONDENTS

APPLICATION UNDER SECTION 19 OF THE
ADMINISTRATIVE TRIBUNALS ACT, 1985.

DETAILS OF APPLICATION

1. Particulars of the orders against which the application is made

Office order No. 96 of 1989 issued by the Senior Administrative Officer, Central Ground Water Board, N.H.IV, Faridabad, under letter No. 10-6/84-CH (Estt), dated 3.2.1989, conveying the approval of the Competent authority to the promotion of Junior Hydrogeologists to the post of Senior Hydrogeologist by which :

the applicant has been placed against the vacancy for the year 1986 and approved for his regular promotion from 10.5.1988 as a result of review of D.P.C. held in 1983 and 1984 as against the applicants earlier promotion from 4.3.1985 as a result of having been selected against 1984 vacancies by the earlier D.P.C. for 1984 and thereby being placed below respondents Nos. 4 to 40 (respondents Nos. 4 to 35 against the vacancies for 1985 and respondents Nos. 36 to 40 against the vacancies for 1986) and treating the earlier period from which he had been holding the post on regular basis

....3/-

B. K. Nayak

i.e., from 4.3.1985 to 10.5.1986 as ad-hoc.
A true copy of the order is attached as
Annexure A-1.

Ann. A-1

2) Jurisdiction of the Tribunal

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

3) Limitation

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

4) Facts of the Case

- 4.1 That having been selected by the Union Public Service Commission, New Delhi and placed at Sl.No. 5 of the merit list out of 84 candidates selected, the applicant joined as Junior Hydrogeologist in the Central Ground Water Board on 2.4.1974.
- 4.2 That in the seniority list of Junior Hydrogeologists containing the names of 161 persons as on 1.1.1978, released vide letter No. 14-5/80-CH(Estt)/5765 dated 2.12.1980, the applicant was placed at Sl. No. 90.
- 4.3 That as a result of recommendations of the Departmental Promotion Committee held for 5 vacancies of 1984, the applicant was promoted to the post of Senior Hydrogeologist vide Officer Order No. 321 of 1985 issued under letter No. 10-6/84-CH(Estt) dated 27.2.1985 and the applicant assumed the charge of Senior Hydrogeologist on 4.3.1985 and since then he has been working on that post without any complaint to the best of his ability and to the entire satisfaction of his superiors.

A true copy of the order is attached as Annexure A-2.

Ann. A-2

4.4 That a perusal of the aforesaid order would show that it contained the names of only 4 officers, the last name being of the applicant. Subsequently, Shri S.N. Dullu, respondent No. 16 was also promoted as a result of the same D.P.C. and he assumed the charge on 11.3.1985 as Senior Hydrogeologist.

4.5 That, thus, the five officers who were promoted as a result of D.P.C. against the 1984 vacancies together with their number in the seniority list as on 1.1.1978 and released on 2.12.1980 were :-

- 1) Shri D.P. Mathuria - Sl. 85
- 2) Shri V. Jagannathan - Sl. 86
- 3) Shri M.C. Jindal - Sl. 88
- 4) Shri B.K. Singh
(Applicant) - Sl. 90
- 5) Shri S.N. Dullu - Sl. 91

4.6 That the vacancies being five the D.P.C. for 1984 considered the case of 15 officers. The officers who were eligible for being considered were persons at Sl.Nos. 68, 75, 78, 81 and 84 to 95 of the said seniority list, the persons at Serials 69 to 74, 76, 80, 82 and 83 having already been promoted earlier and persons at Sl. Nos. 77 and 79 having left the department.

4.7 That the applicant was thus, adjudged to be of superior merit by the D.P.C. of 1984 than his seniors named below :

- 1) Shri S.N. Sar - Sl. 68
- 2) Shri K.M. Vedapuri - Sl. 75
- 3) Shri K. Srinivasan - Sl. 78
- 4) Shri P.R. Subramanian - Sl. 81
- 5) Shri S.J. Prasad - Sl. 84
- 6) Shri (Dr.) Ratesh
Kumar - Sl. 87
- 7) Shri G.P. Dalal - Sl. 89

4.8 That the following persons who were junior to the applicant and who were also considered by the D.P.C. were not found of Superior merit as against the applicant :-

- | | |
|----------------------|----------|
| 1) Shri O.P. Pal | - Sl. 93 |
| 2) Shri K.K. Jatti | - Sl. 94 |
| 3) Shri Veerana Mala | - Sl. 95 |

4.9 That the seniority list of Junior Hydrogeologist released on 2.12.1980 and referred to in paragraph (4.2) above was quashed by the Hon'ble High Court of Punjab and Haryana in Writ Petition No. 3392 of 1981 in re V.M.Sikka V/s. Union of India and others by the judgement and order dated 1.8.1985 and it directed the department to prepare a fresh seniority list within six months on the basis of old rules published on 15.2.1972.

4.10 Accordingly a fresh seniority list of Junior Hydrogeologists was released by the department as on 1.4.1985 containing 114 names vide letter No. 14-13/80-CH(Estt) dated 14.7.1987.

4.11 That earlier vide Notification No. GSR 434 dated 18.5.1987, new rules viz. Central Ground Water Board (Scientist Group 'A' Posts) Recruitment Rules, 1987 were promulgated changing the designations of Junior Hydrogeologist, Senior Hydrogeologist and Director to Scientist 'B', 'C' and 'D' respectively which were to apply to new recruitment and promotions etc.

4.12 That according to Office Order No. 818 of 1988 issued under letter No. 10-6/84-CH(Estt) dated 29.6.1988, a true copy of which is attached as Annexure - A 3, as a result of change in the Seniority list of Junior Hydrogeologists, the D.P.Cs. held in 1983 and 1984 for 15 and 5 vacancies respectively had been reviewed.

Annex.A 3

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4.13 That although the letter spoke of review of DPCs held in 1983 and 1984, it contained the names of 13 officers for 1982, 5 officers for 1984, 31 officers for 1985 and 11 officers for 1986 whose appointment had been approved by the President in an officiating capacity from the date of issue of the letter.

4.14 That in the aforesaid order, the name of the applicant who had been selected by the DPC in the year 1984 and promoted from 4.3.1985 was shown at Sl.No. 6 against the 1986 vacancies, i.e., below 31 persons of 1985 and 5 persons of 1986. Out of these 32 persons, Sarvasri P.R. Subramanian, S.N. Sar, S.J. Prasad and G.P. Dalal were considered for promotion in the year 1984 but superseded as they were found unsuitable. Likewise one Shri S.N. Dulloo who was placed below the applicant in the selection of 1984 has now been placed above in the impugned orders.

4.15 That the applicant submitted his representation against the aforesaid orders on 27.7.1988 and a true copy of it is attached as

Annex. A-4

Annexure - A 4.

4.16 That the aforesaid representation of the applicant was rejected vide letter No. 35-188/73-GW dated 29.11.1988 and a true copy of it is attached as Annexure - A 5. it was stated that the various points raised by the applicant had been examined and his promotion had been made on the recommendations of the Review D.P.C. in accordance with the instructions/ rules available on the subject.

Annex. A-5

4.17 That the applicant was contemplating to challenge the aforesaid orders before the Hon'ble Tribunal but before he could do so, the Office Order contained in Annexure- A 3 dated 29.6.1983 was superseded by Office Order No. 96 of 1989 issued under letter No. 10-6/84-CH(Estt) dated 3.2.1989, a true copy of which is attached as Annexure - A 1 causing further prejudice to the applicant.

Annex. A-3

Annex: A - 1

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4.18 That the applicant submitted his representation against the aforesaid orders on 13.2.89 to the Chairman, Central Ground Water Board, New Delhi and then on 16.5.1989, to the Secretary to the Government of India in the Ministry of Water Resources and true copies of the same are attached as Annexure. A-6 and A-7.

Ann. A-6 & A-7

4.19 That the applicant has not received any reply to the aforesaid representations although more than 6 months have since elapsed.

4.20 That in order to save the present application from becoming lengthier, the applicant adopts the submissions made by him in his representations contained in Annexure. A-4, A-6 and A-7, referred to above as pleadings in the present application and requests a perusal thereof by this Hon'ble Tribunal. In Annexures - A 4 and A-7 the applicant has also given a brief resume of his work as Junior Hydrogeologist prior to his promotion as Senior Hydrogeologist, with effect from 4.3.1985. In addition, he has also shown his position in the revised Seniority list vis a vis the position which he had in the old list. In the revised seniority list, name of one Shri E. Ravindra Nath has been placed at Sl.No. 38; whereas his name was not even included in the old seniority list as Shri E. Ravindranath was promoted as Junior Hydrogeologist on on 2.2.1980. The applicant joined the post of Junior Hydrogeologist on 2.4.1974.

Ann. A-4, A-6 & A-7

4.21 That the final picture which emerges from the Office Order No. 96 dated 3.2.1989 (Annexure- A 1) is that the revised DPC has recommended only 2 persons against the 1984 vacancies from amongst the 5 persons recommended by the DPC, as shown below :-

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As recommended by DPC

As recommended by Review DPC

- | | |
|-------------------------------|-----------------------|
| 1) Sh. D.P. Mathuria | 1) Sh. M. Sankaran |
| 2) Sh. V. Jagannathan | 2) Sh. S.A.H. Jaffery |
| 3) Sh. M.C. Jindal | 3) Sh. S.K. Doshi |
| 4) Sh. B.K. Singh | 4) Sh. D.P. Mathuria |
| 5) Sh. S.N. Dullu (Applicant) | 5) Sh. M.C. Jindal |

4.22 That according to the Review DPC, therefore, Sh. M.C. Jindal was more meritorious than Sh. V. Jagannathan.

4.23 That the Review DPC has placed Shri V. Jagannathan at Sl.No. 2 of the 1985 vacancies, the first place having been given by it to Shri P.R. Subramanian, who though senior to Shri Jagannathan was not even recommended for promotion by the DPC. It may be recalled that while Shri Subramanian was at Sl.No.81 of the Seniority list, Shri Jagannathan was at Sl.86.

* 4.24 That in so far as the applicant is concerned, the DPC had placed him at Sl.No.4, and Shri Dullu at Sl.No.5, the Review DPC has placed the applicant at Sl.No.6 of the 1986 vacancies i.e., below 32 persons of 1985 and 5 persons of 1986 and Shri Dullu at Sl.No. 13 of the 1985 vacancies.

4.25 That Sarvasri S.N.Sar, Respondent No.36, S.J. Prasad, Respondent No.37, P.R. Subramaniam, Respondent No.4 and G.P. Dalal, respondent No.40, who were senior to the applicant in the old list as also in the new list had been considered alongwith the applicant by the DPC but the DPC found the applicant more meritorious than the aforesaid persons who were superseded in 1984 selections.

4.26 The Review DPC has, however, found all of them more meritorious than the applicant. In fact, the Review DPC has regarded Shri P.R. Subramanian even more meritorious than Shri Jagannathan and placed him at the top of 1985 vacancies.

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4.27 That Sarvasri O.P. Pal, Respondent No.8, K.K. Jati (Respondent No.10) and Mala Veerana (Respondent No.15) and S.N. Dullu (Respondent No. 16) were all junior to the applicant and within the zone of consideration before the DPC of 1984. While Shri S.N. Dullu was placed below the applicant, the remaining three were not found better than the applicant by the DPC. However, the Review DPC has placed them respectively at Sl.Nos. 5, 7, 12 and 13 of the 1985 vacancies.

4.28 The circumstances in which Review DPC could be convened and the power of Review DPC are contained in DP & AR Office Memorandum No. 22011/30/80-Estt(D), dated 26.3.1980, as given in Swamy's complete Manual on Establishment and Administration and a true copy of it is attached as Annexure- A-8.

Annex. A-8

4.29 That according to the said orders, the Review DPC cannot in any case go into the merits of the assessment made by the D.P.C. It can also not change the grading of an officer earlier considered.

4.30 That in the above view of the matter, the recommendations of the Review DPC and the acceptance thereof by the competent authority were contras to the above orders. They were arbitrary and malafide. They were discriminatory and against the principles of natural justice and without jurisdiction and also without application of mind.

4.31 Accordingly, neither the applicant could be placed against the 1986 vacancies nor could the period of his promotion from 4.3.1985 to 10.5.1988 be treated as ad-hoc as has been done by the impugned orders.

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- 4.32 That in the circumstances of the case, the only course in accordance with principles of fair play was to place the applicant at Sl.No. No.6 below Shri M.C. Jindal in 1984 or at the top in 1985 or at best to accommodate the first 2 persons of the 1984 DPC against the 1984 vacancies and the remaining 3 in order of their merit at the top of 1985 vacancies. In that case, Sarvasri D.P. Mathuria and Jagannathan would have been placed against 1984 vacancies and the first 3 places of 1985 vacancies would have gone to Shri M.C. Jindal, the applicant and Sri S.N. Dullu, with their dates of appointment as 2.3.1985, 4.3.1985 and 11.3.1985 respectively.
- 4.33 That in accordance with Recruitment Rules of 1987 of Scientist'D' Schedule, the applicant would be eligible for consideration of his case for promotion to Scientist'D' since he would be completing five years regular service on 4.3.1990 as Scientist'C', having been promoted and joined on 4.3.1985. However, on account of impugned uncalled for, arbitrary order dated 3.2.1989(Annexure- A 1), the applicant's case would not be considered for further promotion on the post of Scientist'D' resulting in further prejudice.
- 4.34 That it may be stated that in accordance with Clause (a) of Sub-rule (3) of Rule 6 of 1987 Rules, 30% of the total number of the posts in the grade of Scientist 'B','C' and 'D', shall be available for promotion to Scientist'D'.
- 4.35 That accordingly unless the respondent authorities are directed to consider the applicant's case for promotion to Scientist'D' post, after his completion of 5 years service on 4.3.1990, the applicant shall be seriously prejudiced and discriminated vis-a-vis his juniors.
- 4.36 That the applicant was not given any opportunity of defence before the impugned orders were passed affecting his seniority and nature of promotion as well as his place in the merit list prepared in 1984 selection.

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5) Grounds for relief with legal provisions

- 5.1 Because the orders are arbitrary, mala fide, discriminatory, against the principles of fair play, natural justice, without application of mind and without jurisdiction.
- 5.2 Because the orders are contrary to the orders contained in Annexure-A 8 and violative of Article 16 of the Constitution of India.
- 5.3 Because new situations call for new solutions and the authorities failed to rise to the occasion.
- 5.4 Because the Review DPC has re-assessed the merits which it could not do even under orders of the Hon'ble High Court of Punjab & Haryana.
- 5.5 Because in so-called reassessing the merits, the Review DPC has questioned the correctness of the assessment made by the DPC of 1984.
- 5.6 Because it is against public policy and not conducive to efficiency to act in the manner as the Review DPC did.
- 5.7 Because no opportunity was given to the applicant before the impugned orders were passed against the applicant.
- 5.8 Because the applicant would be completing 5 years regular service as Scientist 'C' on 4.3.1990 having been promoted on 4.3.1985 and accordingly is entitled for consideration his case for promotion to Scientist 'D' post in accordance with 1987 Rules.
- 5.9 Because the applicant cannot be denied his advancement in the service on account of the impugned uncalled for arbitrary and discriminatory order dated 3.2.1989.

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6) Details of the remedies exhausted

As shown above, while his representation against the earlier order stood rejected his representation against the revised orders dated 3.2.1989 issued in supersession of the earlier orders have not yet been disposed of.

7) Matters not previously filed or pending with any other court.

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the subject matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any other court.

8) Reliefs sought

In view of the facts mentioned in paragraph 4 above, the applicant prays for the following reliefs :-

- (a) direct the authorities to place the applicant either at Sl.6 of the 1984 vacancies or at the top of 1985 vacancies with his date of promotion being 4.3.1985 or to take Shri Jagannathan - respondent No.5 to 1984 vacancies and place Shri M.C. Jindal at Sl.No. 1, the applicant at Sl.No.2 and Shri S.N. Dullu at Sl.No. 3 of the 1985 vacancies and to treat their promotion from 2.3.1985, 4.3.1985 and 11.3.1985 respectively, if necessary by quashing the orders contained in Annexure- A 1 to the extent necessary; and
- (b) grant such other relief(s) as may be deemed fit and proper in the circumstances of the case by this Hon'ble Tribunal with costs of the application.

9) Interim order, if any prayed for :

Pending final decision on the application, the applicant seeks the following interim relief:-

- (a) To restrain the authorities from making any promotion on the post of Scientist 'D' on the basis of impugned order;

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- (b) to direct the respondent authorities to consider the applicant's case for promotion to the post of Scientist 'D' in accordance with 1987 recruitment rules, treating the applicant's service with effect from 4.3.1985 as regular service;
- 10) NOT APPLICABLE - The application is being presented through counsel.

11) Particulars of Bank Draft/ Postal Order filed in respect of the application

1. No. of I.P.O. - 8 02 417317 - - - - -
2. Name of Issuing Post office. NIRALA NAGAR LUCKNOW
3. Date of issue of P.O. 31.1.90

12) List of enclosures:

The application is accompanied with the following Annexures :-

- 1) Annexure - A 1 : Office order No. 96 of 1989 dated 3.2.1989.
- 2) Annexure - A 2 : Office order No. 321 of 1985 dated 27.2.1985
- 3) Annexure - A 3 : Office order No. 318 of 1985 dated 29.6.1988.
- 4) Annexure - A 4 : Applicant's representation dated 27.7.1989.
- 5) Annexure - A 5 : Letter No. 35-188/73-GW dated 29.11.1988 rejecting the representation.
- 6) Annexure - A 6 : Applicant's representation dated 13.2.1989.
- 7) Annexure - A 7 : Applicant's representation dated 16.5. 1989.
- 8) Annexure - A 8 : DP & AR O.M. No. 22011/30/80 - Estt. (D) of 26.3.1980 regarding Review D.P.C.

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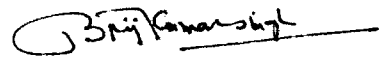
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VERIFICATION

I, B.K. Singh, son of Late Shri B.K. Singh, aged about 47 years, residing at C-291, Nirala Nagar, Lucknow, do hereby verify that the contents of paras 1, 4, 7 and 10 to 12 are true to my personal knowledge and paragraphs 2, 3, 5, 8 and 9 are believed by me to be true on legal advice and that I have not suppressed any material fact.

Dated, LUCKNOW.

the , 1990



(B.K. SINGH)
APPLICANT

...

No.10-6/84-CH(Estt).
Govt. of India
Central Ground Water Board
NH-IV, Faridabad (Haryana)

Dated the 3 FEB, 1989

OFFICE ORDER NO. 96 of 1989

In supersession of this office order No. 318 of 1988 issued under letter of even number dated 22.6.1988, I am to convey the approval of the competent authority to the promotion to the following officers holding the post of Junior Hydrogeologist/Senior Hydrogeologist to the post of Senior Hydrogeologist in the pay scale of Rs. 3000-100-3500-125-4500/- in the Central Ground Water Board with effect from the dates indicated against each officer:

OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR 1982.		DATES FROM WHICH REGULAR PROMOTION IS APPROVED
1.	S/Sh. J.V.S. Murthy	11-7-1983 (Voluntarily retired)
2.	M.A.Haseeb	29-4-1983
3.	Saleem Romani	3-2-1983
4.	A. Subramaniam	3-2-1983
5.	Santosh Kumar Sharma	3-2-1983
6.	D.K. Vaid	Absorbed in NABARD.
7.	U.P. Srivastava	26-4-1983
8.	D.S.S. Murthy	22-7-1983
9.	O.P. Mathur	15-7-1983
10.	H.L. Sangra,	14-11-1983
11.	P.K. Agarwal,	3-6-1983
12.	M.Mehta	18-11-1983
13.	I. Banerjee	18-11-1983
14.	G.Balasubramanyam	24-12-1983
15.	John Kurian,	Permanently absorbed in NABARD w.e.f. 16-6-1983.

II. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR 1984

1.	S/Sh. M. Sankaran,	25-10-1984
2.	S.A.H. Jaffery	25-10-1984
3.	S.K. Doshi	25-10-1984
4.	D.P. Mathuria,	25-2-1985
5.	M.C. Jindal	25-02-1985

III. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR-1985

1.	S/sh. P.R. Subramaniam,	10-5-1988
2.	V. Jaganathan	10-5-1988
3.	V.H. Sikka	10-5-1988
4.	A.K. Misra	10-5-1988
5.	O.P. Pal	10-5-1988
6.	R. Malaviya	10-5-1988
7.	K.K. Jatti	10-5-1988
8.	P. Laxminarayana	10-5-1988

contd.2

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9.	S/Sh. M.B. Raju	10-5-1988
10.	S.C. Tiwari	10-5-1988
11.	E. Ravindra Nath,	10-5-1988
12.	Malaveeranna(SC)	10-5-1988
13.	S.N. Dulloo	10-5-1988
14.	G.V.K. Rao,	10-5-1988
15.	A.R. Bakshi	10-5-1988
16.	Dr. T.G. Ferozuddin	10-5-1988
17.	M.M. Dubak,	10-5-1988
18.	Dr. B.S.R. Narasimha Rao	10-5-1988
19.	G.M. Reddy	10-5-1988
20.	B.L. Gupta	10-5-1988
21.	D. Shivane,	10.5.1988
22.	D. Anjaneyulu,	10-5-1988
23.	S. Chakladar,	10.5.1988
24.	M.S. Jethra	10-5-1988
25.	A.D. Joseph(S/T)	10-5-1988
26.	R. Mehshram(SC)	10-5-1988
27.	S.P. Bagade(SC)	10-5-1988
28.	S.C. Dhiman(SC)	10-5-1988
29.	K. Keerthiseelan(SC)	10-5-1988
30.	R. Chakrapany,	10-5-1988
31.	P. Natrajan	10-5-1988
32.	M.R.C.S. Reddy,	10-5-1988

IV. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR-1986.

1.	S.N. Sar	10-5-1988
2.	S.J. Prasad	10-5-1988
3.	Ch.R.K. Reddy.	10-5- 988
4.	E.R.J. Rao	10-5-1988
5.	G.P. Dalal	10-5-1988
6.	B.K. SINGH	10-5-1988
7.	A.B. Deshmukh	From the date of taking over charge.
8.	Dr. Ramesh Kumar,	-do-
9.	Shambhu Nath	-do-
10.	S.K. Tyagi	-do-
11.	A.R. Bhaisare(SC)	-do-

In respect of the following officers, the period shown against them from the dates of their working in the post of Senior Hydrogeologist on the basis of the earlier promotion to the dates indicated against each in col. No.4 below, will be treated as if they were holding the post on ad-hoc basis. The periods being treated as on ad-hoc services will not be counted towards fixation or the seniority in the grade and also will not entitle them to any claim for promotion, confirmation etc. in the grade.

Sl. No.	Name of the officer	Date from which working in the post.	Date of promotion
1.	S/sh. M. Sanwaran	12-12-1983	25.10-1984
2.	S.A.H. Jaffery	9-12-1983	25-10-1984
3.	S.K. Doshi	16-1-1984	25-10-1984

: 2 :

4. S/sh. V. Jaganathan	2 3-1985	10-5-1988
5. S.N. Dulloo	11-3-1985	10-5-1988
6. B.K. Singh	4-3-1985	10-5-1988

The promotion of all the above officers recommended in the revised panel for the years 1982, 1984, 1985 and 1986 to the grade of Senior Hydrogeologist shall, however, be subject to the decision of the Central Administrative Tribunal, Jammu, on the writ petition filed by Sh. S.N. Dulloo, Sr. Hydrogeologist, Central Ground Water Board.

sd/-

(JATINDER KUMAR)
SENIOR ADMINISTRATIVE OFFICER.

Distribution:

1. Officer concerned.
2. The Scientist 'D' (D), CGWB, ---
3. The Officer-Incharge, CGWB, State Unit Office. ---
4. The Director (GW & MI) Ministry of Water Resources, Shram Shakti Bhawan, New Delhi with reference to Ministry's letter No. 7-6/87-GW-Vol. II dated 22.8.1988.
- 5) The Pay and Accounts Officer, CGWB, Faridabad.
- 6) Officer Order filed.
- 7) Personal file.

RECEIVED
10/5/88
Jatinder Kumar
Senior Administrative Officer

B.K.

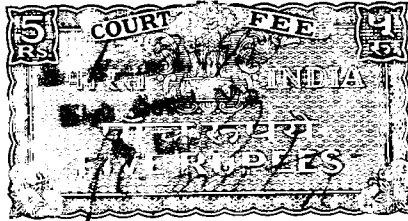
ब अदालत श्रीमान्.....*P. H. T. Lucknow Bench Lucknow*.....महोदय

वादी अपीलान्त

B. K. Singh का

वकालतनामा

प्रतिवादी रेस्पान्डेन्ट



B. K. Singh

(वादी मुद्दै)

बनाम

Union of India and ors.

प्रतिवाद मुद्दाअलेह

नं० मुकद्दमा

सन् १६

पेशी की ता०

१० ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री **पी० के० श्रीवास्तव**, एडवोकेट
एम० एस०-१५१, सेक्टर-डी, अलीगंज विस्तार, लखनऊ महोदय

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

हस्ताक्षर

Brij Kumar Singh

(BRIJ KUMAR SINGH)

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

महीना

सन् १६

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Lucknow Bench, Lucknow

Application under Section 19 of
Administrative Tribunal Act, 1985

O.A. No. ~~41~~ of 1990(L)

B.K.SINGH

.....APPLICANT

Vs.

Union of India & Others

.....RESPONDENTS

INDEX OF COMPILATION No. 2

Sl. No.	Annexure No.	Description of document relied upon	Pages
1.	A 2	Office Order No.321 of 1985 February 27 - promotion order of applicant.	20 - 21
2.	A 3	Office Order No. 818 of 1987 dt. 29.6.1988 Review DPC results.	22 - 24
3.	A 4	Applicant's representation dt. 27.7.1988	25 - 32
4.	A 5	Letter No. 35-188/78-GW dt. 29.11.88- rejecting the representation.	33
5.	A-6	Applicant's representation dated. 13.2.1989.	34 - 35
6.	A-7	Applicant's representation dt. 16.5.1989.	36 - 49
7.	A-8	DP & AR O.M. No. 22011/30/80-Estt(D), dt. 26.3.1980	50 - 51

Dated, LUCKNOW

the ,1990

S.K. Srivastava
(P.K. SRIVASTAVA)
Advocate

MS-151, Sector D, Aliganj Extn.
Lucknow-226020
Phone : 73143

No.10-6/84-CH(Estt).
Govt.of India,
Central Ground Water Board,
NH-IV, Faridabad.

Dated the : 27.2.1985

OFFICE ORDER No. 321 of 1985.

SUBJECT : PROMOTION TO THE POST OF SENIOR HYDROGEOLOGIST IN
CENTRAL GROUND WATER BOARD.

On the recommendations of the D.P.C. the following Junior Hydrogeologists are promoted to the post of Senior Hydrogeologist in the pay scale of Rs.1100-50-1600/- in the Central Ground Water Board in an officiating capacity till further orders. Their promotions will take effect from the date of their taking over ~~on~~ charge at the station of their posting mentioned against their names. Their charge assumption report may be sent to this office.

S.No.	Name	Present place	The place to which posted.
1.	S/ Shri D.P. Mathuria	N.C.R. Bhopal	N.C.R. Bhopal.
2.	V. Jaganathan	S.W.R., Bangalore	S.W.R., Bangalore
3.	M.C. Jindal	NWR, Chandigarh	NWR, Chandigarh
4.	B.K. Singh	NR, Lucknow.	NR, Lucknow.

1. They will be on probation for a period of two years from the date of their regular appointment to the post of Senior Hydrogeologist.

2. The promotion of the above officers to the grade of Senior Hydrogeologist shall be subject to the decision of the Punjab & Haryana, High Court, Chandigarh and Andhra Pradesh High Court, Hyderabad in writ petitions filed by S/Shri V.M. Sikka, and J.V.S. Murthy, Junior Hydrogeologist (the latter having since voluntarily retired) Central Ground Water Board respectively.

3. One regular vacancy has been kept vacant from among the Departmental promotions to the grade of Senior Hydrogeologist for Shri Niraj Malaviya, Jr. Hydrogeologist, C.G.W.B. as per the directions of High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, in the writ petition filed by Sh. Niraj Malviya.

Other terms and conditions of their appointment will remain unchanged.

sd/-23.2.85

(D.P.C. SINHA)
CHIEF HYDROGEOLOGIST & MEMBER

....2

[Handwritten signature]

AMC

(21,

: 2 :

DISTRIBUTION :

1. Concerned officer. SHRI B.K. SINGH, Sr.HG.CGWB, NR, LAO.
2. Deputy Secretary (GW) Govt. of India, Ministry of Irrigation, Krishi Bhawan, New Delhi with reference to his letter No. 7-8/84-GW dated 21.2.1985.
3. The Director, CGWB, NR/NCR/NWR/SWR/, Lucknow/Bhopal/Chandigarh/ Bangalore.
4. The Officer Incharge, ~~CGWB~~ CGWB, Unit office Jammu.
5. P.A.O., CGWB, NH-IV, Faridabad.
6. Sr. Hydrogeologist, CGWB, Faridabad/New Delhi.
7. Sh. O.R. Chawla/ UDC, CGWB, NH-IV, Faridabad.
8. Office order file/ Office Order Book.

TELETYPE

ATTACHED

1-12/1

1-12/1

12/12/84

12/12/84

No.10-6/84-CH(Estt)
Govt.of India,
Central Ground Water Board,
NH-IV, Faridabad. (Haryana)

Dated the: 29th June., 1988

OFFICE ORDER NO. 818 of 1988.

Consequent upon the judgement of Punjab and Haryana High Court which quashed the seniority list dated 1-6-1982 of Junior Hydrogeologists and directed the Ministry to draw up a fresh seniority list, the seniority list in the grade of Junior Hydrogeologist underwent a change. Accordingly, DFC's held in 1983 and 1984 for 15 and 5 vacancies respectively have been reviewed and on the recommendations of the Departmental Promotion Committee, Group-A, the President is pleased to approve the appointment of the following Junior Hydrogeologists/ Senior Hydrogeologists as Senior Hydrogeologists in the pay scale of Rs. 3000-100-3500-125-4500 in the Central Ground Water Board, in order of merit, in an officiating capacity, from the date of issue of this letter, until further orders:

I. OFFICERS RECOMMENDED FOR 1982:

1. S/Shri M.A. Haseeb,
2. Saleem Romani,
3. A. Subramaniam,
4. Santosh Kumar Sharma,
5. U.P. Srivastava,
6. D.S.S. Murthy,
7. O.P. Mathur,
8. H.L. Sangra,
9. P.K. Agarwal,
10. M. Mehta,
11. I. Banerjee,
12. G. Balasubaramanian,
13. John Kurien.

II. OFFICERS RECOMMENDED FOR THE YEAR 1984:

1. S/Shri M. Sankaran,
2. S.A.H. Jeffery,
3. S.K. Doshi,
4. D.P. Mathuria,
5. M.C. Jindal

On the recommendations of the Department Promotion Committee, (Group-A), the approval of the President is also conveyed for the appointment of the following Junior Hydrogeologists/Senior Hydrogeologists as Senior Hydrogeologists in the pay scale of Rs. 3000 -100-3500-125-4500 in the Central Ground Water Board against the vacancies pertaining to the years 1985 and 1986, in order of merit, in an officiating capacity from the date of issue of this letter, until further orders:-

contd.2

[Handwritten signature]

III. OFFICERS RECOMMENDED FOR THE YEAR 1985

1. S/Sh. P.R. Subramanian,
2. V. Jaganathan,
3. V.M. Sikka,
4. A.K. Mishra,
5. O.P. Pal,
6. N. Malaviya,
7. K.K. Jatti,
8. P. Laxminarayana,
9. M.B. Raju,
10. S.C. Tiwari,
11. E. Ravindra Nath,
12. Malaveeranna(SC)
13. S.N. Dulloo,
14. S.V.K. Rao,
15. A.R. Bakshi,
16. Dr. T.G. Firozuddin,
17. M.M. Dubbak,
18. Dr. B.S.R. Barsimha Rao,
19. G.M. Reddy,
20. B.L. Gupta,
21. D. Shivane,
22. D. Anjaneyulu,
23. S. Chakladar,
24. M.S. Jathra,
25. A.D. Josheph(ST)
26. S.P. Bagade(SC)
27. S.C. Dhiman(SC)
28. K. Keerthiseelan(SC)
29. R. Chakrapany,
30. P. Natrajana
31. M.R.C.S. Reddy.

IV. OFFICERS RECOMMENDED FOR THE YEAR 1986

1. S/Sh. S.N. Sar,
2. S.J. Prasad,
3. Ch. R. K. Reddy,
4. E.R.J. Rao,
5. G.P. Dalal,
6. B.K. Singh,
7. A.B. Deshmukh,
8. Dr. Ramesh Kumar,
9. Shambhu Nath,
10. S.K. Tyagi,
11. A.R. Bhaisare(SC)

All the officers listed above except those who were appointed earlier on the recommendation of the original Departmental Promotion Committee Meeting held during 1983 and 1984 will be on probation for a period of two years from the date of their regular appointment to the post of Senior Hydrogeologist.

Contd.3

[Signature]

The promotions of the above officers to the grade of Senior Hydrogeologist shall, however, be subject to the decision of the Central Administrative Tribunal, Jammu on the writ petition filed by Shri S.N. Dulloo, Senior Hydrogeologist, Central Ground Water Board,

The charge assumption report in respect of the following officers may kindly be sent in triplicate urgently for issue of necessary Gazette Notification:-

1. S/Shri M.B. Raju,
2. R. Chakrapany,
3. P. Natrajan,
4. M.R.C.S. Reddy.

sd/-

(JATINDER KUMAR)

SENIOR ADMINISTRATIVE OFFICER.

DISTRIBUTION :

1. Officers concerned SHRI B.K. SINGH, Sr.HG., CGWB, NR, Lko.
2. The Director, Central Ground Water Board.
3. The Officer-Incharge, C.G.W.B., State Unit Office- - - -
4. The Dy. Secretary (GW), Min. of Water Resources, Krishi Bhawan, New Delhi, with reference to Ministry's letter No. 7-6/87-GW-Vol.II dated 28.6.1988.
5. The P & A Officer, CGWB, Faridabad.
6. The Suptdg. Hydrologist, CGWB, NH-IV, Faridabad.
7. T.S. to CH & M, CGWB, Jamnagar House, New Delhi.
8. Office Order file.
9. Personal file.

RECEIVED
JUL 11 1988
JATINDER KUMAR
SENIOR ADMINISTRATIVE OFFICER

Jy

REPRESENTATION

Annexure : A 4

REGISTERED

from,
B.K. Singh,
Scientist 'C' (Sr.HG.)
C.G.W.B., NR,
B-43, Mahanagar Extn.,
Lucknow-226006.

No.27788/BKS/DPC/88-
Dated the 27th July, 1988

To,

The Secretary to
the Govt. of India,
Ministry of Water Resources,
Govt. of India,
Sharam Shakti Bhawan,
New Delhi.

THROUGH PROPER CHANNEL

Sub: Representation against the selection/appointment
of officers for the post of Sr. Hydrogeologist
from Jr. Hydrogeologist by D.P.C./Review D.P.C.

Ref: Order No.818 of 1988 vide letter No. 10-6/84/CH-(Estt),
dated 29th June, 1988 received on 5th July, 1988 issued by
Senior Administrative Officer, C.G.W.B., NH-IV, Faridabad.

Sir,

The list of promotees as given in the office order cited
above, came as a shock and caused mental agony to me which can
not be compensated except by redressal of unjust and unlawful
consideration by D.P.C./ Review D.P.C. against the principles
of natural justice. In this connection, the following facts
are submitted for your kind perusal and consideration:-

1) That I joined as J r. Hydrogeologist on 2.4.1974 after
being selected by U.P.S.C. and was placed in the merit list
at Sl.No.5 (out of total 84 candidates selected.) vide U.P.S.C.
letter No.F.1/134/73-RG, dated 12.2.1974. On this post I
worked from 2.4.1974 to 3.3.1985 to the entire satisfaction of
my superiors till my promotion to the post of Sr. Hydrogeologist
by D.P.C. of 1984 (date of joining 1.3.1985). A brief review
of this period (2.4.1974 to 3.3.1985) is given below for your
kind perusal :-

contd. 2

BK

- (b) Report on the Hydrogeology and Aquifer parameters around Muradnagar, U.P." issued in Dec., 1985.

These reports were highly commended by the user agencies i.e., U.P. Jal Nigam and N.T.P.C.

In January, 1985, I was nominated by the Chairman, C.G.W.B., New Delhi as official delegate to attend "Seminar on Artificial Recharge of groundwater" held at Ahmedabad organised by U.N.D.P. This nomination of self was also in recognition of my hard, sincere and excellent work.

2) That I was promoted to the post of Sr. Hydrogeologist in the year 1985 after being selected by the D.P.C. convened in the year 1984 vide order No. 321 of 1985 issued under letter No. 10-6/84-CH(Estt), dated 27.2.1985 by the Chief Hydrogeologist & Member, CGWB. The list of selected candidates is as given below:-

1. Shri D.P. Mathuria,
2. " V. Jaganathan,
3. " M.C. Jindal,
4. " B.K. Singh,

That subsequently Shri S.N. Dullu was also promoted as Sr. Hydrogeologist by the same D.P.C. proceedings and he was placed at Sl.No. 5, just below me. I took over the charge of the post of Sr. Hydrogeologist on 4.3.1985 and Sh. S.N. Dullu took over the charge on 11.3.1985.

That the D.P.C. in the year 1984 as referred above took into consideration the seniority list of Jr. Hydrogeologist as on 1.1.1978 circulated by the Department vide letter No. 14-5/80-CH(Estt)-5765, dated 2nd Dec., 1980 whereby I was placed at Sl.No. 90 (total 161 officers). The relevant names of the candidates above & below me vide this list are given below for ready reference:-

- | | |
|---------------------|--|
| 1. S. Shri S.N. SAR | Sl.No. 68
Sl.No. 69 to 74 Promoted as Sr.
HG in the year 1983, |
| 2. K.M. Vedapuri | Sl.No. 75
Sl.No. 76 Promoted as Sr.HG
in the year, 1983. |
| | Sl.No. 77 Left the Deptt. |
| 3. K. Srinivasan | Sl.No. 78
Sl.No. 79 Promoted as Sr.HG
in the year, 1983. |
| | Sl.No. 80 Left the Deptt. |
| 4. P.R. Subramaniam | Sl.No. 81
Sl.No. 82 to 83 Promoted as Sr.HG
in the year 1983. |
| 5. S.J. Prasad | Sl.No. 84 |

contd. 4

37

Aux

- | | | |
|---------------------|-----------|-----------------|
| 6. D.P.Mathuria | Sl. No.85 | |
| 7. V. Jaggannathan | Sl.No. 86 | |
| 8. Dr. Ratesh Kumar | Sl.No.87 | |
| 9. Sh.M.C. Jindal | Sl.No. 88 | |
| 10. G.P. Dalal | Sl.No.89 | |
| 11. B.K. Singh | Sl.No. 90 | |
| 12. S.N. Dullu | Sl.No. 91 | |
| | Sl.No. 92 | Left the Deptt. |
| 13. O.P. Pal | Sl.No. 93 | |
| 14. K.K. Jatti | Sl.No. 94 | |
| 15. Veerana Mala | Sl.No. 95 | |
| | Sl.No. 96 | Left the Deptt. |
| 16. G.V.K. Rao | Sl.No. 97 | |
- & so on so forth.

That in the fitness of the things D.P.C. convened in the year 1984 considering this list and conducting D.P.C. proceedings for 5 posts of Sr. Hydrogeologist must have considered at least 15 candidates i.e., from Sl.No. 68 to Sl.No. 95 (as given above) and recommended the following officers for promotion:-

- 1) S/Shri D.P. Mathuria
- 2) V.Jaggannathan
- 3) M.C. Jindal
- 4) B.K. Singh,
- 5) S.N. Dullu.

That in the other words, my performance was found better than the candidates namely S/Shri S.N. SAR(Sl.No.68); K.M.Vedapuri(Sl No.75); K. Srinivasan(Sl.No.78); P.R. Subramaniam (Sl.No.81); S.J. Prasad(Sl.No.84);Dr. Ratesh Kumar(Sl.No.87); G.P. Dalal(Sl.No.89). Candidates namely S/Shri S.N. Dullu(Sl.No.91) O.P. Pal(Sl. No.93); K.K. Jatti(Sl.No.94); Veerana Mala(Sl.No.95) and G.V.K. Rao(Sl.No.97) though placed below me in the seniority list were also not found better than me otherwise they would have superseded me.

Since then after joining the post of Sr. Hydrogeologist in the year 1985(1.3.1985), I have been discharging my duties to the entire satisfaction of my superiors and have completed three years as on 3.3.1988.

4) That after the D.P.C. for the post of Sr. Hydrogeologist in the year 1984, the Honourable High Court of Punjab & Haryana, Chandigarh on the writ petition of Sh. V.M. Sikka Vs. Union of India vide their order dated 1.8.1985 quashed the Seniority List of Junior Hydrogeologist of 1978 and passed following orders. "Consequently allowing this petition the seniority list(Annexure-P-2) is quashed and respondent No.1 to 3 are directed to prepare a fresh seniority list of Sr. Hydrogeologist within Six months from today applying old rules (Annexure P-5) notified on February 15,1972. No order as costs".

contd. 5

P-2 : Seniority List of Jr. Hydrogeologist as on 1.1.1978 issued by letter No. 14-5/80-CH(Estt)-5765, dt. 2nd Dec. 1980.

5) That the department prepared a fresh seniority list of Jr. Hydrogeologist as on 1.4.1985 and circulated the same vide CH&M's letter No. 14-13/80-CH(Estt), dated 14th July, 1987 whereby the candidates listed in para 2 above were placed as given below vis-a-vis old seniority list.

Name		Starting from Mr. M.A. Haseeb as Sl.No.1	
		Sl.No. of New list.	Sl.No. of Old list.
S/Shri			
1.	S.N. SAR	7	8
2.	K.M. Vedapuri	14	15
3.	K. Srinivasan	15	18
4.	P.R. Subramaniam	17	21
5.	S.J. Prasad	20	24
6.	D.P. Mathuria	21	25
7.	M.C. Jindal	22	28
8.	V. Jagganathan	23	26
9.	V.M. Sikka	24	86
10.	A.K. Misra	25	67
11.	O.P. Pal	26	33
12.	N. Malviya	27	66
13.	K.K. Jatti	28	34
14.	C.R.K. Reddy	29	39
15.	K.M. Murthy	30	57
16.	R.N. Sharma	31	42
17.	P. Laxminarayan	32	-
18.	M.B. Raju	33	50
19.	E.R.J. Rao	34	63
20.	S.C. Tiwari	35	62
21.	G.P. Dalal	36	29
22.	B.K. Singh	37	30
23.	E. Ravindranath	38	-
24.	Mala Veerana	39	35
25.	S.L. Saffiula	40	47
26.	A.B. Deshmukh	41	72
27.	Dr. Ratesh Kumar	42	27
28.	S.N. Dullu	43	31
29.	G.V.K. Rao	44	37

That vide this above referred comparative list of candidates vis-a-vis Old list, the only difference which caused in my seniority is that candidates namely from Shri V.M. Sikka (Sl.No. 24, New List) to S.C. Tiwari (Sl.No. 35, New List) were places senior to me as per the court judgement.

contd.6

B/C

6) That the Ministry of Water Resources, Govt. of India subsequently by the Gazette notification No. G.S.R. 434 dated 18th May, 1987 changed the designations of the post of Jr. Hydrogeologist, Sr. Hydrogeologist & Director to Scientist 'B', 'C' & 'D' and repelled all the existing recruitment rules in force till date. Thus the new recruitment/ promotions etc. are to be regulated as per the new rules.

7) That subsequently the order No. 818 of 1988 vide letter No. 10-6/84-CH(Estt) dated 29th June, 1988 came into effect and the same was received by me on 5th July, 1988. This order gives the recommendation of D.P.C./ Review D.P.C. and categorises the whole order into 4 categories as given below:-

- | | | |
|------|-------------------------------|----------------|
| I) | Officers recommended for 1982 | (13 officers) |
| II) | Officers recommended for 1984 | (5 officers) |
| III) | Officers recommended for 1985 | (31 officers) |
| IV) | Officers recommended for 1986 | (11 officers) |

That vide the above mentioned order, I have been made to suffer in my seniority and promotion as Sr. Hydrogeologist and has been wrongly shown as recommended for the year 1986 though I was promoted in the year 1984 by regular D.P.C. and joined the post on 4.3.1985. I have been placed below the candidates namely

S/Shri

- 1) P.R. Subramaniam
- 2) O.P. Pal
- 3) K.K. Jatti
- 4) Mala Veerana
- 5) S.N. Dullu
- 6) S.J. Prasad
- 7) S.N. Sar,
- 8) G.P. Dalal

That these 8 above named candidates were considered along with me in the D.P.C. held in the year 1984 and were not recommended for the promotions to the post of Sr. Hydrogeologist by D.P.C. excepting Shri S.N. Dullu who was placed at Sl.No. 5 just below me. The D.P.C. held in the year 1984 was a duly constituted regular D.P.C. and evaluated the merits of the candidates which subsequently can not be questioned by another D.P.C. (Annex.VIII & IX).

That this act is against the natural justice that candidates who were once recommended by D.P.C. as per their relative merit and seniority, were considered again by 2nd D.P.C. and their relative seniority and merit has been altered to suit certain candidates where as I was working as Senior Hydrogeologist w.e.f. 4.3.1985 with diligently and efficiently and have completed three years in the grade of Sr. Hydrogeologist as on 3.3.1988 before this D.P.C./Review D.P.C. in the year 1988 took place.

contd. 7

(33)

That it is relevant to mention that I was working as a Sr. Hydrogeologist w.e.f. 4.3. 1985 and hence my C.R's for the year 1985, 1986, 1987 can not be equated with the officers who were working as Jr. Hydrogeologist as the functions and duties of the two grades are quite different as well as reporting and reviewing officers were of higher grades.

In the end I request your goodself to please look into the impugned D.P.C./Review D.P.C. proceedings held in the year 1988 and rectify the injustice done to me and place me at number 6 in the list of 1984 or number 1 in the list of 1985.

Hope to receive an early favourable reply.

Yours faithfully,

sd/-
(B.K. Singh)
Scientist 'C' (Sr.HG.)

Copy forwarded for information and kind necessary action to:-

- 1) The Chairman, CGWB, Ministry of Water Resources, Krishi Bhawan, New Delhi.
- 2) The Chairman, U.P.S.C. Dholpur House, Shahjahan Road, New Delhi.
- 3) The Chief Hydrogeologist & Member, CGWB, New Delhi.

(B.K. Singh)
Scientist 'C' (Sr.HG.)

RECEIVED
AUG 1988

ADJ. CHIEF
SECRETARY

BK

Reprint from:

"Swamy's complete Manula on Establishment and Administration
for Central Govt. Offices."
by P. Muthuswamy.

ANNEXURE TO GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS
O.M. No. 9-11/55, RPS, Dated the 22nd Dec., 1959.

(Page No. 267)

General Principle 5(i):- Where promotions are made on the basis of selection by a Departmental Promotion Committee, the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior person who had superseded him.

General Principle 5 (ii) Illustration:- Where 75% of the vacancies in the grade of Head Clerks are reserved for promotion from the grade of Upper Division Clerks and 25% from the grade of Store-Keepers, the eligible Upper Division Clerks and Store-Keepers shall be arranged in separate lists with reference to their relative seniority in those grades. The D.P.C. will make selection of three candidates from the list of U.D.Cs. and one from the list of Store-keepers. Thereafter the selected persons from each list shall be arranged in a single list in a consolidated order of merit assessed by the D.P.C. which will determine the seniority of the persons on promotion to higher grade.

TO BE COPY
MAILED
15/12/59

2. 2. 5. 1959
15/12/59

15/12/59

Annexure: A 5

No. 35-188/78-GW
Govt. of India
Ministry of Water Resources,

New Delhi, Nov. 29, 1988.

To,

The Chairman,
Central Ground Water Board,
New Delhi.

Sub: Representation of Shri B.K. Singh, Scientist 'C'
(Sr. Hydrogeologist) regarding selection/appointment
for the post of Sr. Hydrogeologist.

Sir,

I am directed to refer to CGWB letter No. 3-175/72-CH (Estt) dated 19th September, 1988 on the above mentioned subject and to say that the various points raised by Shri B.K. Singh, Scientist 'C' (Sr. Hydrogeologist) in his representation dated 27.7.1988 have been examined and his promotion has been made on the recommendations of the Review D.P.C. in accordance with the instructions/ rules available on the subject. It is requested that Shri Singh may be informed accordingly under ~~intimation to this Ministry.~~

Yours faithfully,

sd/-
(A.K. Puri)
Desk Officer
Tele: 381370

BL

RECEIVED
NOV 30 1988
CENTRAL GROUND WATER BOARD
NEW DELHI

Annexure : A 6

No.13289/BKS/REP/89-

(34)

from,

B.K. SINGH,
Scientist 'C'
Central Ground Water Board,
NR, B-43, Mahanagar Extn.,
Lucknow-226006.

Dated 13.02.1989.

To,

The Chairman,
Central Ground Water Board,
Ministry of Water Resources,
Krishi Bhawan,
NEW DELHI.

(THROUGH PROPER CHANNEL)

Sub: Representation against the office order No. 96 of 1989 dated 3rd Feb., 1989, refixing the date of promotion to the post of Senior Hydrogeologist from 4.3.1985 to 10.5.1988.

Ref: i) Office order No. 321 of 1985, dated 27.2.1985.
ii) Office order No. 818 of 1988, dated 29th June, 1988.
iii) Office order No. 96 of 1989 dated 3.2.1989.

Sir,

On the office order No. 96 of 1989 communicated vide letter No. 10-6/84-CH(Estt), dated 3rd Feb., 1989, I have to state as follows:-

(I) I was appointed as Senior Hydrogeologist on Regular basis vide office order No. 321 of 1985 communicated vide letter No. 10-6/84-CH(Estt) dated 27.2.1985 and I took over the charge of the post of Sr. Hydrogeologist on 4.03.1985 and since then I am working as Senior Hydrogeologist on regular basis till date.

(II) Through a revised order No. 818 of 1988, dated 29th June, 1988, the seniority of the officers was changed and the same affected my seniority also but there was no change in the date of my appointment. I had represented against that vide my letter No. 27788/BKS/DPC/88, dated 27.7.1988. Though I have received a two line reply, I am not satisfied with it and likely to take recourse of the court to get justice and rectification of this order.

(III) I have now received the order No. 96 of 1989 dated 3.2.1989 which gives affect to my regular appointment w.e.f. 4.3.1985 which is contrary to the rules and natural justice.

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(IV) These order (iii) are ultravires in as much as the review D.P.C. changed my seniority and not the mode of my appointment as on adhoc basis. The period rendered by me as regular promotee can not be made as ad hoc.

(V) It is therefore, requested that these orders may be withdrawn immediately so that I could not be penalised for errors on the part of Deptt. twice and in two instalments.

(VI) Further, I feel that on the date, this order No. 96 of 1989 was issued, there was no incumbent in the post of Sr. Admn. Officer as the functions of that post were being looked after by the Director (Administration).

(VII) On the points mentioned at Sl.No. IV and V immediate action be taken to remove my grievances and the same may be communicated to me.

Yours faithfully,

sd/-14.2.89
(B.K. SINGH)
Scientist 'C'

RECEIVED
14.2.89

— P.K. /
B.K. Singh
Adm. Cell

BK

AS

(36)

REPRESENTATION

Annexure: A 7

REGISTERED

No.16589/BKS/RAP/89.

from,

B.K.SINGH
Scientist 'C' (Sr.Ho.)
Central Ground Water Board,
NR,B-43, Mahanagar Exten.,
LUCKNOW-226006.

To,

The Secretary to the Govt. of India,
Ministry of Water Resources,
Government of India,
Shram Shakti Bhawan,
NEW DELHI.

(THROUGH PROPER CHANNEL)

Subject: Representation against the selection/appointment of officers for the post of Senior Hydrogeologist by D.P.C./Review D.P.C. and alteration in date of regular appointment.

- Reference: i) Officer order No. 321 of 1985 issued under letter No. 10-6/84-CH(Estt), dated 27.2.1985.
- ii) Office order No. 818 of 1988 dated 29th June, 1988 issued under letter No. 10-6/84-CH(Estt), dated 29th June, 1988.
- iii) Representation of self submitted vide letter No.27788/BKS/DPC/33, dated 27th July, 1988 against the office order No. 818 of 1988.
- iv) Letter No. 35-188/70-GW, dated 29th Nov., 1988 issued from Ministry of Water Resources, Govt. of India, New Delhi.
- v) Office order No. 96 of 1989 dated 3.2.1989 issued under letter No. 10-6/84-CH(Estt), by Sr. Administrative Officer, CGWB, Faridabad.
- vi) Representation of self submitted vide letter No. 13289/BKS/RAP/89, dated 13.2.89 addressed to the Chairman, C.G.W.B, New Delhi.

contd.2

B.K.

Sir,

Respectfully, I beg to submit that the office order No. 86 of 1988 dated 19.6.1988 against which I submitted a representation to the Secretary, Ministry of Water Resources, Govt. of India, New Delhi vide my letter No. 27733/BKS/DPC/88 on 27th August, 1988, which stands rejected without assigning any reason, vide letter No. 35-188/78-GW, has been superseded by the office order No. 96 of 1989 dated 3.2.1989. Against the office order No. 96 of 1989, I also submitted a representation vide my letter No. 13239/BKS/REP/89, dated 13.2.1989 addressed to the Chairman, CGWB, New Delhi which has not been replied so far.

However, in view of the supersession of the earlier office order No. 818 of 1988, I have been advised to submit a fresh representation and repeat the submissions made earlier as also to make further submission with regard to further grievances inflicted upon me, arising out of the new office order No. 96 of 1989.

In this connection the following facts are submitted for your kind perusal and consideration.

- 1) That, I joined as Jr. Hydrogeologist on 2.4.1974 after being selected by U.P.S.C. and was placed in the merit list at Sl. No.5 (out of total 84 candidates selected) vide U.P.S.C. letter No. F.1/134/73-RG, dated 12.2.1974. On this post I worked from 2.4.1974 to 3.3.1985 to the entire satisfaction of my superiors till my promotion to the post of Senior Hydrogeologist by D.P.C. of 1984 (date of joining. 4.3.1985). A brief review of this period (2.4.1974 to 3.3.1985) is given below for your kind perusal:-
 - 1.1) Worked as Jr. Hydrogeologist from 2.4.1974 to 1.7.1976 at Northern Region, Lucknow. In the year 1975, I was deputed to undergo one year Diploma Course in Photo-Interpretation at I.P.I., Dehradun. I successfully completed the Diploma Course and secured Honours thus bringing credit to the Department.
 - 1.2) In view of my excellent performance in the Photo-Interpretation Course and other allied activities in the Northern Region, I was posted to Indo-British Betwa Ground-water Project, Bhopal. I worked in this project from 8.7.1976 to 13.3.1981 and successfully completed the time bound work in different fields to the entire satisfaction of the Director for which I was commended and appreciation letter was given to me by the Director, of that Project (copy enclosed Annexure-I). In view of my excellent work, Director of that Project had written to the Chief Hydrogeologist & Member, to issue appreciation letter. (copies of letters enclosed Annex. II, III & IV). In view of the facts stated above, it is crystal clear that my work was excellent.

concd. 3

1.3) In view of my excellent work, I was transferred to C.G.W.B., Hqrs., Faridabad to work in specialised field of Photogeology & Remote Sensing. I worked at Faridabad from 16.3.1981 to 12.6.1981.

1.4) I was selected by the Ministry of External Affairs, Government of India as I.T.E.C. Expert (Hydrogeology) to work with Water Resources Board, Govt. of Sri Lanka and I worked with Water Resources Board, Colombo from 7.7.1981 to 3.4.1984. Water Resources Board Authorities were not only satisfied with my excellent work but also appreciated and kept me for another two years though I was initially selected for one year in the 1st instance. The letters issued by Water Resource Board Authorities clearly speaks about my excellent work (Annexure-V & VI).

1.5) After repatriation from Govt. of Sri Lanka, I was posted to Central Ground Water Board, Northern Region, Lucknow on 11.4.1984.

During the year 1984, I was assigned the task of writing a special report on deep drilling in Ganga Basin by the Chairman, C.G.W.B., in view of my excellent performance through out my career. I completed the report well within the prescribed time, which was highly commended.

Besides the above work, two special investigations were assigned and the reports were submitted namely:-

(a) "Report on the Hydrogeology and Hydrochemistry of Groundwater in Etawah City, U.P." issued in July, 1985.

(b) "Report on the Hydrogeology and Aquifer parameters around Muradnagar, U.P." issued in Dec., 1985.

These reports were highly commended by the user agencies i.e. U.P. Jal Nigam, and M.F.P.C.

In January 1985, I was nominated by the Chairman, C.G.W.B., New Delhi as official delegate to attend "Seminar on Artificial Recharge of Groundwater" held at Ahmedabad organised by U.P.D.P. This nomination of self was also in recognition of the hard, sincere and excellent work.

2) That I was promoted to the post of senior Hydrogeologist in the year 1985 after being selected by J.P.C. convened in the year 1984 vide order No. 321 of 1985 issued under letter No. 10-6/84-VH92stt) dated 27.2.1985 by the Chief Hydrogeologist & Member, C.G.W.B. The list of selected candidates is as given below:-

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- 1) Shri D.P. Mathuria,
- 2) Shri V. Jaganathan,
- 3) Shri M.C. Jindal,
- 4) Shri B.K. Singh,

That subsequently Shri S. N. Dullu was also promoted as Sr. Hydrogeologist by the same D.P.C. proceedings and he was placed at Sl.No.5, just below me. I took over the charge of the post of Sr. Hydrogeologist on 4.3.1985 and Sh. S.N.Dullu took over the charge on 11.3.1985.

That the D.P.C. in the year 1984 as referred above took into consideration the seniority list of Jr. Hydrogeologist as on 1.1.1978 circulated by the Department vide letter No. 14-5/80-Ch (Estt)-5765, dated 2nd Dec., 1980 whereby I was placed at Sl.No.90 (total 161 officers). The relevant names of the candidates above & below me vide this list are given below for ready reference:-

1.	Shri S.N. SAR	Sl.No.68 Sl.No.69 to 74	Promoted as Sr.HG. in the year 1983.
2.	Sh. K.M.Vedapuri	Sl.No.75 Sl.No.76	Promoted as Sr.HG. in the year, 1983.
		Sl.No.77	Left the Deptt.
3.	Sh.K.Srinivasan	Sl.No.78 Sl.No.79	Promoted as Sr. HG. in the year 1983.
		Sl.No.80	Left the Deptt.
4.	Sh. P.R.Subramaniam	Sl.No.81 Sl.No.82 to 83	Promoted as Sr.HG. in the year 1983.
5.	Sh. S.J. Prasad	Sl.No.84	
6.	Sh. D.P. Mathuria	Sl.No.85	
7.	Sh. V. Jagganathan	" " 86	
8.	Dr. Ratekh Kumar	" " 87	
9.	Sh. M.C. Jindal	" " 88	
10.	Sh. G.P. Dalal	" " 89	
11.	Sh. B.K. Singh	" " 90	
12.	Sh. S.N. Dullu	" " 91	
		" " 92	Left the Deptt.
13.	Sh. O.P. Pal	" " 93	
14.	Sh. K.K. Jatti	" " 94	
15.	Sh. Veerana Mala	" " 95	
		" " 96	Left the Deptt.
16.	Sh. G.V.K. Rao	" " 97	

& so on so forth

....5

[Handwritten Signature]

That in the fitness of the things D.P.C. convened in the year 1984 considering this list and conducting D.P.C. proceedings for 5 posts of Sr. Hydrogeologist must have considered at least 15 candidates i.e., from Sl.No. 68 to Sl.No. 95 (as given above) and recommended the following officers for promotion:

- 1) S/Shri D.P. Mathura
- 2) V. Jagganathan
- 3) M.C. Jindal
- 4) B.K. Singh
- 5) S.N. Dullu

That in the other words, my performance was found better than the candidates namely S/Shri S.N.S.R(Sl.No.68); K.M.Vedapuri (Sl.No.75); K. Srinivasan(Sl.No.78); P.R.Subramaniam(Sl.No.81); S.J. Prasad(Sl.No.84) Dr. Ratesh Kumar (Sl.No.87); G.P. Dalal (Sl. No. 89). Candidates namely S/Shri S.N. Dullu(Sl.No.91); O.P. Pal (Sl. No.93); K.K. Jatti(Sl.No.94) Veerana Mala (Sl.No.95) and G.V.K. Rao (Sl.No.97) though placed below me in the seniority list were also not found better than me otherwise they would have superseeded me.

Since then after joining the post of Sr. Hydrogeologist in the year 1985 (4.3.1985), I have been discharging my duties to the entire satisfaction of my superiors and have completed three years as on 3.3.1988.

4) That after the D.P.C. for the post of Sr. Hydrogeologist in the year 1984, the Honourable High Court of Punjab and Haryana Chandigarh on the writ petition of Sh. V.M. Sikka Vs. Union of India vide their order dated 1.8.1985 quashed the Seniority List of Junior Hydrogeologist of 1978 and passed following orders. "Consequently allowing this petition the seniority list (Annexure P-2) is quashed and respondent No.1 to 3 are directed to prepare a fresh seniority list of Jr. Hydrogeologist within Six months from today applying old rules (Annexure P-5) notified on February 15, 1972. No order as costs".

P-2 : Seniority List of Jr. Hydrogeologist as on 1.1.1978 issued by letter No. 14-5/80-CH(Estt)-5765 dated 2nd December, 1980.

5) That the department prepared a fresh seniority list of Jr. Hydrogeologist as on 1.4.1985 and circulated the same vide CH&M's letter No. 14-13/80-CH(Estt), dated 14th July, 1987 whereby the candidates listed in para 2 above were placed as given below vis-a-vis old seniority list.

contd.G

Name	Starting from Mr. M.A. Haseeb as	
	Sl.No. 1.	
	Sl.No. of New list.	Sl.No. of Old List.
1. S/Shri S.N. SAR	7	8
2. K.M. Nedapuri	14	15
3. K. Srinivasan	15	18
4. P.R. Subramaniam	17	21
5. S.J. Prasad	20	24
6. D.P. Mathur ^{aa}	21	25
7. M.C. Jindal	22	28
8. V. Jagganathan	23	26
9. V.M. Sikka	24	86
10. A.K. Misra	25	67
11. O.P. Pal	26	33
12. N. Malviya	27	66
13. K.K. Jatti	28	34
14. C.R.K. Reddy	29	39
15. K.M. Murthy	30	57
16. R.N. Sharma	31	42
17. P. Laxminarayan	32	-
18. M.B. Raju	33	50
19. E.R.J. Rao	34	63
20. S.C. Tiwari	35	62
21. G.P. Dalal	36	29
22. B.K. Singh	37	30
23. E. Ravindranath	38	-
24. Mala Veerana	39	35
25. S.L. Saffiula	40	47
26. A.B. Deshmukh	41	72
27. Dr. Ratesh Kumar	42	27
28. S.N. Dullu	43	31
29. G.V.K. Rao	44	37

That, vide this above referred comparative list of candidates vis-a-vis old list, the only difference which caused in my seniority is that candidates namely from Sh. V.M. Sikka (Sl.No. 24, New List) to S.C. Tiwari (Sl.No. 35, New List) were placed senior to me as per the court judgement.

6) That, the Ministry of Water Resources, Govt. of India subsequently by the Gazette notification No. G.S.R. 434 dated 18th May, 1987 changed the designations of the post of Mr. Hydrogeologist, Sr. Hydrogeologist & Director to Scientist 'B', 'C' & 'D' and repelled all the existing recruitment rules in force till date. Thus the new recruitment/ promotions etc. are to be regulated as per the new rules.

7) That, subsequently the office order No. 318 of 1988 issued vide letter No. 10-6/84-CH (Estt) dated 29th June, 1988 came into operation and the same was received by me on 5th July, 1988. This order conveyed the recommendations of D.P.C./ Review D.P.C. and categorised the promotions into 4 categories as given below:-

[Handwritten signature]

- I) Officers recommended for 1982 (13 officers),
 II) Officers recommended for 1983 (5 officers)
 III) Officers recommended for 1985 (31 officers)
 IV) Officers recommended for 1986 (11 officers).

In other words the vacancies for the year 1982, 1983, 1985 and 1986 were 13, 5, 31 and 11 respectively.

In this order my name was considered for the year 1986 though I was promoted by regular D.P.C. of 1984 and joined the post on 4.3.1985. All the eight candidates enlisted below were within the zone of consideration and were considered alongwith my candidature by D.P.C. of 1984.

✓ S/Shri

1. P.R. Subramaniam
2. O.P. Pal
3. K.K. Jatti
4. Mala Veerana
5. S.N. Dullu,
6. S.J. Prasad
7. S.N. Sar
8. G.P. Dalal

The incumbents namely S/Shri P.R. Subramaniam, S.J. Prasad, S.N. Sar, G.P. Dalal who stands senior to me in both old and new seniority lists were not found fit for promotion (office order No. 321 of 1985, dated 27.2.1985) whereas the candidates namely O.P. Pal, K.K. Jatti, Mala Veerana, S.N. Dullu were not found better than me and only S.N. Dullu was promoted. However, in the latest promotion list the same incumbents are placed above by Review D.P.C. of 1988, (office order No. 96 of 1989 dated 3.2.1989).

8) That, I submitted a representation against the office Order No. 818 of 1988 which stands rejected vide letter No. 35-188078-GW dated 25th Nov., 1988 from Ministry of Water Resources, New Delhi.

9) That, subsequently office order No. 96 of 1989 dated 3.2.1989 has been issued which supercedes the earlier office order No. 818 of 1988. This office order indicates two things namely:-

(i) Name of the officers recommended against the vacancy of the year.

(ii) Date from which regular appointment is approved.

This order is also malafide, unjust and against natural justice and contradictory to the earlier order to which it supercedes.

The following injustice have been meted out to me which may be rectified.:

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: 8 :

- (A) I have been placed below the candidates namely
 (1) P.R. Subramaniam (2) O.P. Pal, (3) K.K. Jatti,
 (4) Mala Veerana (5) S.N. Dullu (6) S.J. Prasad
 (7) S.N. SAR (8) G.P. Dala who were considered by
 the D.P.C. of 1984 and were not found fit for promotion or
 not found better than me.
- (B) I have been placed in the selection list of 1986
 whereas I should have been placed in the select list of
 1984 at Sl.No. 6 or else at Sl.No. 1 of select list of 1985.
- (C) The date of regular appointment has been altered
 to 10.5.1988 by this office order which is arbitrary and
 unjust. I have been working as Senior Hydrogeologist w.o.f.
 4.3.1985 after being selected by a regular D.P.C. and hence
 this period can not be termed as adhoc.
- (10) Two glaring anomalies are apparent in this office
 order of 1989 vis-a-vis old office order of 1988.
- a) The No. of post for 1983 are shown as 13 in the office
 order No. 818 of 1988 whereas they are shown as 15 in
 office order No. 96 of 1989.
- b) The vacancies for 1985 are shown as 31 in the office order
 No. 818 of 1988 whereas they are shown as 32 in the office
 order No. 98 of 1989 and one Mr. R. Mehshram has been
 inducted at Sl.No. 26.

I would therefore, request to your goodself to please
 look into the impugned D.P.C./Review D.P.C. proceedings held
 in the year 1988 and place me either at Sl. No. 6 in the Promotion
 list of candidates for 1984 or at Sl.No. 1 in the Promotion List
 of candidates of 1985. I would ~~xxx~~ further request you to treat
 my regular promotion w.o.f. 4.3.1985 to date on which I took over
 the charge of the post of Sr. Hydrogeologist as a regular promotee
 and am working efficiently on this post till date.

Hope to receive an early and favourable reply.

Yours faithfully,

sd/-
 (B.K. SINGH)
 SCIENTIST 'C'

Copy forwarded for information to:-

- 1) The Director (GW&MI), Ministry of Water Resources, Shram
 Shakti Bhawan, Govt. of India, New Delhi.
- 2) The Chairman, Central Ground Water Board, Min. of Water
 Resources, Krishi Bhawan, New Delhi.
- 3) The Scientist 'D' (D), CGWB, NR, Lko.

(B.K. SINGH)
 SCIENTIST 'C'

RECEIVED
 12/11/88
 P.K. Sharma
 Adv. Secy

(44)

Annexure: I/ A 7

A.L.KIDWAI
DIRECTOR

D.O. No. 5(30)/BP/Estt/77-5248.
Government of India,
Central Ground Water Board,
Betwa River Basin Project,
E-6/44-45, Arera Colony,
Bhopal-462014.

Dated the 17 March, 1977.

My dear Singh,

The excellent work done by the Map & Drawing Office in connection with the First Technical Co-ordination Committee Meeting under your supervision deserves appreciation. I am confident that the standard and tempo of work will not only be maintained but improved upon which will not only bring credit to the Project but to the Department as a whole.

Kindly convey my congratulations to the staff members of Map & Drawing Office of the Project for the excellent work done by them.

With best wishes.

Yours sincerely,

sd/-
(A.L. KIDWAI)

Shri B.K. Singh,
Junior Hydrogeologist,
Central Ground Water Board,
Betwa River Basin Project,
Bhopal.

Copy forwarded to the Chief Hydrogeologist & Member,
Central Ground Water Board, Jamnagar House, M-ansingh Road
New Delhi.

sd/-
(A.L. KIDWAI)

TRUE COPY
AD-12-12

- P.K. /

P. K. S. S. S.
Adv. C. S.

BK

A.L. KIDWAI

D.O. 4 (20)/BP/OP/80-523

Dated the 26th Sept., 1980
28

My dear Dr. Pathak Sahib,

The Project has a Photogeological Cell which is well equipped with foreign equipments like Miror Stereoscope and vertical sketchmaster. The photo-interpretation work carried out by Shri B.K. Singh, Junior Hydrogeologist has been excellent and the following maps have already been prepared.

1. Preliminary geological and structural map of the area between Lalitpur, Bhopal, Jabalpur and Panna, M.P. and U.P., India. (Based on Landsat imagery) scale 1 million.
2. Drainage and Geomorphological map of the area between Lalitpur, Bhopal, Jabalpur and Panna, M.P. and U.P. India (Based on Landsat imagery) Scale 1 million.
3. Geological and structural map of Betwa River Basin Project, M.P. and U.P. (Based on aerial photo-interpretation with limited field checks) scale 1: 25,000.
4. Macro-fracture traces and frequency diagrams for Betwa River Basin Project (Based on Landsat imagery) Scale 1 : 250,000.
5. Frequency diagrams of joints and macro-fractures for different litho-units in Betwa River Basin Project, M.P. and U.P. (Based on aerial Photo-interpretation) Scale 1 : 50,000.

As Shri Singh will be leaving the Project shortly for taking up Foreign Assignment, I will request you to kindly depute one trained hand in place of Shri Singh, who should be able to continue and further expand the activities of the photo-interpretation work being done in the project and contiguous areas. He will also be able to take over the equipment as well as aerial photographs from Shri Singh.

In the light of above facts, it is requested that one trained hand may kindly be posted at your earliest convenience in order to facilitate taking over the charge of Photogeological Cell from Shri Singh.

With best regards,

Yours sincerely,
sd/-

(A.L. Kidwai)

28.9.80

Dr. B.D. Pathak,
Chief Hydrogeologist & Member,
Central Ground Water Board,
Jamnagar House,
New Delhi.

B.D.

42K/

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(46)

Annexure:III/ A 7

A.L. KIDWAI

D.O. 4(20)/BP/OP/80-524

Dated the: 29th Sep., 1980

My Dear

Shri B.K. Singh, Junior Hydrogeologist during the stay in the Project has done excellent work in the fields of Photo-geology, Hydrogeology (including analysis and interpretation of Pumping Test Data), interpretation of geophysical logs. The basic data reports produced by him are of highest order and contain wealth of data.

I recommend that a letter of appreciation may kindly be issued to Shri B.K. Singh from your end for the meritorious service rendered to the Project in all spheres of activities.

With best regards,

Yours sincerely,

sd/-

(A.L. KIDWAI)

Dr. B.D. Pathak,
Chief Hydrogeologist & Member,
Central Ground Water Board,
Jamnagar House,
New Delhi.

RECEIVED
A. L. KIDWAI
13/10/80
Advocate

BK

A.L. KIDWAI

D.O.No.4(20)/BP/OP/80-81-23 Dated 21st Jan, 1981.

My dear,

Please refer to the letter No. 3-275/72-Vol.II/CH-Estt. dated 8th Dec., 1980. In this connection, I have to say that Shri Singh has assisted in all fields of project activities. As desired I am enclosing basic data reports prepared by him and subsequently issued for your kind perusal.

- i) BDR of Dahgaon well field.
- ii) BDR of Gafratganj well field.
- iii) A report on the Aquifer performance and step Drawdown test of Manora test well.

These basic data reports are quite comprehensive, and may serve as specimen for the regions and projects in hard rocks, if approved by you.

Besides the above, he has conducted long duration pumping tests at Vidisha and Meerkheri well fields and step drawdown tests at different test wells and analysed the data. These have been included in basic data reports which are under finalisation.

The report "Geology, Geomorphology and Tectonics of Upper Betwa Basin and continuous areas of M.P. & U.P." as well as "Evaluation of Basin characteristics of selected sub-basin, of Upper Betwa Basin" have been prepared by him and are under finalisation. They will be sent to you as soon as they are issued.

Besides the above, he has been associated in the interpretation of geophysical logs and has carried out correlation of different flows as well as prepared a panel diagram which is being included in the geology report.

It is requested that a letter of appreciation may be issued to him.

With best regards,

Yours sincerely,

sd/-

(A.L. Kidwai)

Dr. B.D. Pathak,
Chief Hydrogeologist & Member,
Central Ground Water Board,
Jamnagar House, Mansingh Road,
New Delhi.

Bp

12K/1

12/1/81

HC (48)

(SEAL)

Annexure: V/ A 7

WATER RESOURCES BOARD

P.O. Box 34,
2A, Gregory's Avenue
Colombo - 7.

12 April, 1983.

The Secretary,
Ministry of Lands & Land Development
500, T.B. Jayah Mawatha
Colombo 10.

Attn: Mr. J Alwis, Director
Water Resources Dev.,

DEPUTATION OF INDIAN EXPERTS IN THE
FIELD OF HYDROGEOLOGY AND GEOPHYSICS IETC PROGRAMME.

On request made by this Board through the Ministry, the Govt. of India made available to this Board the services of Mr. B.K. Singh, Hydrogeologist, under the IETC Programme of the Indian Government, Initially Mr. Singh was recruited for a one year period from June 1981 to July, 1982. Subsequently, on a recommendation made by the Board Mr. Singh's services was extended for a further period of one year upto 5.7.1983.

Mr. Singh is engaged in the ground water investigation aspects of the Kurunegala Integrated Rural Development Project handled by the Board. Mr. Singh has done very useful work covering this project and has been an asset to this Institution.

With the scheduled completion of the work programme of Kurunegala under the Integrated Rural Development Project towards the end of 1984, it will be necessary for the Board to submit its report covering the investigations carried out in this district. As Mr. Singh has been associated in this project from the very beginning, it is very desirable that he continues for a further term, by which time we should be in a position to get the first drafts of the report covering the Kurunegala district.

We have been made to understand that if a request is made by the Government of Sri Lanka to the Indian Authorities, it will be possible to get one final extension for Mr. Singh's services upto first week of July, 1984.

/to I would be grateful, if you would take this matter up with the other relevant authorities / continue the services of Mr. Singh's, upto first week of July, 1984.

Sd/-

Gamini Kannangara,
Chairman,
WATER RESOURCES BOARD.,

BK

RECEIVED
WATER RESOURCES BOARD
12 APR 1983

PL/461

5th March, 1984.

The First Secretary (Economic)
High Commission of India
Colombo.

Dear Sir,

Deputation of Mr. B.K. Singh, Hydrogeologist, with the
Government of Sri Lanka under ITEC Programme.

Please refer to our letter of 20th December, 1983, a copy of which is attached, informing you that we have no objection in releasing Mr. Singh, in March, 1984.

Mr. Singh has now completed the task assigned to him and is now in the process of finalising his report which he expects to hand over by 15th March, 1984. He will thereafter have a few round of discussions with the officials and we would be in a position to release him from 2nd April, 1984.

We like to take this opportunity to thank your High Commission and through you the Government of India for making available to us the services of Mr. Singh, since 1st week of June, 1981. He has been instrumental in carrying-out successfully the hydrogeological work under the Kurunegala IRDP programme to which he was assigned throughout his period.

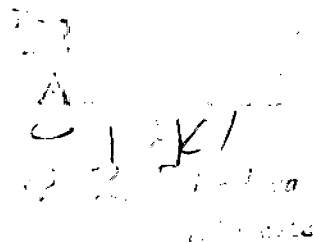
This Board has benefitted much from his services.

Yours faithfully,

sd/-

(M.P. GUNARATNE)
General Manager
for Chairman
Water Resource Board,

- cc : 1. Director, External Resources Dept.
2. Director, Water Resource Dev. Dept./Min.LLD
(Yr. ref. 02/93/23).
3. Mr. B.K. Singh, Hydrogeologist, W.R.B.



Reprint from :

"Swamy's complete manual on Establishment and Administration for Central Govt. Offices."

by P. Muthuswamy.

XVI. Convening of Review DPC

To rectify certain unintentional mistakes etc., it may be necessary to convene a review DPC under certain circumstances e.g. (a) when eligible persons were omitted to be considered, or (b) ineligible persons were considered by mistake, or (c) where the seniority of a person is revised with retrospective effect to differ with the seniority list placed before the earlier DPC, or (d) where some procedural irregularity was committed by a DPC, or (e) when adverse remarks in the CRs were toned down or expunged after the DPC had considered the case of the officer. Whenever such review DPC meets, it should consider only those persons who were eligible as on the date of meeting of original DPC. That is, persons who became eligible as on a subsequent date should not be considered by that review DPC. Such cases will, of course, come up for consideration by the regular DPC. Further the review DPC should restrict its scrutiny to the CRs for the period relevant to the first DPC. The CRs written for subsequent periods should not be considered. However, if any adverse remarks relating to the relevant period, were toned down or expunged, the modified CRs should be considered as if the original adverse remarks did not exist at all.

Decisions: (1) Instructions regarding powers of review DPC :- The circumstances under which the proceedings of a DPC can be reviewed have been laid down above. These are not exhaustive but only illustrative. It is, therefore, hereby clarified that the proceedings of any DPC can be reviewed only if the DPC has not taken all material facts appropriately into consideration or if such material facts have not been brought to the notice of the DPC or if there have been grave errors in procedure followed by the DPC. Review DPCs can be held accordingly only in such instances of facts or wrong procedure. Such review DPCs cannot in any case go into the merits of the assessment made by the DPC.

(2) In accordance with the instructions contained in these orders, each DPC should decide its own method and procedure for objective assessment of the suitability of the candidates and it is entirely left to the DPC to make its own classification of the officers being considered by them for promotion to selection posts. This, however, does not mean that the recommendations of the DPC are mandatory. As stated in para.IX(1), the DPC is a recommendatory body and the recommendations made by it are subject to approval by the appointing authority. The procedure to be followed when appointing authority does not agree with recommendations of the DPC has been laid down in detail in para IX. Once the recommendations of the DPC are accepted by the appointing authority, it shall be final. Thus, if any question is to be raised or disagreement with regard to the merit of assessment by the DPC is to be expressed it should be done only before the recommendations of the DPC are accepted and acted upon.

contd.2

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(3) Another question that has been raised is whether the review DPC could change the grading of the officers already considered by them and graded or whether they can change the zone of consideration or take into account any increase in the number of vacancies. As mentioned in the preceding paragraph, a Review DPC can only reconsider the case with regard to the revised set of facts for rectifying unintentional mistakes which might have taken place earlier. It is, therefore, clarified that the Review DPC is required to consider the case again only with reference to the technical or factual mistakes that took place earlier and, therefore, it should neither change the grading of an officer earlier considered without any valid reasons which should be recorded nor change the zone of consideration nor take into account any increase in the number of vacancies which might have occurred subsequently.

(D.P. & A.R., O.M. No. 22011/30/80-Estt. (D), dated the 26th March, 1980).

Decision (2) Special circumstances for holding a second/review DPC -
Clarifications have been sought on the course of action to be adopted in the following circumstances:-

(i) Where a DPC has already been held in a year and the Department sends proposals for another DPC meeting for unanticipated vacancies pertaining to the same year due to death, voluntary retirement, new creation, etc.

(ii) Where vacancies, not falling under (i) above reported subsequently were not intimated earlier due to error/omission on the part of the Department concerned, i.e., the vacancies were there but were not reported at the time of sending DPC proposals earlier. A point has to be considered as to whether the vacancy should be treated as belonging to the same year in which it occurred and review DPC should be held for all the vacancies with the consequent enlargement of the zone.

The matter has been examined in consultation with the U.P.S.C. and it has been decided to follow the following procedure :-

(i) Vacancies due to death, voluntary retirement, new creations etc., clearly belong to the category which could not be foreseen at the time of placing facts and materials before the DPC. In such cases, another meeting of the DPC should be held for drawing up a panel for those vacancies as these vacancies could not be anticipated at the time of holding the earlier DPC. If for any reason, the DPC could not meet for the second time, the procedure for drawing up of year-wise panels may be followed when it meets next for preparing panels in respect of vacancies that arose in subsequent year(s).

(ii) In regard to second type of cases, the Ministries are required as per existing orders to investigate such errors/omissions in furnishing correct information to DPCs and take action against the persons responsible where it is found that there is no proper justification for such omission. As taking of action as above in cases of non-reporting will not mitigate the injustice done to the officers concerned by artificially restricting the zone of consideration nor can the wrong done be rectified by holding a second DPC or preparing an year-wise panel, a review DPC should be held keeping in mind the total vacancies of year.

(Dept. of Per. & Trg. O.M. No. 22011/12/85-Estt (D), dated the 16th June 1986.)

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10/11/86

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

M.P. No 272 - 1991(L)

O.A. NO. 41 of 1990(L)

Fixed for 7.5.91.

B.K. Singh

.. Petitioner/Applicant

-versus-

Union of India and others

.. Respondents

CONDONATION OF DELAY IN FILING COUNTER/WRITTEN STATEMENT
~~XXXXXXXX~~ BY THE RESPONDENTS.

....

The Respondents abovenamed begs to submit as under:-

1. That due to certain administrative reasons

and for the facts that certain information could not be collected in order to prepare the counter, the counter affidavit could not be filed on the date specified by this Hon'ble Tribunal.

2. That the delay in filing the counter affidavit/Written Statement is liable to be condoned in the interest of justice.

3. Wherefore, it is most humbly prayed that the accompanying counter affidavit/written statement MAY KINDLY BE TAKEN ON RECORD AFTER condoning the delay in filing the same.



(VK Chaudhari)

Addl Standing Counsel for Central Govt

(Counsel for the ~~XXXXXXXX~~)

Respondents).

Lucknow,

Dated: 15 January, 1991.

Filed today
7/5/91

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

O.A. NO. 41 of 1990 (L)

B.K. Singh

.. Petitioner/Applicant

-versus-

Union of India and others ... Respondents

WRITTEN STATEMENT ON BEHALF OF RESPONDENTS.

The respondents beg to submit as under:-

1. That before giving parawise comments on the application it would be proper to give a brief history of the case of the applicant which is as under:-

(a) That the applicant as well as the Respondents at Sl. No. 5, 7 to 10, 12, 13, 15 to 26 and 39 to 41 were appointed as Junior Hydrogeologist (Group-A) - Now Scientist B (Jr. Hydrogeologist) in the Central Ground Water Board on 2.4. 1974 and from the dates of their joining the post, on the recommendations of the

ANNEXURE-I

UPSC received vide letter No.F.1/
134/73-R(G) dated 12th Feb. 1974.

He was at Sl No.5 on the merit of the
U.P.S.C.

(b) That the Recruitment Rules for the
post of Junior Hydrogeologist notified
in 1972 vide Ministry's letter No.

ANNEXURE-II

7-18/67-TW dated 15.2.1972 provided the
method of recruitment 100% promotion from
the Assistant Hydrogeologist having 3
years service in the grade failing which
by direct recruitment.

(c) That prior to appointment as Junior
Hydrogeologist through the Union
Public Service Commission against direct
posts, the petitioner(including respond-
ents at serial No.5 to 15, 17, 18, 19,
28, 32, 33, 34, 35, 36, 37, 38, 39,
40 & 41) were already working
as Assistant Hydrogeologist

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in Central Ground Water Board.

(d) That during 1973, 34 Departmental candidates were eligible for promotion to the post of Jr. Hydrogeologist and remaining 75 posts were released for direct recruitment through the UPSC. UPSC had nominated 59 candidates (including Shri B.K. Singh the applicant) vide letter No.F.1/134/73-RG dated 12.2.1974. A list of 11 direct candidates were also received from the Ministry.

ANNEXURE-I

(e) That although 34 Departmental candidates were eligible for consideration for promotion to the post of Jr. Hydrogeologist in 1973, but the DPC for filling up the posts could not be conveyed in 1973 due to administrative reasons.

(f) That meanwhile, the recruitment rules for the post of Junior Hydrogeologist were amended providing the method 20% by promotion from the Assistant Hydrogeologist failing which by direct recruitment and 80% by direct recruitment. The DPC could be convened only in 1976. The DPC recommended 22 officers for promotion vide Ministry's letter No.14-2/72-EE-I dated 22.4.1976. Whereas the respondents at Sl.No.5 to 13, 38, 39 and 41 were working as Assistant Hydrogeologist were promoted as Jr.Hydrogeologist in 1976, though respondents at Sl.No. 5, 7 to 10, 12, 13 & 38 to 41 had

ANNEXURE-II

ANNEXURE-III

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old recruitment rules in force in 1972 which inter-alia provided 100% by promotion. Hence the seniority be determined with reference to the firm vacancies available for promotion in 1973.

ANNEXURE-VI

(h) That the writ petition filed by Shri V. Sikka (Respondent no.6) came up for hearing before the Hon'ble Punjab and Haryana High Court at Chandigarh and court quashed the seniority list as on 1.1.1979 circulated by the Board in 1980 and directed the department to prepare fresh seniority list applying old recruitment rules in force in 1972.

(i) That the seniority list was accordingly revised in the light of the decision of the Court and circulated vide G.O. No. 14-12/80-GH(Estt) dated

ANNEXURE-VII

8.7.1987 vide which all promotees who were eligible for promotion in 1973 were shown senior. The seniority case was decided by the Punjab and Haryana High Court, the petitioner was also one of the respondent.

ANNEXURE-VIII

(j) That during 1983 and 1984, 6 posts of Senior Hydrogeologist (1 post relate to 1983 and 5 for 1984) were proposed to be filled up. The Recruitment Rules for the post of Senior Hydrogeologist



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provides 100% by promotion from Junior Hydrogeologist with 5 years regular service failing which by direct recruitment.

Already Seen

(k) That as per seniority list, circulated on 1.1.1978, 68 Junior Hydrogeologist were eligible for consideration. But as per field of choice restricted and only 15 candidates (including the applicant) were considered by the DPC.

ANNEXURE IX

(1) That on the recommendations of the DPC, the following officers were promoted as Senior Hydrogeologist in order of merit against the vacancies of 1984:

1. S/Sh. D.T. Mathuria
2. V. Jagannathan
3. M.C. Jindal
4. B.K. Singh

Their promotion to the post of Senior Hydro-

ANNEXURE X

geologist was subject to the decision of Punjab and Haryana High Court, Chandigarh and Andhra Pradesh High Court, Hyderabad in a writ petition filed by Shri V. Sikka (Respondent no.6) and J.V.S. Murthy, Junior Hydrogeologist, who later having since voluntarily retired from Central Ground Water Board.

(m) That later, Sh. B.M. Dulloo who stood at 4th no. of the merit list was also promoted against 5th post.



(n) That after coming up the decision of Hon'ble Punjab and Haryana High Court on 19.8.1985 and representations from the sufferers, who became junior to all direct recruits. The seniority list as on 1.1.1978 on the basis of which the 5 officers (including petitioner) promoted as Sr. Hydrogeologist against 1984 vacancies, underwent a change and to provide an immediate relief to Shri V. N. Sikka and others, 39 officers were promoted as Senior Hydrogeologist on adhoc basis pending DIO and filling up the post on regular basis vide office order No.1109 of 1987 issued under No.10-6/84-CM(Fstt)8970-4035 dated 7.7.1987.

ANNEXURE-XI

(o) In order to regularise the adhoc promotion as well as promotion made on the recommendations of earlier DIO held in 1984 on the basis of expunged seniority list of 1978, the review DIO recommended the officers as detailed below in order of merit vide Ministry's letter No.7-6/87-CM-Vol. II dated 28.6.1988 and even number dated 21.3.1988.

- i) Against 1982 posts ... 15 officers
- ii) Against 1984 posts ... 32 officers
- iii) Against 1986 posts ... 11 officers

Shri BK Singh, the applicant was recommended by review DIO against vacancy of 1986 and he stands at Sl. No.6 in order of merit.

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ANNEXURE-XII

(p) That on the recommendations of the Ministry the Board issued promotion order vide office order No. 818 of 1988 issued under No. 10-6/84-CH(Estt) dated 29.6.88. As the names of S/Sh. J.V. S. Murthy and D.K. Vaid who later left the department were deleted from the promotion order, subsequent fresh order was issued in supersession to all earlier orders vide office order No. 96 of 1989 issued under No. 10-6/84-CH(Estt) dated 2.2.1989.

ANNEXURE-XIII

(q) That earlier, Shri W Singh the applicant was promoted as Cr. Hydrogeologist with effect from 4.3.1985 on the recommendations of the PPS held in 1984, but his promotion (including 4 officers) were subject to the decision of Punjab and Haryana High Court, Chandigarh and Andhra Pradesh High Court in the writ petition of Sh. V.K. Sikka and J.V. Murthy Junior Hydrogeologist. Hence, conditional promotion do not confer any rights of promotion/seniority etc., as his promotion was made on challenged seniority. Hence, the period of service rendered by him on the conditional promotion was treated as adhoc and do not confer any rights for fixation of seniority and also prevent to claim confirmation etc. This clause was laid down in his case in this office order No. 96 of 1989 issued under No. 10-6/84-CH(Estt)

ANNEXURE-XIV

[Signature]

Page

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(r) That it would thus be seen that the contention made by the applicant in the application and to claim the seniority against 1984 posts challenging the review DDC is not correct, specifically when he was also a respondent to the ~~and~~ judgement delivered by the Hon'ble Punjab and Haryana High Court.

4. That in reply to the contents of para ~~4~~ 1 to 3 are formal and need no reply.

5. That ~~xxxxxx~~ the contents of para 4.1 of the application are partially admitted. In this connection the position explained in sub para (b) of para 3 are reiterated.

6. That in reply to the contents of para ~~4~~ 4.2 of the application it is submitted that as regards fixation of his seniority at serial No. 90 as on 1.1. 1978 and circulated vide letter No. 14-5/80-CH(Estt) dated 2.12.1980, wherein the petitioner alongwith other direct recruits were shown senior to all promotees who were promoted to the post of Junior Hydrogeologist in 1976 even though vacancies existed in 1973. This seniority list was challenged by the Respondent no. 6 (Sh. V.N. Sikka) before the Punjab and Haryana High Court

ANNEXURE-V



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3.2.39. Thus the intention of the promotion, treating previous promotion made on the earlier recommendations on regular basis and fix his seniority against 1934 post is not correct. Officer Y.S. has recommended his promotion considering all aspects and within the frame work.

C. That the contents of para 4.4. of the application are admitted to the extent that initially promotion orders of 4 officers were issued. Later, Shri M. Dulloo, Junior Hydrogeologist was also promoted as Senior Hydrogeologist against the resultant vacancy, occurred on account of voluntary retirement of Sh. J.V.S. Murthy, Senior Hydrogeologist and his promotion was also provisional conditional.

xx 2. That in reply to the contents of para 4.5 of the application it is submitted that the promotion to the post of Senior Hydrogeologist are subject to the conditions of decision of Punjab and Haryana High Court, Chandigarh.

10. That in reply to the contents of para 4.6 of the application it is submitted that during 1933 and 1934, the first vacancies were determined for promotion to the post of Senior Hydrogeologist is as follows



under:-

1982 - 1 post.

1984 - 5 posts.

The post of 1982 was kept vacant for Mr. M. Velaviya, Junior Hydrogeologist, as per direction of the Allahabad High Court. Hence only 5 vacancies of 1984 were proposed to be filled up. Although 60 officers were eligible in the feeder grade. But the field of choice was not listed as per rules and only the following 15 Junior Hydrogeologists were considered according to seniority list of 1970:-

<u>Sl. No.</u>	<u>Name</u>	<u>Sl. no. of the seniority list.</u>
1.	S/Sd. S.M. Far	68
2.	K.K. Medapuri	75
3.	Dr. K. Srinivasan	70
4.	T.L. Subramanian	81
5.	S.J. Prasad	84
6.	D.P. Mathuria	85
7.	V. Jaganathan	86
8.	Dr. Rakesh Kumar	87
9.	M.S. Jindal	88
10.	T.P. Dalal	89
11.	P.K. Singh	90
12.	S.M. Dutt	91
13.	G.C. Chattercharya	92
14.	Dr. Pal	93
15.	K.K. Jati	94

The following officers, though senior in the

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list as on 1.1.1973, were not considered for promotion due to the reasons recorded against each:-

Sl.No.	Name	Sl.No.	Reasons for deletion of S/list.
1.	S/O S.R. Mathur	69	Already promoted as Senior Hydrogeologist on 15.7.66. Later, he left the Deptt. on 2.1.1968.
2.	M.L. Sarda	70	Already promoted as Senior Hydrogeologist on 2.6.66. Later he left the Deptt. and permanently absorbed in 1968.
3.	P.K. Agarwal	71	Already promoted as Senior Hydrogeologist with effect from 2.6.66. Later he left the Deptt. and permanently absorbed in 1968.
4.	M. Mehta	72	-d- on 1.1.6. 12.11.66. Later he left the Deptt.
5.	L. Banerjee	73	-d- on 1.1.6. 12.11.1966.
6.	G. Balasubramanian	74	-d-
7.	John Kurian	75	Left the Deptt. and permanently absorbed in 1967.
8.	T.L. Kaul	77	-d-
9.	M.K. Sengupta	78	Left
10.	M. Shankaran	80	Promoted as Sr. Hydrogeologist from 12.12.1966.
11.	P.A.V. Jaffary	82	Permanently absorbed in 1967.
12.	S.K. Dasgupta	83	Officiating as Sr. Hydrogeologist with effect from 16.1.1967. Permanently absorbed in 1967.
13.	S.J. Prasad	84	Officiating as Sr. Hydrogeologist.

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-14-

11. That the contents of para 4.7 of the application are admitted to the extent that the applicant was promoted on the basis of the merit awarded by the DIC.

12. That in reply to the contents of para 4.8 of the application it is submitted that Shri. Veerana Wala (SI No.95) was not considered by the DPC and not coming within zone of consideration, only 15 officers were considered by the DIC. Shri. Singh was promoted as per DPC merits.

13. That the contents of para 4.9 of the application are not disputed.

14. That the contents of para 4.10 of the application need no comments.

15. That in reply to the contents of para 4.11 of the application it is submitted that after coming up flexible completion, the new recruitment rules have been notified vide Ministry's Notification No. 25-22/ 64-1 dated 12.5.1967. The new Recruitment rules provide the promotion of Departmental officers in the grade of Scientist-1 and Scientist-2, to the respective higher grades, namely Scientist-2 and Scientist-3 subject to the following conditions:-

- (a) That the total number of officers in the grade of Scientist-1 shall not exceed 20 and the number of posts in the grade of Scientist-2,

ANNEXURE-XIV

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Scientist-3 and Scientist-2 put together.

(b) That the total number of officers taken together shall not exceed the total number of posts in the grades of Scientist-3, Scientist-2 and Scientist-1 at any given point of time but there shall be complete flexibility in the number posts in relation to the respective grades.

(c) That the selection shall be on the basis of confidential reports and interviews.

The above rules are applicable and provisions are made strictly within the framework/rules.

15. That in reply to the contents of para 4.11 of the application it is submitted that the AG held in 1984 for filling up 3 posts on the basis of which the applicant and other 4 officers were promoted as Junior High Court Judges reviewed in the light of the Punjab and Haryana High Court, Chandigarh Order.

16. That in reply to the contents of para 4.12 of the application it is submitted that the argument upon the inherent of Punjab and Haryana High Court

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was made on the basis of unproved competency list and that subject to conditions of decision of Punjab and Maryana High Court, Chandigarh and his name was treated on equal basis as a change of facts. Adh on this do not confer any rights of seniority, confirmation etc. Thus the content of the next applicant is without facts.

20. That the contents of para 4.18 of the application need no comments.

21. That in reply to the contents of para 4.19 of the application it is submitted that as Shri .K. Singh had reiterated the same facts as raised in his earlier representation dated 10.8.1983 which was already rejected vide Ministry's letter M.03-180/72-1 dated 22.11.1985 for further consideration was felt as necessary.

22. That the contents of para 4.20 of the application need no comments, Moreover, representation submitted by Shri Singh was considered in the light of the rules xxxxx subject and replied accordingly. As regards inclusion of the name of Shri P. Jayendra Nath, in this connection it may be stated that prior to his appointment as Junior Hydrogeologist he was holding the post of Assistant Hydrogeologist in the Board. He was promoted as Junior Hydrogeologist in the

ANNEXURE

XV



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-13-

recommendations of the DIC held in 1972. He joined as Junior Officer 1stist on 2.2.1970. His name therefore was included in the revised seniority list as per rules. As he was promoted in 1972, his name was therefore not included in the Old seniority list as on 1.1.1970.

23. That in reply to the contents of para 4.21 of the application it is submitted that the 4.7.2 recommended (five) officers against 1904 posts and not to 4. Hence, the statement of the petitioner is not correct.

24. That in reply to the contents of para 4.22 to 4.28 of the application it is submitted that in accordance with the instructions contained in Department of Personnel and Administrative Reforms No. 14.02011/4/75-Estt(2) dated 20.12.1974, each WFO decides etc. method and procedure for objective assessment of the suitability of the candidates and its entirely left to the DFO to its classification of the officers being considered by them for promotion to a selection post. Thus, it does not mean that the recommendations of the WFO are final. The review DIC graded not only Junior Officer 1stist, but all officers being considered for promotion against the vacancies of Junior Officer 1stist within their jurisdiction as well as within the frame work.

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25. That in reply to the contents of para 4.20 of the application it is submitted that the according to the instructions contained in para 10.2 of part XI of the Public Commission on seniority and promotion in Central Government services, read with Department of Personnel and Administrative Reforms No. 22011/30/O-100 (5) dated 26.3.1980. A review of the case is required to consider the case again with reference to the technical or factual mistakes that took place earlier and it should neither change the grading of an officer without any valid reason (which should be recorded) nor change the zone of consideration nor take into account any increase in the number of vacancies which might have occurred subsequently. Since, Sri K. Singh and other senior officers were promoted as Senior Grade 12th. In the dispute seniority list prepared by the Union and Mr. and Mrs. Singh, the seniority list, the underwent a change therefore, there was sufficient basis for the review and they followed the method and procedure for objective assessment of the suitability of the candidates as per rules.

26. That in reply to the contents of para 4.20 of the application it is submitted that the review is a

ANNEXURE
XVI

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recommendatory body and the recommendations made by them is subject to conditions/terms of the appointing authority. The DTD was held to fill up the vacancy in public emergencies and that the subject to conditions of pending decision of Punjab and Haryana High Court, Chandigarh, the contention of the applicant is vitiated by facts.

27. That in reply to the contents of para 4.21 of the application it is submitted that when the promotion of the applicant was made on ad-hoc basis and that such appointment will not bestow on the person a claim for regular promotion and that all the services rendered could not count for the purpose of seniority in that grade and eligibility for promotion/confirmation was also spelt out in the Order of promotion issued with Office Order No. 26 of 1989 issued under H.S. 10-1/84-84 (Sett) dated 2.2.1989. As regards his gradation in regular promotion, his claim has been placed according to the merit awarded by the DTD.

28. That in reply to the contents of para 4.22 of the application it is reiterated the reply given against para 4.22 of the application above.

29. That in reply to the contents of para 4.23 of the



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Maryana High Court, Chandigarh, however represented against the order. It was he who fully aware of the facts and circumstances were accepted by him. He had represented in July 1966 and followed with another representation against the office order W.312 of 1966 and W.36 of 1967 only. His representations were considered by the competent authority and replied vide Ministry's letter W.35-100/73-1 dated 22.11.1966. The contention of the petitioner, that he was not given any opportunity of defence is tall, baseless and not correct. That in view of the above facts, the applicant, has no ground, whatever for challenging, the revised competency list framed in the light of the decision of Punjab and Maryana High Court in the writ petition filed by Shri M. N. Tyagi, Junior Hydrogeologist and the DGO reviewed the decision or ruling made on the basis of official acceptance the representations by the appointing authority.

33. That in view of the facts and circumstances mentioned in the foregoing paragraphs the application filed by the applicant is liable to be dismissed with costs to the respondents.

Continue on next page
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Verification.

I, the above named dependent Shri B. SARKAR, SCDD(D)
do hereby verify that the contents of para 1 to
are true to my personal knowledge and
those of paras 11 & 22
are believed to be true on the basis of official
records and information gathered and those of paras
1 to 22 are also believed to be true
on the basis of local advice. Nothing material fact
has been concealed and no part of it is false.

B. SARKAR
Dependent.

Lucknow,

Dated: 6⁵ Dec. 1974.

B. SARKAR
Dependent

I identify the dependent who has signed
before me and is personally known to me,

Chit

(NY Chit) (NY Chit)
Addl Standing Counsel for Central Govt
(Counsel for the dependents)

No.F.1/134/73-R(G)
UNION PUBLIC SERVICE COMMISSION
DHOLPUR HOUSE

New Delhi th 12th February, 1974

Secretary to the Government of India,
Ministry of Agriculture,
(Department of Agriculture),
New Delhi.

Subject:- Recruitment to the posts of Junior Hydrogeologists,
Central Ground Water Board, Ministry of Agriculture,
Department of Agriculture.

I am directed to refer to your letter Nos.7-8/73-MI(A) dated 1.10.73 and 29.12.1973 and D.O. No.6-79/73-Estt.II-91 dated 23.1.74 and the Union Public Service Commission letter of even number dated 22nd December, 1973, on the above subject.

Out of 55 posts of Junior Hydrogeologists, Central Ground Water Board, Ministry of Agriculture, Department of Agriculture, 9 and 5 posts were advertised as reserved for Scheduled Castes and Scheduled Tribes candidates; they were not to be treated as unreserved if no such candidates were found suitable for appointment. 13 posts were also advertised as reserved for Emergency Commission Officers/Short Service Commissioned Officers. These were to be treated as unreserved if no such suitable candidates were available. The number of posts have since been increased to 75 vide your letter dated 29.12.73 quoted above. The overall reservation position would now be 12 for Scheduled Castes, 7 for Scheduled Tribes and 17 for Emergency Commissioned Officers/Short Service Commissioned Officers. The posts reserved for Emergency Commissioned Officers/Short Service Commissioned Officers are to be treated as unreserved if suitable candidates were forthcoming. There were 686 applicants in all, 300 belonged to Scheduled Castes and 5 to Scheduled Tribes and one Emergency Commissioned Officers/Short Service Commissioned Officers. The Union Public Service Commission considered the applications of all the candidates and summoned 221 of them (including 7 Scheduled Castes and 3 Scheduled Tribes and one Emergency Service Commissioned Officer/Short Service Commissioned Officer) for interview on 1st January, 1974 to 19th January, 1974. 50 candidates (including 3 belonging to Scheduled Castes and 1 to Scheduled Tribes) were absent. Shri D.S. Deshmukh represented the Ministry at the interviews and assisted the Commission in their deliberations.

The Commission recommend 59 candidates including two Scheduled Castes and one Scheduled Tribes and one Emergency Commissioned Officer/Short Service Commissioned Officer as per Annexure 'A' to this letter, ranked in the order of merit, on initial pay, as indicated therein, for appointment to posts of Junior Hydrogeologists, Central Ground Water Board, Faridabad, Ministry of Agriculture, Department of Agriculture.

Contd....2.

The receipt of this letter may kindly be acknowledged.

Yours faithfully.

CONFIDENTIAL
IMMEDIATE

No. 7-3/73-MI(A)
Government of India
Ministry of Agriculture
(Department of Agriculture)

New Delhi the 23rd February, 1974

The Chief Hydrogeologist,
Central Ground Water Board,
Jamnagar House,
NEW DELHI.

Subject:- Recruitment to the posts of Junior Hydro-
geologist in the Central Ground Water Board.

Sir,

I am directed to refer to this Ministry's endorsement of even number dated the 6th February, 1974, on the above subject and to forward herewith a copy of Union Public Service Commission letter No. 1/134/73-R(G) dated the 12th February, 1974 along with a list of 59 candidates recommended for appointment to the posts of Junior Hydrogeologist (Rs. 400-950) in the Central Ground Water Board subject inter-alia (i) their medical fitness to hold a gazetted post; (ii) their character and antecedents being found satisfactory; and (iii) verification of their original degree/diploma certificates etc.

2. It is presumed that the candidates already in employment with the Central Ground Water Board must have been got medically examined by a duly constituted Medical Board and their character and antecedents verified and nothing adverse has been reported against them. This may please be confirmed.

3. Necessary action regarding medical examination and character and antecedents verification in respect of other candidates may be taken at your end and reports, in original, sent to this Department.

4. The original degree/diploma etc. as indicated in column 5 of Annexure 'B' of the U.P.S.C. letter may please be called and sent to this Department for verification. The attestation forms received from the Union Public Service Commission are enclosed herewith for necessary action.

5. It may please be noted that no intimation to the candidates be given at this stage to the effect that they are being considered for appointment to the posts in question.

Contd....2.

As none of the candidates belonging to Scheduled Castes and Scheduled Tribes interviewed were found suitable for other reserved posts (Scheduled Castes and 6 for Scheduled Tribes), the Commission have to recommend for appointment to these posts. They suggest that Ministry may forward a fresh requisition after six months for making attempt in this respect. In the meantime, the Commission will have no objection to the Ministry making their own ad hoc arrangements for the post, if considered necessary.

If the Ministry decide to fill the posts on ad hoc basis, the appointment may please be reported to the Commission as soon as it is made and reviewed at the appropriate stage as required under Regulation 10 of the Union Public Service Commission (Exemption from Consultation) Regulations, 1958. In this connection, attention is also invited to the instructions contained in the Ministry of Home Affairs O.M. No.23/17/68 dated 26th December, 1968.

The candidates called for interview were required to bring along with them the originals of (i) Degree/Diploma etc. certificates or certificates in support of their qualifications and (ii) Matrimonial certificates in support of the date of birth of the candidates. The candidates are: Sarvashri Dr. Ramesh Kumar, Soom Nath Dhulloo, Krishnaraj (Veeraanna Mala SC), Indugula Radhakrishna, Mahadeo Rangaraj (Krishna Reddy), M.M. Satyanarayana, R.P. Agrawal, B.C.H. Dalip K. Fouzgar, Ajay Kumar Agarwal, Dr. D.A.N. Murthy, Shafiulla, T.C. Ferozuddin, M.B. Raju, M.M. Dubbak, S.M. Kar, Dr. B.S.R. Narsimha Rao, K.V.S.V.K. Sivaram, S.S. Res. Chougula, G. Mohan Reddy, E.R.G. Rao, G.K. Rao, Niraj Rao, D. Shivane, D.M. Rao, D. Anjaneyulu, D.S.K. Rao and B. Deshmukh (Serial Nos. 2, 6, 9, 10, 12, 15, 16, 18, 20, 22, 28, 29, 31-35, 38, 42, 43, 44, 48, 50, 51, 54-57 and 59 in Annexures. It is requested, however, comply with this requirement to the extent in Annexure 'B'. The original Degree/Diploma etc. certificates may kindly be verified before appointment in the case of candidates at S.Nos. 43, and 11 and in due course against others. Annexure 'B'.

The candidates named in Annexure 'A' have not been medically examined for these posts and no special enquiry into their antecedents has been made. I am to forward herewith their applications, with enclosures which may kindly be retained by you on their appointment part of their personal files. Copies of the appointment letters issued to them may be endorsed to the Commission. The Commission may be informed as soon as the candidates join duty.

In this connection I am to invite attention to the Ministry of Home Affairs O.M. No.3/97/68-Estt(B) dated the 26th February, 1969 regarding elimination of delays in issuing offers of appointments to candidates recommended by the Commission.

I am also to request that the Assessment Reports on the work performance of these candidates may be made available to the Commission for a period of two years after their appointment (vide Ministry of Home Affairs O.M. No.23/62/68-Estt(B) dated the 15th March, 1969).

The receipt of this letter may kindly be acknowledged.

Yours faithfully,

Sd/- P.A. Bagdhi
Deputy Secretary, UPSC Tele: 381715

Encs: Annexures A & B

2
A-78

6. Your suggestions in regard to the postings of these selected candidates may also be sent so that postings may be indicated in their letters of appointment to be issued from the Ministry.

Yours faithfully,

L. N. Laddha

(L. N. Laddha)
Deputy Secretary to the Government of India.

Ends. As above.

TC
W

15

List of candidates recomme
nts of Junior Hydrogeologists
Maidabad, Ministry of Agricult

Appointment to the
Ground Water Board,

Name and Address

Pay recommended

(2)

(3)

Venkatachari Jagannathan, ✓ P
Assistant Hydrogeologist,
Central Ground Water Board,
Sector 18-A, Chandigarh.

According to
Rules.

Deptt.

Ratesh Kumar,
Assistant Hydrogeologist,
Central Ground Water Directorate, M.I.T.C
Mall, Karnal (Haryana).

Minimum of the scale. ✓

Mahesh Chandra Jindal, P
Senior Hydrogeologist,
Central Ground Water Board Unit Office,
Sector 18-A, Chandigarh.

According to Rules.

Deptt.

Girdhari P. Dalal, ✓ P
-19, Begumpet,
Hyderabad-500016.

According to Rules.

Deptt.

Brij Kumar Singh, ✓
Shri R.P. Rastogi,
Bhara Bhavan-1,
Kanpur, Lucknow-4.

According to Rules.

Deptt.

Soom Nath Dulloo, B
Parmatma Society,
Bambura, Ahmedabad-13.

According to Rules.

Subhash Chandra Bhattacharya, ✓
Shri N.K. Banerji,
-9, Mahanagar, Lucknow.

According to Rules.

Deptt.

Om Prakash Pal, B
Senior Hydrogeologist,
Central Ground Water Board, NH IV
Maidabad. (Haryana).

According to Rules.

Deptt.

Krishan Kumar Jati, ✓ P
Assistant Hydrogeologist,
Central Ground Water Board,
Paria (Madhya Pradesh)

According to Rules.

Deptt.

Veeranna Mala (Scheduled Caste) ✓
Assistant Hydrogeologist,
Central Ground Water Board,
-6-201, Hyderguda, Hyderabad-500001.

According to Rules.

Deptt.

Saleem Uddin Ansari, ✓
Assistant Hydrogeologist,
Central Ground Water Board,
Chowringhee Lane, Calcutta-16

According to Rules.

Deptt.

Junior Hydrogeologist,
Central Ground Water Board,
16-3-927, Amrit Manzil,
Malakpet, Hyderabad-500036.

7
R/100
6

Name and Address

Pay recommended.

Shri Indugula Radhakrishna,
Assistant Hydrogeologist,
662-Shahidnagar,
Central Ground Water Board,
Bhubaneshwar.

According to Rules. Dep

Shri G. Venkata Krishan Rao,
Assistant Hydrogeologist,
Canadian Project,
7-1-19, Begumpet, Hyderabad-500016

According to Rules. Dep

Dr. Ashok Kumar Ghosh
9/B Deshapriya Park West,
Calcutta-26.

Minimum of the scale.

Shri Mahadeo Rangnath Kulkarni,
United Nations D.P. Project,
Raika Bagh, Jodhpur (Rajasthan).

According to Rules. Dep

Shri Rama Krishna Reddy,
Assistant Hydrogeologist,
Central Ground Water Board,
Nizampura, Baroda-2.

According to Rules. Dep

Shri Devinder Kumar Vaid (ECO),
Assistant Hydrogeologist,
Central Ground Water Board,
Keating Road, Shillong-1.

According to Rules. Dep

Shri Dharam Mahadeva Satyanarayana,
Assistant Hydrogeologist,
Central Ground Water Board,
Canadian Project, 7-1-9, Begumpet,
Hyderabad-500016

According to Rules.

Shri Vishambhar Dayal Mathur,
Junior Hydrogeologist,
E2/142, Area Colony, Bhopal-6.

According to Rules. Dep

Shri Ram Prasad Agrawal,
Rai Ka Bagh Palace,
Jodhpur (Rajasthan).

According to Rules. Dep

Shri Ravindra Nath Sharma,
Assistant Hydrogeologist,
Central Ground Water Board,
25, Cantt. Varanasi.

According to Rules. Dep

Shri B.C.H. Patro,
Geology Department, Ravenshaw College
Cuttack-3.

Minimum of the scale.

Shri Shambhu Nath,
Junior Hydrogeologist,
Central Ground Water Board,
16-8-927, Amrit Manzil,
Malakpet, Hyderabad-500036.

According to Rules. Dep

Name and Address

Pay recommended

Minimum of the scale. ✓

Shri Dilip K. Fouzdar,
Hydrogeologist & Team Leader,
PRO-GIT, Kothi Bazar,
Banshangabad (M.P).

Offer cancelled

Shri Arya Ratna Bakshi,
Senior Technical Assistant (Hydrogeology)
I.N.D.P (S.F) Project,
Bai Ka Bagh Palace, Jodhpur.

According to Rules. *Deftt*

Shri Somendra Kumar Tyagi,
I.N.D.P Project,
Bai Ka Bagh Palace, Jodhpur.

According to Rules. *Deftt*

Shri Ajay Kumar Agarwal,
Narmada Project, C.G.W.B.
E2/142, Arera Colony, Bhopal.

According to Rules. *Deftt*

Dr. D.A.N. Murty,
Assistant Professor of Geology,
Chemistry Division, Indian
Agricultural Research Institute,
New Delhi-12 (110012)

According to Rules.

Offer cancelled

Shri S.L.M. Shafiulla,
No.38, Padarayanapura,
Mysore Road, Bangalore-560026.

According to Rules. *Deftt*

Shri Ram Pratap (Scheduled Caste)
Assistant Hydrogeologist,
Central Ground Water Board, Divn.III
23 Cantt, Varanasi.

According to Rules. *Deftt*

Shri T.G. Firozuddin,
Assistant Hydrogeologist, CGWB, X
104 Sector-18A, Chandigarh.

According to Rules. *Deftt*

Shri M. Bangara Raju,
Assistant Hydrogeologist, CGWB, XP
M-23, Harmu Housing Colony,
Post Box No.20, Ranchi.

According to Rules. *Deftt*

Shri Madan Mohan Dubbak,
H. No. 14-2-46, Chandanwadi,
Goshamahall, Hyderabad-500012.

According to Rules.

Shri S.M. Mendhekar (Scheduled Tribe)
Vinay Vihar, Tilak Nagar, X
Wagpur-1.

According to Rules. *Deftt*

Dr. B.S.R. Narasimha Rao,
Chemical Analyst, Department
of Geology, S.V.U. College,
Tirupati-2. (517502)

According to Rules. ✓

TC

Name and Address

Shri N.S. Sreenivasan,
Assistant Geologist, CGWB,
Southern Region, 3-6-291, Hyderguda, ✓
Hyderabad-500001.

Shri Bhagwati Prasad Verma,
Assistant Hydrogeologist, ✓
U.N.D.P. Project, Central Ground
Water Board, Rai Ka Bagh, Jodhpur.

Shri K.V.S.V.K. Sivaram,
Assistant Hydrogeologist,
Ground Water Department,
9/339, Agadi, Cuddapah (A.P.).

Shri Vishnu Kumar Dixit, X
AFPRO, Upadhyia Niwas,
G.T. Road, Sasaram (Bihar). *File*

Shri Sukumar Mallick,
31/B, Chakraberia Road (South),
Calcutta-25. *D*

Shri K. Narasimha Murthy,
Assistant Geologist, CGWB,
88, Diagonal Road, Visveswarapuram,
Bangalore-4. ✓

Shri S. Srihari Rao,
Assistant Hydrogeologist, AFPRO, ✓
P.B. 14, Rose Cottage,
Ahmednagar. (Maharashtra).

Shri S.V. Chougula, M.Sc. ✓
House No. 16, Palankar Chawl,
Mahishi Cross Road, Dharwar-1
(Karnatak State).

Shri G. Mohan Reddy,
Regional Office, Ground Water Deptt.,
Humayun Nagar, Hyderabad-5. ✓

Shri Bansi Lal Gupta,
S/o Shri Sodagar Mal Gupta,
Advocate, High Court,
Raghunathpura, Jammu. ✓

Shri Sharad Chandra Tiwari, ✓
Assistant Hydrogeologist, CGWB,
Canadian Assisted Project,
7-1-19, Begumpet, Hyderabad-15.

Shri Prakash Chandra Rai, ✓
Junior Geologist, Survey & Research,
Tabea Building, Kota-6.

Shri Evani Rama Jogeswara Rao, X
Assistant Hydrogeologist, CGWB
Southern Region, 16-8-927
Malakpet, Hyderabad-500036.

Pay recommended

According to Rules. *Def*

According to Rules. *Def*

According to Rules. ✓

Minimum of the scale.

According to Rules. ✓

According to Rules. *Def*

Minimum of the scale.

According to Rules. ✓

According to Rules. ✓

According to Rules. *Def*

According to Rules. *Def*

According to Rules. ✓

According to Rules. *Def*

9/10/02

Name and Address

Pay recommended.

Shri R. Nagarajan, Senior Scientific Assistant, IHD Unit, Council of Scientific & Industrial Research, Rafi Marg., New Delhi-1.

Minimum of the scale.

Shri G. Krishna Rao, Ground Water Department, Cuddapah (Andhra Pradesh)

According to Rules.

Shri Niraj Malaviya, Assistant Hydrogeologist, CGWB, B-43, Mahanagar Extension, Lucknow.

According to Rules. Dept

Shri Mahendra Datt Nautiyal, 57- E.P. Hostel, University of Roorkee, Roorkee (U.P):

According to Rules. Dept

Shri Avinash Kumar Mishra, U.N.D.P. Project, Rai Ka Bagh Palace, Jodhpur.

According to Rules. Dept

Shri Dattarraya Shivane, 1, Vinncent Colony, R.S. Puram, Coimbatore-641002.

Minimum of scales.

Shri D. Madhava Rao, Civil Engg: Department Indian Institute of Technology P.O. Kanpur-208016

Minimum of the scale.

Shri D. Anjaneyulu, STA(Geology) Central Ground Water Board, Southern Region, Hyderguda, Hyderabad.

According to Rules. Dept

Shri D.S. K. Rao, 53/317, Vijayanagar Flats, Naranpura, Ahmedabad-13.

According to Rules. Dept

Shri Sushyamal Chakladar, 8/13, Fenn Road, Calcutta-19.

According to Rules.

Shri Ashok Bhaskararao Deshmukh, S/o Smt. Pramilabai Deshmukh, 365, Hanuman Nagar, Nagpur-9.

According to Rules. Dept

Sd/- P.K. Bagchi.
Deputy Secretary
UNION PUBLIC SERVICE COMMISSION
Tele: 381715

TC
w

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No. F.1/7/75/RG

UNION PUBLIC SERVICE COMMISSION
Dholpur House

New Delhi the 25th Jan. 1975.

ANNEXURE-I

2
1
A/103

To

The Secretary to the Government of India,
(Central Ground Water Board),
Ministry of Agriculture,
New Delhi.

Subject: Recruitment to the posts of 27 Junior Hydrogeologists,
Central Ground Water Board, Ministry of Agriculture.

Sir,

I am directed to refer to your D.O. letter No. 6-79/74/CH-Estt-I dated the 2nd January, 1975 on the above subject.

2. The commission recommend 10 candidates against 14 un-reserved posts as per Annexure to this letter, arranged in the order of merit, on initial pay as indicated therein for appointment to the posts of Junior Hydrogeologists, Central Ground Water Board, Ministry of Agriculture on the basis of their interviews held from 1st January to 19th January, 1974 for the similar posts of Junior Hydrogeologists, Central Ground Water Board, Faridabad, Ministry of Agriculture, a copy of the statement of 'Information for candidates' relating to which is enclosed.

3. As regards the six reserved posts, (4 for Scheduled Castes and 2 for Scheduled Tribes candidates) they have been linked with another similar recruitment in hand for posts reserved for Scheduled Castes and Scheduled Tribes candidates only, requisition for which was forwarded by you vide your letter No. 7-34/74-ME(A), dated the 10th October, 1974.

Regarding 7 posts reserved for E.C.Os/S.S.Os, I am to say that w.e.f. January, 1974 reservation of posts for candidates belonging to this category has been discontinued and it is, therefore requested that a consolidated requisition in duplicate on the prescribed proforma for these Seven posts and the remaining 4 un-reserved posts may be sent for necessary recruitment action.

4. The candidates called for interview were required to bring along with them the originals of (i) the degree/diploma certificates or other certificates in support of their qualifications and (ii) the Matriculation or equivalent certificate in support of the date of birth claimed by them. Sarva/Shri N.P. Chaudhari and T.P. Somnath (Nos. 2 & 4 in Annexure) claimed in their applications to have passed B.Sc. 2nd Class, 1965 and B.Sc. Pass, 1963 respectively but did not, produce at the time of interview any proof of this qualification. Their original B.Sc. degrees showing 2nd Class 1965 and B.Sc. Pass 1963 respectively may kindly be verified in the course.

5. The candidates named in the Annexure have not been medically examined for these posts and no special enquiry into their ~~examined for these posts and no special enquiry in-~~ ~~modents~~ has been made. I am to forward herewith their applications with enclosures, which may kindly be retained by you on their appointment as part of their personal files. Copies of the appointment letters to be issued to them may kindly be endorsed to the Commission. The Commission may also be informed as soon as the candidates join duty.

104
C/3

-: 2 :-

In this connection, I am to invite attention to the Ministry of Home Affairs O.M. No. 23/97/68-Estt(B), dated the 26th February, 1969, regarding elimination of delays in issuing offers of appointment to the candidates recommended by the Commission.

6. I am also to request that the Assessment Reports on the work and performance of these candidates may be made available to the Commission for a period of two years after their appointment (vide Ministry of Home Affairs O.M. No. 23/62/68-Estt(B) dated the 15th March, 1969).


7. The receipt of this letter may kindly be acknowledged.

Yours faithfully,

sd/-
(Dr. Gopal Swarup)
Deputy Secretary
Union Public Service Commission
(Tele : 381715)

- Encls; 1) Statement of 'Information for Candidates' mentioned in para 2 above.
- 2) Annexure mentioned in para 2 above.
- 3) 10 applications with enclosures.

true copy

1 

Annexure to the Union Public Service Commission letter
No. F.1/7/75/RC, dated the 25-1-75

List of candidates recommended for appointment to the
posts of Junior Hydrogeologists, Central Ground Water Board,
Ministry of Agriculture.

<u>S.No.</u>	<u>Name and Address</u>	<u>Pay recommended</u>
1.	Marappa Reddy Chandra Sekhar Reddy S.L.A. (Hydrogeology), C.G.W.B., Warmada Project, E-2/142, Arera Colony, Bhopal-6(MP).	According to rules
2.	Sh. Nagorao Pundlikrao Chaudhari, Rahate Colony, Jail Road, Nagpur.	According to rules
3.	Sh. Virendra Sharma, Asstt. Geologist, G.W.L.O. Kanpur Unit, 117/143, Pandu Nagar, Kanpur-5.	According to rules.
4.	Sh. Trimbak Fulshiram Somnath, Geologist, Ground Water Survey and Development Agency, Nanded. <i>Spec cancelled</i> (Maharashtra)	According to rule
5.	Sh. Verendra Nath Dube, Central Ground Water Board, 21, Central Bazar Road, New Ram Deo Pet, Nagpur-10.	According to rules.
6.	Sh. Avinash Chandra Nanda, Ahata Baba Dayal Singh, Rai Behari Lal Road, Lucknow-7.	Minimum
7.	Sh. Abdul Quadeer Mumtaz, c/o M/s. M.S. & Co., Palladium Street, Srinagar-1 (Kashmir)	According to rules
8.	Sh. Daljit Singh Saini, Cr. No. 1122, Sector 23B, Chandigarh.	According to Rules
9.	Sh. Yashavant Gopal Joshi, 276, Ram Nagar, Nagpur-10. (Maharashtra).	According to Rules.
10.	Sh. Md. Abdul Haleem, H.No. 4/2/28, Panjasha Street, P.O. Nalgonda, Tq. & Distt., (A.P.)	Minimum

sd/-
(Dr. Gopal Swarup)
Deputy Secretary,
Union Public Service Commission.
(Tele: 381/15)

8/10.56(R)

ANNEXURE

TO BE PUBLISHED IN PART I SECTION II OF THE GAZETTE OF INDIA

No. 7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture

Krishi Bhavan,

New Delhi, the 18th June, 1974.

NOTIFICATION

The President is pleased to appoint the following officers of the Central Ground Water Board as Junior Hydrogeologist in the pay scale of Rs. 400-40-800-50-950 in the same Office, on temporary basis with effect from the dates indicated against their names, until further orders.

- | | | |
|-----|--|-----------------|
| 1. | Shri V. Jagannathan,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 2. | Shri Girdhari P. Dalal,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 3. | Shri Brij Kumar Singh,
Assistant Geologist | 2.4.1974 (F.N) |
| 4. | Shri Subhash Chandra Bhattacharya,
Assistant Hydrogeologist | 2.4.1974 (F.N) |
| 5. | Shri Om Prakash Pal,
Junior Hydrogeologist | 2.4.1974 (F.N) |
| 6. | Shri G. V. K. Rao,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 7. | Shri Devinder Kumar Vaid
Assistant Hydrogeologist | 1.4.1974 (F.N) |
| 8. | Shri V. D. Mathur,
Junior Hydrogeologist | 4.4.1974 (F.N) |
| 9. | Shri R. N. Sharma,
Assistant Hydrogeologist | 19.3.1974 (F.N) |
| 10. | Shri Shambhu Nath,
Junior Hydrogeologist | 1.4.1974 (F.N) |
| 11. | Shri S. K. Tyagi,
Assistant Hydrogeologist. | 2.4.1974 (F.N) |
| 12. | Shri Ram Pratap,
Assistant Hydrogeologist | 2.4.1974 (F.N) |

contd. 2/-

- | | | |
|-----|---|-----------------|
| 13. | Shri E. S. Govindarajan,
Assistant Geologist | 20.3.1974 (F.N) |
| 14. | Shri Bhagwati Prasad Verma,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 15. | Shri K. Narasimha Murthy,
Assistant Geologist. | 2.4.1974 (F.N) |
| 16. | Shri S. G. Tewari,
Assistant Hydrogeologist. | 30.3.1974 (F.N) |
| 17. | Shri A.K. Mishra,
Assistant Hydrogeologist. | 2.4.1974 (F.N) |

Handwritten signature
(S. Dayal)

Deputy Secretary to the Government of India

The Manager,
Government of India Press,
Faridabad (Haryana).

Copy to:-

1. The Secretary, Union Public Service Commission, Shakti Sadan Road, Dillipur House, New Delhi with reference to their letter No. P.1/134/72-P(G) dt. 12.2.74.
2. The Chief Engineer,
Central Ground Water Board,
N.H. IV, Faridabad (Haryana).
3. The Chief Hydrogeologist,
Central Ground Water Board,
Jammagar House, Mansingh Road, New Delhi. The Officers already working on ad-hoc basis as Junior Hydrogeologist in C.G.W.B. may please be informed that the period of their ad-hoc appointment as Junior Hydrogeologist will not count for the purpose of seniority.
4. The Accountant General Commerce Works & Miscellaneous, A.C.G.R. Building, Indraprastha Estate, New Delhi.

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Contd....3/-

Handwritten signatures and notes:
S. M. S. 20/6
Other illegible signatures and initials

S/No. 56(R)

ANNEXURE-I⁸⁰

TO BE PUBLISHED IN PART I SECTION II OF THE GAZETTE OF INDIA

No. 7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture

Krishi Bhavan,

New Delhi, the 18th June, 1974.

NOTIFICATION

The President is pleased to appoint the following officers of the Central Ground Water Board as Junior Hydrogeologist in the pay scale of Rs. 400-40-800-50-950 in the same Office, on temporary basis with effect from the dates indicated against their names, until further orders.

- | | |
|---|-----------------|
| 1. Shri V. Jagannathan,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 2. Shri Girdhari P. Dalal,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 3. Shri Brij Kumar Singh,
Assistant Geologist | 2.4.1974 (F.N) |
| 4. Shri Subhash Chandra Bhattacharya,
Assistant Hydrogeologist | 2.4.1974 (F.N) |
| 5. Shri Om Prakash Pal,
Junior Hydrogeologist | 2.4.1974 (F.N) |
| 6. Shri G.V.K. Rao,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 7. Shri Devinder Kumar Vaid
Assistant Hydrogeologist | 1.4.1974 (F.N) |
| 8. Shri V.D. Mathur,
Junior Hydrogeologist | 4.4.1974 (F.N) |
| 9. Shri R.N. Sharma,
Assistant Hydrogeologist | 19.3.1974 (F.N) |
| 10. Shri Shambhu Nath,
Junior Hydrogeologist | 1.4.1974 (F.N) |
| 11. Shri S.K. Tyagi,
Assistant Hydrogeologist | 2.4.1974 (F.N) |
| 12. Shri Ram Pratap,
Assistant Hydrogeologist | 2.4.1974 (F.N) |

contd. 2/-

- | | | |
|-----|---|-----------------|
| 13. | Shri H. S. Ganapitavan,
Assistant Geologist | 30.3.1974 (F.N) |
| 14. | Shri Bhagwati Prasad Verma,
Assistant Hydrogeologist | 30.3.1974 (F.N) |
| 15. | Shri K. Narasimha Murthy,
Assistant Geologist. | 2.4.1974 (F.N) |
| 16. | Shri S. C. Tewari,
Assistant Hydrogeologist. | 30.3.1974 (F.N) |
| 17. | Shri A.K. Mishra,
Assistant Hydrogeologist. | 2.4.1974 (F.N) |

Aleg

Handwritten signature
(S. Dayal)

Deputy Secretary to the Government of India

The Manager,
Government of India Press,
Faridabad (Haryana).

Copy to:-

1. The Secretary, Union Public Service Commission, Shakti Bhawan, Bhikaji House, New Delhi with reference to their letter No. P.1/134/73-P(G) dt. 12.2.74.
2. The Chief Engineer,
Central Ground Water Board,
N.H. IV, Faridabad (Haryana).
3. The Chief Hydrogeologist,
Central Ground Water Board,
Jammagar House, Mansingh Road, New Delhi. The Officers
already working on ad-hoc basis as Junior Hydrogeologist
in C.G.W.B. may please be informed that the period of
their ad-hoc appointment as Junior Hydrogeologist will
not count for the purpose of seniority.
4. The Accountant General Commerce Works &
Miscellaneous, A.C.C.R. Building,
Indraprastha Estate,
New Delhi.

Put up on A
[Handwritten signature]

Contd....3/-

Settled
8.12.74
20/6

TC
[Handwritten signature]

No. 7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture

Krishi Bhavan,

New Delhi, the 12th September '74.

NOTIFICATION

The President is pleased to appoint the following Officers of the Central Ground Water Board as Junior Hydrogeologist in the pay scale of Rs. 400-40-800-50-950 in the same Office, on temporary basis with effect from 21.2.1974 (F.N.), till further orders:-

1. Shri Mahesh Chandra Jindal
Junior Hydrogeologist
2. Shri Ajay Kumar Agarwal,
Junior Hydrogeologist

(S. Dayal)

Deputy Secretary to the Govt. of India.

To Manager,
Government of India Press,
FARIDABAD (Haryana)

Forwarded to:-

To Secretary, Union Public Service Commission, Dholpur House,
Shri Ram Road, New Delhi, with reference to their letter
No. 134/73-R(C) dated 12.2.1974.

To Chief Engineer, Central Ground Water Board,
FARIDABAD (Haryana).

To Chief Hydrogeologist, Central Ground Water Board,
Dholpur House, Mansingh Road, New Delhi. The Officers already
working on ad-hoc basis as Junior Hydrogeologist in the
Central Ground Water Board may please be informed that the
period of their ad-hoc appointment as Junior Hydrogeologist
will not count for the purpose of seniority.

To Accountant General, Commerce, Works and Miscellaneous,
111A Building, Indraprastha Estate, New Delhi.

To Senior Deputy Accountant General, Commerce, Works and Misc.,
4, Brabourne Road, Calcutta.

To Junior Deputy Accountant General, Commerce, Works and Misc.,
1, B. N. S. Road, Bombay.

7. The Director, Eastern Region, Central Ground Water Board,
24 Park Street, 3rd Floor, Calcutta-70016.
8. The Director, Western Region, Central Ground Water Board,
Surya Niketan, C-11, Sawai Jaisingh Highway, Bani Park, Jaipur.
9. The Director, Northern Region, Central Ground Water Board,
B-43, Mahanagar Extension, Lucknow.
10. The Director, Southern Region, Central Ground Water Board,
16-A-927, Malakpet, Hyderabad-500036 (A.P.).
11. The Director, Central Region, Central Ground Water Board, 21,
Central Bazar Road, Dr. Mokadam Clinic, Ramdaspath, Nagpur-10.
12. The Officer-Incharge, Northern Eastern Region, Central Ground
Water Board, Kalapahar, Gopinath Nagar, Gauhati-15.
13. The Officer-in-Charge, North Western Region, Central Ground
Water Board, Kothi No.104, Sector 18-A, Chandigarh-160018.
14. The Project Hydrogeologist, Canadian Assisted Project,
Bungalow No.7-1-19, Begumpet, Hyderabad-16.
15. The Project Hydrogeologist, U.N.L.P. (SF) Project,
Rai-Ka-Bagh Palace, Jodhpur.
16. The Officer-in-Charge, Narmada Valley Project, Central Ground
Water Board, E-2/142, Arem Colony, Bhopal.
17. The Officer-in-Charge, Upper Jamuna Project, Central
Ground Water Board, Bungalow No.8, Sector No.8-A, Chandigarh.
18. The Junior Hydrogeologist, Central Ground Water Board,
35-Topovan Society, National Highway No.8, Nizampura, Baroda-2.
19. The Senior Geologist, Central Ground Water Board,
1647-Deccan College Road, Yervada, Poona.
Hydro-
20. The Senior Geologist, Central Ground Water Board,
88-Diagonal Road, Visveswara Puram, Bangalore-560004.
Hydro-
21. The Senior Geologist, Central Ground Water Board,
Plot X-5, 4th Avenue, Ashoknagar, Madras-600083 (T.N.).
Hydro-
22. The Senior Geologist, Central Ground Water Board,
Kesh Bagh, Rajapur, Trivandrum (Kerala).
Hydro-
23. The Senior Geologist, Central Ground Water Board,
28-Cooperative Government Society, Ahmedabad (Gujarat).

.....3/-

57.11/6004 ANNEXURE 12 22
to be published in Part I Section 2 of the Gazette of India)

No. 7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture

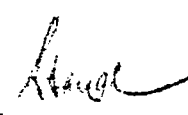
Krishi Bhavan,

New Delhi, the 20th August, 1974.

NOTIFICATION

The President is pleased to appoint the following officers of the Central Ground Water Board as Junior Hydrogeologist in the pay scale of Rs. 400-40-800-50-950 in the same Office, on temporary basis with effect from the dates indicated against their names, till further orders:

- | | |
|--|------------------|
| 1. Shri Ashok Bhaskarerao Deshmukh,
Assistant Hydrogeologist. | 5.6.1974 (F.N.) |
| 2. Shri S.L.M. Shafiulla,
Assistant Hydrogeologist. | 15.6.1974 (F.N.) |
| 3. Shri D. Anjanayulu,
Senior Technical Assistant (Geology) | 5.6.1974 (A.N.) |
| 4. Shri D.S.K. Rao,
Assistant Hydrogeologist | 5.6.1974 (F.N.) |
| 5. Shri T.G. Firozuddin,
Assistant Hydrogeologist | 3.6.1974 (F.N.) |
| 6. Shri Indugula Radhakrishna,
Assistant Hydrogeologist | 5.6.1974 (F.N.) |
| 7. Shri M. Benzara Raju,
Assistant Hydrogeologist | 21.6.1974 (F.N.) |
| 8. Shri Rama Krishna Reddy,
Assistant Hydrogeologist | 24.6.1974 (F.N.) |


(S. Dayal)

Deputy Secretary to the Govt. of India.

The Manager,
Government of India Press,
PATILABAI (Haryana).

Forwarded to:-

1. Secretary, Union Public Service Commission, Dholpur House,
Rajinder Road, New Delhi, with reference to their letter No. F.1/134/
22(1) dated 12.2.1974.

2. S.E. Engineer, Central Ground Water Board, N.H. IV,
Patilabad (Haryana).

- 4113
3. The Chief Hydrogeologist, Central Ground Water Board, Jannagar House, Mansingh Road, New Delhi. The Officers already working on ad-hoc basis as Junior Hydrogeologist in the Central Ground Water Board may please be informed that the period of their ad-hoc appointment as Junior Hydrogeologist will not count for the purpose of seniority.
 4. The Accountant General, Commerce, Works and Miscellaneous, A. G. C. R. Building, Indraprastha Estate, New Delhi.
 5. The Senior Deputy Accountant General, Commerce, Works and Misc., 16-A, Brabourne Road, Calcutta.
 6. The Senior Deputy Accountant General, Commerce, Works and Misc., Nav Bhavan, Nicol Road, Bombay.
 7. The Director, Eastern Region, Central Ground Water Board, 24 Park Street, 3rd Floor, Calcutta-70015.
 8. The Director, Western Region, Central Ground Water Board, Surya Niketan, C-11, Sawai Jaisingh Highway, Bani Park, Jaipur.
 9. The Director, Northern Region, Central Ground Water Board, B-43, Mahanagar Extension, Lucknow.
 10. The Director, Southern Region, Central Ground Water Board, 16-8-927, Malakpet, Hyderabad-500036 (A.P.).
 11. The Director, Central Region, Central Ground Water Board, Dr. Nekkadam Clinic, 21, Central Bazar Road, Ramdaspath, Nagpur-21.
 12. The Officer-in-Charge, Northern Eastern Region, Central Ground Water Board, Kalapahar, Gopinath Nagar, Gauhati-16.
 13. The Officer-in-Charge, North Western Region, Central Ground Water Board, Kothi No.104, Sector 18-A, Chandigarh 160018.
 14. The Project Hydrogeologist, Canadian Assisted Project, Bungalow No.7-1-19, Begumpet, Hyderabad-16.
 15. The Project Hydrogeologist, U.N.D.P. (SF) Project, Rai-Ka-Bagh Palace, Jodhpur.
 16. The Officer-in-Charge, Narmada Valley Project, Central Ground Water Board, E-2/142, Arera Colony, Bhopal.
 17. The Officer-in-Charge, Upper Jamuna Project, Central Ground Water Board, Bungalow No.8, Sector No.8-A, Chandigarh.
 18. The Junior Hydrogeologist, Central Ground Water Board, 35, Tolani Road, National Highway No.8, Nizampura, Baroda.
 19. The Junior Hydrogeologist, Central Ground Water Board, 1647, Yawada, Poona.
 20. The Senior Hydrogeologist, Central Ground Water Board, 88-Diagonal, Vs Puram, Bangalore-560004.

21. The Senior Geologist, Central Ground Water Board,
Plot X-5, 4th Avenue, Ashoknagar, Madras-600083 (T.N.).
22. The Senior Geologist, Central Ground Water Board,
Kosh Bagh, Poojapur, Trivandrum (Kerala).
23. The Senior Geologist, Central Ground Water Board,
28, Cooperative Government Society, Ahmedabad (Gujarat).
24. The Senior Geologist, Central Ground Water Board,
67-68-D/C, Gandhinagar, Jammu.
25. The Senior Geologist, Central Ground Water Board,
Bungalow No. 10-Sector 18-A, Chandigarh.
26. Officers concerned (with 8 copies) C/o Chief Hydrogeologist,
Central Ground Water Board, Janagar House, New Delhi.
27. Personal files of concerned officers.
28. S.I. I. Section.

Shankar
(S. S. Arora)
for Deputy Secretary to the Govt. of India.

TC
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ANNEXURE-I

NO. 3-157/69-Vol-II/CH Estt.
Government of India,
Central Ground Water Board,
N.H.IV, Faridabad (Haryana)

28 APR 1980

NOTIFICATION

President is pleased to appoint Shri E. Ravindranath Assistant Hydro-geologist Central Ground Water Board, to the post of Junior Hydrogeologist in this Board in the pay scale of Rs.700-40-900-EB-40-1100-50-1300 P.S. 2-2-80(FN) on temporary basis till further order.

(B.K.BAVEJA)

CHIEF HYDROGEOLOGIST & MEMBER

The Manager,
Government of India press,
Faridabad (With Hindi Version)

Distribution:-

The Deputy Secretary (GW) to the Government of India, Ministry of Agrl. (Deptt. of Agri. & Coopn), Krishi Bhawan New Delhi with reference to his letter NO. 7-20/77-MI(A) dated 3-12-79.

The Director, C.G.W.B. Southern Region, Hyderabad.

The Pay & Accounts Officer, C.G.W.B., Faridabad.

The Senior Hydrogeologist, Central Ground Water Board, P.N.B.Fbd.

Shri O.R.Chawla, U.D.C., C.G.W.B., Faridabad.

Shri K.L.Jawa, U.D.C., C.G.W.B., Faridabad.

Shri E. Ravindranath Junior Hydrogeologist, Central Ground Water Board, Southern Region, Hyderabad.

File No. 10-6/79- CH-Estt.

Office Order BOOK.

3.80

(To be published in Part I Section 2 of the Gazette of India)

No. 7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture



Krishi Bhavan,

New Delhi, the 21st November, 1974.

CORRIGENDUM

In Government of India, Ministry of Agriculture (Department of Agriculture) Notification of even number dated the 20th/23rd August, 1974, at Serial No. 8 for "Shri Rama Krishna Reddy" read "Shri Ch. Rama Krishna Reddy".

(S. Dayal)

Deputy Secretary to the Govt. of India.

To

The Manager,
Government of India Press,
Faridabad (Haryana).

Copy forwarded to:-

1. The Secretary, Union Public Service Commission, Dholapur House, Shahjahan Road, New Delhi.
2. The Chief Engineer, Central Ground Water Board, N.H. IV, Faridabad (Haryana).
3. The Chief Hydrogeologist, Central Ground Water Board, Jamnagar House, Mansingh Road, New Delhi.
4. The Accountant General, Commerce, Works and Miscellaneous, A.G.C.R. Building, Indraprastha Estate, New Delhi.
5. The Senior Deputy Accountant General, Commerce, Works and Misc., 16-A, Brabourne Road, Calcutta.
6. The Senior Deputy Accountant General, Commerce, Works and Misc., Nav Bhavan, Nicol Road, Bombay.
7. The Director, Eastern Region, Central Ground Water Board, 24 Park Street, 3rd Floor, Calcutta-70016.
8. The Director, Western Region, Central Ground Water Board, Surya Niketan, C-11, Sawai Jaisingh Highway, Bani Park, Jaipur.
9. The Director, Northern Region, Central Ground Water Board, B-43, Mahanagar Extension, Lucknow.
10. The Director, Southern Region, Central Ground Water Board, B-8-927, Malakpet, Hyderabad-500036 (A.P.).

- 294
- (A/17)
11. The Director, Central Region, Central Ground Water Board, Dr. Mokadam Clinic, 21, Central Bazar Road, Ramdaspath, Nagpur-10.
 12. The Officer-In-Charge, North Eastern Region, Central Ground Water Board, Kalapahar, Gopinath Nagar, Cauthati-16.
 13. The Officer-in-Charge, North Western Region, Central Ground Water Board, Kothi No.104, Sector 18-A, Chandigarh-160018.
 14. The Project Hydrogeologist, Canadian Assisted Project, Bungalow No-7-1-19, Begumpet, Hyderabad-16.
 15. The Project Hydrogeologist, U.M.U.P.(SF) Project, Rai-Ka-Bagh Palace, Jodhpur.
 16. The Officer-in-Charge, Narmada Valley Project, Central Ground Water Board, E-2/142, Arera Colony, Bhopal.
 17. The Officer-In-Charge, Upper Jamuna Project, Central Ground Water Board, Bungalow No.8, Sector 8-A, Chandigarh.
 18. The Junior Hydrogeologist, Central Ground Water Board, 35, Topovan Society, National Highway No.8, Nizampura, Baroda-2.
Hydro-
 19. The Senior/Geologist, Central Ground Water Board, 1647-Lectan College Road, Yavada, Poona.
Hydro-
 20. The Senior/Geologist, Central Ground Water Board, 88-Diagonal Road, Vistwa Pura, Bangalore-560004.
Senior Hydro-
 21. The/Geologist, Central Ground Water Board, Plot X-5, 4th Avenue, Ashoknagar Madras-600083(T.N.).
Hydro-
 22. The Senior/Geologist, Central Ground Water Board, Kosh Bagh, Poojapur, Trivandrum(Kerala).
Hydro-
 23. The Senior/Geologist, Central Ground Water Board, 28-Cooperative Government Society, Ahmedabad(Gujarat).
Hydro-
 24. The Senior/Geologist, Central Ground Water Board, 67-68/E/C, Gandhinagar, Jamnau.
Hydro-
 25. The Senior/Geologist, Central Ground Water Board, Bungalow No.10, Sector 18-A, Chandigarh.
 26. Shri Ch. Rama Krishna Reddy, Junior Hydrogeologist, C/o Chief Hydrogeologist, Central Ground Water Board, Jamnagar House, New Delhi.
 27. Personal file of concerned officer.
 28. E. E. I Section.

(S. S. Arora)
for Deputy Secretary to the

No.7-6/73-MI(A)
Government of India
Ministry of Agriculture
Department of Agriculture

ANNEXURE-I

7/18

Krishhi Bhavan,

New Delhi, the 12th September '74.

NOTIFICATION

The President is pleased to appoint the following Officers of the Central Ground Water Board as Junior Hydrogeologist in the pay scale of Rs.400-40-800-50-950 in the same Office, on temporary basis with effect from 21.2.1974 (F.N.), till further orders:-

1. Shri Mahesh Chandra Jindal
Junior Hydrogeologist
2. Shri Ajay Kumar Agarwal,
Junior Hydrogeologist

(S. Dayal)

Deputy Secretary to the Govt. of India.

To Manager,
Government of India Press,
FARIDABAD (Haryana)

Forwarded to:-

To Secretary, Union Public Service Commission, Dholpur House,
Shri Han Road, New Delhi, with reference to their letter
No. 134/73-R(2) dated 12.2.1974.

To Chief Engineer, Central Ground Water Board,
FARIDABAD (Haryana).

To Chief Hydrogeologist, Central Ground Water Board,
Dholpur House, Mansingh Road, New Delhi. The Officers already
working on ad-hoc basis as Junior Hydrogeologist in the
Central Ground Water Board may please be informed that the
period of their ad-hoc appointment as Junior Hydrogeologist
will not count for the purpose of seniority.

To Accountant General, Commerce, Works and Miscellaneous,
111/1 Building, Indraprastha Estate, New Delhi.

To Senior Deputy Accountant General, Commerce, Works and Misc.,
111/1 Building, Indraprastha Estate, New Delhi.

To Senior Deputy Accountant General, Commerce, Works and Misc.,
111/1 Building, Indraprastha Estate, New Delhi.

- D1
- 41/9
7. The Director, Eastern Region, Central Ground Water Board,
24 Park Street, 3rd Floor, Calcutta-70016.
 8. The Director, Western Region, Central Ground Water Board,
Surya Niketan, C-11, Sawai Jaisingh Highway, Bani Park, Jaipur.
 9. The Director, Northern Region, Central Ground Water Board,
B-43, Mahanagar Extension, Lucknow.
 10. The Director, Southern Region, Central Ground Water Board,
15-A-927, Malakpet, Hyderabad-500036 (A.P.).
 11. The Director, Central Region, Central Ground Water Board, 21,
Central Bazar Road, Dr. Mokadam Clinic, Ramdaspath, Nagpur-10.
 12. The Officer-In-charge, Northern Eastern Region, Central Ground
Water Board, Kalapahar, Gopinath Nagar, Gauhati-15.
 13. The Officer-in-Charge, North Western Region, Central Ground
Water Board, Kothi No. 104, Sector 18-A, Chandigarh-160018.
 14. The Project Hydrogeologist, Canadian Assisted Project,
Bungalow No. 7-1-19, Begumpet, Hyderabad-16.
 15. The Project Hydrogeologist, U.N.L.P. (SF) Project,
Rai-Ka-Bagh Palace, Jodhpur.
 16. The Officer-in-Charge, Narmada Valley Project, Central Ground
Water Board, B-2/142, Arera Colony, Bhopal.
 17. The Officer-in-Charge, Upper Jamuna Project, Central
Ground Water Board, Bungalow No. 8, Sector No. 8-A, Chandigarh.
 18. The Junior Hydrogeologist, Central Ground Water Board,
35-Topovan Society, National Highway No. 8, Nizampura, Baroda-4.
 19. The Senior Geologist, Central Ground Water Board,
1647-Deccan College Road, Yervada, Poona.
Hydro-
 20. The Senior Geologist, Central Ground Water Board,
88-Diagonal Road, Visveswara Puram, Bangalore-560004.
Hydro-
 21. The Senior Geologist, Central Ground Water Board,
Flat X-5, 4th Avenue, Ashoknagar, Madras-600083 (T.N.).
Hydro-
 22. The Senior Geologist, Central Ground Water Board,
Kesh Bagh, Poojapur, Trivandrum (Kerala).
Hydro-
 23. The Senior Geologist, Central Ground Water Board,
28-Cooperative Government Society, Ahmedabad (Gujarat).

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ANNEXURE-IICENTRAL GROUND WATER BOARDRECRUITMENT RULES FOR THE POST OF JUNIOR HYDROGEOLOGIST

1. Name of Post Junior Hydrogeologist
2. No. of posts 7 (Seven)
3. Classification General Central Service, Class I
Gazetted (Non-Ministerial)
4. Scale of pay Rs.400-40-800-50-950.
5. Whether selection post or non-selection posts. Selection
6. Age limit for direct recruits. 35 years (Relaxable for Govt. servants).
7. Educational and other Qualification required for direct recruits.

Essential: (i) Master's degree in Geology or Diploma from I.S.M. and applied Geology, Dhanbad or equivalent qualifications. (ii) About 3 years' experience in independent geological mapping. (qualifications relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified).

Desirable:

Experience of groundwater Geology and sampling and interpretation of borehole data.
8. Whether age & education qualifications etc. prescribed for direct recruits will apply in the case of promotees. NO
9. Period of probation, if any. Two years.
10. Method of recruitment etc. By promotion failing which by direct recruitment.
11. In case rectt. by promotion/transfer grades from which promotion to be made. Promotion: Assistant Hydrogeologist in the Central Ground Water Board with 3 years service in the grade.
12. If no vacancy exists what is the mode of recruitment. Class I Departmental Promotion Committee.
13. Instances in which UPSC is consulted in making recruitment. As required under the Union Public Service Commission (Exemption from consultation) Regulations, 1963.

No.7-18/67-TW dated the 15th Feb., 1972.

No.3/7(6)/71-RR dt the 22nd Nov., 1971.

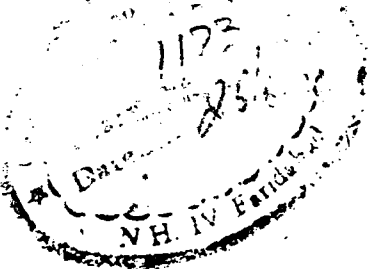
ANNEXURE-II

57

G.M. 12/4/74

IMMEDIATE

1/2/74



No. 14-2/72-EE I
Government of India
Ministry of Agriculture
(Deptt. of Agriculture)

New Delhi, the 2nd June, 1974.

To

The Chief Hydrogeologist,
Central Ground Water Board,
NH-IV, Faridabad.
(Haryana).

Sub - Filling up of the posts of Jr. Hydrogeologist under
the C.G. W.B. by promotion on regular basis.

Sir,

I am directed to invite a reference to the correspondence resting with this Ministry's letter of even number dated the 9th Oct., 1973 on the subject noted above and to say that the amendment to R/Rules for the post of Jr. Hydrogeologist has been finalised in consultation with the U.P.S.C. and the Rules will be notified shortly. According to the approved R/Rules, ~~there~~ there are 141 posts in the grade of Jr. Hydrogeologist and in accordance with the provisions of the Rules the posts are required to be filled up 20% by promotion and 80% by direct recruitment. A copy of the R/Rules as approved by the commission is enclosed. The inter-se-seniority of the officers transferred from G.S.I. vis-a-vis officers of the C.G.W.B. has also been fixed and circulated to all concerned vide this Department's letter No. 7-44/74-MI(A) dated 27.5.74. As the mode of recruitment has undergone a change and number of posts have also increased it is requested that a revised proposal for filling up these posts by promotion, along with all the relevant documents may please be sent to this Ministry.

This may please be treated as urgent.

Yours faithfully,

(R.Y. BAKSHI)
Secretary to the Govt.

send the
to immediately
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S. pl

ANNEXURE-III

8.10.12/4

IMMEDIATE

1173
25/6
NH-IV Faridabad
37

No. 14-2/72-EE I
Government of India
Ministry of Agriculture
(Deptt. of Agriculture)

New Delhi, the 2nd June, 1974.

To

The Chief Hydrogeologist,
Central Ground Water Board,
NH-IV, Faridabad.
(Haryana).

Sub: - Filling up of the posts of Jr. Hydrogeologist under
the C.G. W.B. by promotion on regular basis.

Sir,

I am directed to invite a reference to the correspondence resting with this Ministry's letter of even number dated the 9th Oct., 1973 on the subject noted above and to say that the amendment to R/Rules for the post of Jr. Hydrogeologist has been finalised in consultation with the U.P.S.C. and the Rules will be notified shortly. According to the approved R/Rules, ~~R/Rules~~, there are 141 posts in the grade of Jr. Hydrogeologist and in accordance with the provisions of the Rules the posts are required to be filled up 20% by promotion and 80% by direct recruitment. A copy of the R/Rules as approved by the commission is enclosed. The inter-se-seniority of the officers transferred from G.S.I. vis-a-vis officers of the C.G.W.B. has also been fixed and circulated to all concerned vide this Department's letter No. 7-44/74-MI(A) dated 27.5.74. As the mode of recruitment has undergone a change and number of posts have also increased, it is requested that a revised proposal for filling up these posts by promotion, along with all the relevant documents may please be sent to this Ministry.

This may please be treated as urgent.

Yours faithfully,

(R.N. BAKSHI)

Under Secretary to the Govt. of India.

Encl: As above.

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DEPARTMENT OF AGRICULTURE (KRISHI VIBHAG)
EXTERNAL ESTABLISHMENT I SECTION

Recruitment Rules for the post of Junior Hydrogeologist

Name of the post	No. of posts	Classification	Scale of pay	Whether selection of non-post selection	Age for direct recruit.	Education and other required for direct
1	2	3	4	5	6	7

Junior Hydrogeologist, 141
(one hundred and fortyone).
General Central Service, Class I.
Rs. 400-40-800- Selection, 35 years
50-950.
(Relaxable for Govt. servants.)

Notified
Dated
U.P.S.C.
No. 1.4/196

Essential.

(1) Master's degree in Geology or Applied Geology or a recognized University or Diploma in Geology or Applied Geology from the Indian School of Mines and Applied Geology, Dhanbad or equivalent.

(11) About 3 years experience in Geological Investigation.
(Qualifications relaxable at the U.P.S.C.'s discretion in case of candidates otherwise well qualified).

Desirable Experience of Groundwater Geology and sampling and interpretation of boreholes data; and independent Geological mapping.

1098
ANNEXURE-11
197

CENTRAL GROUND WATER BOARD

RECRUITMENT RULES FOR THE POST OF

JUNIOR HYDROGEOLOGIST

6

Sr.No.

Junior Hydrogeologist

Name of post.

151 (One hundred fifty one)

No. of posts.

General Central Service Class I

Classification.

Rs. 700-40-900-EB-40-1100-50-1300.

Scale of pay.

Selection.

Whether selection post or non-selection post.

Not less than 21 years but less than 30 years on first January of the year in which Geologists examination is held.

Age limit for direct recruits.

Educational & other qualifications required for direct recruits.

M.Sc. in Geology or Applied Geology from a recognised University or equivalent.

OR

Diploma of Associateship in Applied Geology from the Indian School of Mines, Dhanbad. Any other qualification, the standard of which in the opinion of U.P.S.C. is held to be justifying the admission of a candidate to the Geologist's examination.

NO

Whether age & educational qualification prescribed for direct recruits will apply in the case of promotees.

2 years

Period of probation, if any.

Method of recruitment etc.

By promotion 20% failing which by direct recruitment, Direct Recruitment 80% "Direct recruitment through the Geologists Examination conducted by the U.P.S.C."

Case rect. by promotion/transfer grades from which promotion to be made.

Promotion:- Asstt. Hydrogeologists with 3 years service in the grade rendered after appointment thereto on a regular basis.

RECEIVED

17/25

11. If DPC exists what is its composition.

D.P.C. for Group A posts:-

- Chairman of
1. Member, U.P.S.C ..Chairman
 2. Joint Secretary Incharge of administration (He will also act as Chairman when Member, Union Public Service Commission does not attend) ..Member.
 3. Joint Secretary of the Division concerned or other officer of higher or equivalent status or Director concerned when there is no Joint Secretary. Member.
 4. Technical Head of the Division concerned ..Member.
 5. Deputy Secretary Incharge of administration (aw) ..Member Secretary

14. Circumstances in which UPSC/ DPC is to be consulted in making recruitment.

As required under the U.P.S.C. (Exemption from consultation Regulations, 1958.

notification No.7-97/73-MI(A) dated 18.6.74.
do- No.7-94/75-MI(A) dated 9.9.76.
No.F.3/7(47)/75-RR dated 17.11.75.

which by
recruitment
exemption
geologists
the grade
ment thereto

TH

S.P. 6404

ANNEXURE IV

No. 14-2/72-E.E.I.
Government of India
Ministry of Agriculture & Irrigation
Department of Agriculture
Krishi Bhavan

New Delhi, the 22nd April, 1976.

The Chief Hydrogeologist,
Central Ground Water Board,
Jammagar House, New Delhi.

Recruitment to the posts of Junior Hydrogeologist in the
Central Ground Water Board, by promotion.

I am directed to refer to your letter No. 6-79/74-CH(Estt)/453
dated the 7th November, 1975 on the subject noted above and to say
on the recommendations of the Departmental Promotion Committee
(ss I) approved by the Union Public Service Commission, the
Government is pleased to sanction the officiating promotion of the
following officers to the grade of Junior Hydrogeologist (Rs. 700-
) under the Central Ground Water Board :

Name of the officer

Date

S/Shri	
A.K. Agrawal ✓	10.3.76
M.C. Jindal ✓	10.3.76
R.P. Agrawal ✓	10.3.76
V. Jaganathan ✓	10.3.76
V.M. Sikka ✓	10.3.76
A.K. Misra ✓	10.3.76
V.D. Mathur ✓	10.3.76
O.P. Pal ✓	10.3.76
N. Malviya ✓	10.3.76
K.K. Jati ✓	10.3.76
C.R.K. Reddy ✓	10.3.76
D.M. Satyanarayana - Distt. mil. Pk.	10.3.76
K.N. Murty ✓	10.3.76
R.N. Sharma ✓	10.3.76
P. Laxminarayana ✓	10.3.76
I. Radhakrishna ✓	10.3.76
M.D. Nautiyal ✓	10.3.76
Ram Pratap (S.C.) ✓	10.3.76
M.B. Raju ✓	10.3.76
E.R.J. Rao ✓	10.3.76
S.U. Ansari ✓	10.3.76
S.C. Tiwari ✓	10.3.76

The appointment of S/Shri V.M. Sikka, D.M. Satyanarayana
Lakxminarayana to the post will commence with effect from
the date they take over charge of the post. Since the officers

p.t.o.

A 122

- : 2 : -

A | at S.Nos. 1 to 4, 6 to 11, 13, 14 and 16 to 22 are already working as Junior Hydrogeologist in the Board on direct recruitment basis on the recommendations of the U.P.S.C. their promotion will be deemed effective w.e.f. the date mentioned against their name i.e. 10th March, 1976.

It is requested that the offer for the post of Junior Hydrogeologist may please be communicated to the officers mentioned above who are already working as direct recruits, and they may be asked whether they would like to opt for promotion or would like to be treated as direct recruits. The option exercised by the officers may be communicated to the Ministry immediately for taking further action in the matter.

The officers promoted to the post will be on probation for a period of two years with effect from the date of their promotion.

Charge assumption reports of S / Shri V.M. Sikka, D.M. Satyanarayana and P. Laxminarayana may please be furnished to this Ministry for necessary action.

Yours faithfully,

V. Kohli
(V. Kohli)

Under Secretary to the Govt. of India
Tele. No. 389453

Copy forwarded for information to :-

1. The Accountant General, Commerce Works & Miscellaneous, A.G.C.R. Building, New Delhi.
2. The Secretary, Union Public Service Commission, Dholpur House, New Delhi . Their letter No. F.1/3(33)/75-A.III dated 10.3.76 refers.
3. Personal File (22 copies).
4. Minor Irrigation (Admn) Section.

V. Kohli
(V. Kohli)

Under Secretary to the Govt. of India
Tele. No. 389453

R

ANNEXURE-IV

No. 6-79/74/Vol. IV-C.H. (Estt.)
Government of India,
Central Ground Water Board,
N.H. IV, Faridabad - 121001,
(Haryana)

Dated:- 20.7.76

OFFICE MEMORANDUM

The following officers who had been appointed to the post of Junior Hydrogeologist through U.P.S.C. have also been selected for officiating promotion to the grade of Junior Hydrogeologist through the D.P.C. w.e.f. 10.3.1976.

- | | |
|--------------------------|-------------------------------|
| (1) Shri A.K. Agarwal, | (11) Shri D.M. Satyanarayana, |
| (2) Shri M.C. Jindal, | (12) Shri K.N. Murthy, |
| (3) Shri R.P. Agrawal, | (13) Shri R.N. Sharma, |
| (4) Shri V. Jagannathan, | (14) Shri I. Radhakrishna, |
| (5) Shri A.K. Mishra, | (15) Shri M.D. Nautiyal, |
| (6) Shri V.D. Mathur, | (16) Shri Ram Pratap, |
| (7) Shri O.P. Pal, | (17) Shri M.B. Raju, |
| (8) Shri Niraj Malviya, | (18) Shri E.R.J. Rao, |
| (9) Shri K.K. Jati, | (19) Shri S.U. Ansari, |
| (10) Shri C.R.K. Reddy, | (20) Shri S.C. Tiwari |

A copy each of the U.P.S.C. merit list as well as D.P.C. list is sent herewith for information of all concerned. The promotees shall be ranked in Seniority above four direct appointees as per the Recruitment Rules (one promotee then 4 direct recruits & then one promotee & 4 direct and so on). The option for exercising the position in either of the two lists must reach this office by 31.7.1976 positively. Option once exercised will be final.

S. C. Sharma

(S. C. SHARMA) 15/7
SENIOR HYDROGEOLOGIST
for CHIEF HYDROGEOLOGIST & MEMBER.

Copy forwarded for information to:-

- (2) The Director, Central Ground Water Board, Northern Region/
North Eastern Region/Eastern Region/North Western Region/Western
Region/Central Region/Southern Region, Lucknow/Gauhati/Calcutta/
Bhopal/Jaipur/Nagpur/Hyderabad.

18/39

(2) The Director, Central Ground Water Board, Upper Jamuna Project, Vedavati River Basin Project/SIDA Project/Ghaggar Project/Narmada Valley Project/Betwa Project/Chandigarh/Bangalore/Coimbatore/Chandigarh/Bhopal/Bhopal.

(3) The Superintending Engineer, Central Ground Water Board Sina & Man Project, Sholapur.

(4) The Officer-In-Charge, Central Ground Water Board, District Unit, Jammu/Patna/Shillong/Jodhpur/Ahmedabad/Bangalore/Madras/Trivendrum/Poona.

S. C. Sharma
(S. C. SHARMA) 15/7/76

SENIOR HYDROGEOLOGIST
for CHIEF HYDROGEOLOGIST & MEMBER.

CHHABRA
3.7.1976.

TH

SENIORITY LIST OF JUNIOR HYDROGEOLOGIST APPOINTED THROUGH U.P.S.C.

Sl. No.	Name	U.P.S.C. letter No. and date	REMARKS
1.	2. 1980	3. 1980	4.
1.	Sh. Venkatachari Jagannathan,	F.1/134/73	dated 12.2.1974
2.	Dr. Ratesh Kumar,	-do-	
3.	Sh. Mahesh Chandra Jindal,	-do-	
4.	Sh. Girdhari P. Dalal,	-do-	
5.	Sh. Brij Kumar Singh,	-do-	
6.	Sh. Soom Nath Dulloo,	-do-	
7.	Sh. Subhash Bhattacharya,	-do-	
8.	Sh. OM Prakash Pal,	-do-	
9.	Sh. Krishan Kumar Jati,	-do-	
10.	Sh. Veeranna Mala, (S/Caste)	-do-	
11.	Sh. Saleem Uddin Ansari,	-do-	
12.	Sh. Indugula Radhakrishna,	-do-	
13.	Sh. G. Venkata Krishan Rao,	-do-	
14.	Dr. Ashok Kumar Ghosh,	-do-	Offer cancelled.
15.	Sh. Mahadeo Rangnath Kulkarni,	-do-	
16.	Sh. Rama Krishna Reddy,	-do-	
17.	Sh. Davinder Kumar Vaid (ECO),	-do-	
18.	Sh. Dharam Mahadeva Satyanarayana,	-do-	
19.	Sh. Vishambhar Dayal Mathur,	-do-	
20.	Sh. Ram Prasad Agrawal,	-do-	
21.	Sh. Ravindra Nath Sharma,	-do-	
22.	Sh. B.C.N. Patro,	-do-	Offer cancelled.
23.	Sh. Shambhu Nath,	-do-	

.....Contd...2.

1. 2. 3. 4.

24. Sh. Dilip K. Fouzdar, F.1/134/73-PG Offer cancelled.
dated 12/1/74

25. Sh. Arya Ratna Bakshi, -do-
26. Sh. Somendra Kumar Tyagi, -do-
27. Sh. Ajay Kumar Agarwal, -do-
28. Dr. D.A.N. Murty, -do- Offer cancelled.
29. Sh. S.L.M. Shafiulla, -do-
30. Sh. Ram Pratap, (S/Caste), -do-
31. Sh. T.G. Firozuddin, -do-
32. Sh. M. Bangara Raju, -do-
33. Sh. Madan Mohan Dubbak, -do-
34. Sh. S.M. Mendhekar, (S/Tribe), -do-
35. Dr. B.S.R. Narasimha Rao, -do-
36. Sh. N.S. Sreenivasan, -do-
37. Sh. Bhagwati Prasad Verma, -do-
38. Sh. K.V.S.V.K. Sivaram, -do-
39. Sh. Vishnu Kumar Dixit, -do- Offer cancelled.
40. Sh. Sukumar Mallick, -do-
41. Sh. K. Narasimha Murthy, -do-
42. Sh. S. Srihari Rao, -do-
43. Sh. S.V. Chougula, -do-
44. Sh. G. Mohan Reddy, -do-
45. Sh. Bansi Lal Gupta, -do-
46. Sh. Sharad Chandra Tiwari, -do-
47. Sh. Prakash Chandra Rai, -do-
48. Sh. Emani Rama Jogeswara Rao, -do-

..... Contd.....

12

7/32

ncalled.

- | | | |
|---------------------------------------|-----------------|------------------|
| 49. Sh.R.Nagarajan, | F.1/134/73-RG | |
| | dated 12.2.1974 | |
| 50. Sh.G. Krishna Rao, | -do- | |
| 51. Sh. Niraj Malviya, ✓ | -do- | |
| 52. Sh. Mahendra Datt Nautiyal, | -do- | |
| 53. Sh. Avinash Kumar Mishra, ✓ | -do- | |
| 54. Sh. Dattarraya Shivane, ✓ | -do- | |
| 55. Sh. D. Madhava Rao, | -do- | Offer cancelled. |
| 56. Sh. D. Anjanayulu, ✓ | -do- | |
| 57. Sh. D. S. K. Rao, | -do- | |
| 58. Sh. Sushyamal Chakladar, ✓ | -do- | |
| 59. Sh. Ashok Bhaskararao Deshmukh, ✓ | -do- | |
| 60. Sh. Mohinder Singh Jethra, ✓ | F.1/140/74-RG | |
| | dated 25.3.1974 | |
| 61. Sh. R. Chakrapany, ✓ | -do- | |
| 62. Sh. Samal, Mahmood ✓ | -do- | |
| 63. Sh. P. Natarajan, ✓ | -do- | |
| 64. Sh. G. Haribaran, | -do- | Offer cancelled. |
| 65. Sh. D. A. Hiremath | -do- | Offer cancelled. |
| 66. Sh. B. B. Basak, ✓ | -do- | |
| 67. Sh. C. S. S. Sarma, ✓ | -do- | |
| 68. Sh. D. V. Marker, | -do- | Offer cancelled. |
| 69. Sh. C. V. N. K. Rao, | -do- | Offer cancelled. |
| 70. Sh. B. Sripathy Reddy, | -do- | Offer cancelled. |

.....Contd....4.

Contd....

Handwritten signature/initials

1. 2. 3. 4.
71. Sh. Marappa Reddy Chandra ✓ F.1/7/75/RC
Sekhar Reddy, dated 25.1.1975 ✓
- 72. Sh. Nagorao Pundhikrao
Chaudhari, -do-
73. Sh. Virendra Sharma, ✓ -do-
- + 74. Sh. Trimbak Tulshiram
Somnath, -do- Offer cancelled
- 75. Sh. Verendra Nath Dube, ✓ -do-
- * 76. Sh. Avinash Chandra Nanda, -do- Offer cancelled
- 77. Sh. Abdul Quadeer Muntaz, ✓ -do-
- 78. Sh. Daljit Singh Saini, ✓ -do-
- * 79. Sh. Yashawant Gopal Joshi, -do- Offer cancelled
- 80. Sh. Md. Abdul Haleem, ✓ -do-
- * 81. Sh. M. Mahadevaswamy (SC) F.1/980/74/RC Offer cancelled
dated 10.3.1975
- * 82. Sh. Vinayak Sheoshankar
Silekar, (ST) -do- Offer cancelled
- * 83. Sh. Chinnappa Mysaiah (SC) -do- Offer issued
report awaited
84. Sh. Anand Daniel Joseph (ST), ✓ -do-

CHHABRA
26.6.1976.

0/321

<u>Sr.No.</u>	<u>Name of the Officer</u>
---------------	----------------------------

cancel

cancel

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2 cancer

cancer

r issued
rt await

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100

100

100

10

G. P. Chandrasekhar

22. S.C.Tiwari X

C.Karakoti
16/07/1767

S/No. 13(1)

ANNEXURE-V

ABS

No. 14-5/80-CH (Estt.)-5757-5776
Government of India,
Central Ground Water Board,
Jamnagar House, Mansingh Road,
New Delhi-110011

Dated the 2nd December, 1981.

The Director,
Central Ground Water Board,
NR, Lucknow/CR, Nannur/SR, Hyderabad/
WR, Jaipur/NER, Gauhati/NWR, Chandigarh
ER, Calcutta.

The Director,
Betwa Project, Bhopal/SIDA Project, Coimbatore/
NEC Project, Gauhati

The Officer-in-Charge,
District Unit Office;
Jammu/Patna/Bangalore/Bhubaneswar/Shillong/
Poona/Madras/Bodhpur/Ahmedabad/Trivendrum.

Sub: Final inter-se-seniority list of Junior Hydrogeologist
in Central Ground Water Board as on 1.1.1978.

Enclosed please find two copies of the Final Inter-se-seniority
list of the Junior Hydrogeologist with the request that the same may
be circulated to all concerned and their initial in token of having seen
the list may please be obtained.

The fact that the seniority list has been circulated to all
concerned may be intimated to this office.

Yours faithfully,

B.D. Pathak
(B.D. Pathak)
Chief Hydrogeologist & Member.

NOTE:- Copy of Seniority list - already
Sent to Advocate

Ty

R. Agnihotri

ADVOCATE

Ch & Haryana High Court

ANNEXURE VI
Phones: (Residence : 25363
High Court : 22429
22593)

**215, SECTOR 9-C
CHANDIGARH**

6.12.1980

To

The Secy. to Govt. of India,
Ministry of Irrigation,
Sharm Shakti Bhavan, Rafi Marg,
New Delhi.

Chairman, Central Groundwater Board,
Krishi Bhawan, New Delhi.

Chief Hydrogeologist and Member,
Central Groundwater Board,
Jannagar House, Man Singh Road,
New Delhi.

Subject:-

Notice of demand of justice on behalf of
Mr. V.M. Sikka, Junior Hydro-geologist,
Central Groundwater Board, W Region, Chandiga-
rh, against the illegal and arbitrary distur-
bance in the seniority list of Junior Hydro-
Geologists in the CGWB circulated vide No.14-5/
80-CH(Estt.)-5762 dated 2nd December, 1980.

Sir,

Under instructions of my client, Shri V.M.
Sikka, aforesaid (hereinafter referred to as the "petitioner")
I have to serve upon you the following notice of demand of
justice:-

(1) That the petitioner is M.Sc(Applied Geology)
from Indian Institute of Technology, Kharagpur and joined
service on 22nd September, 1966 as S.T.A. On the basis of
interview conducted by the Union Public Service Commission
he was selected as Assistant Hydrogeologist and resumed
duties as such on 27.2.68. He served on this post for three
years efficiently and satisfactorily and on 27th of Feb. 71
quasi-permanent status was conferred upon him.

(11) That the petitioner continued discharging
his duties to the entire satisfaction of the authorities
and on 10th of May, 1976, he was promoted to the grade of Jr.
Hydrogeologist, by superseding number of persons who
were senior to him. This promotion of the petitioner

was in recognition of his high calibre and exceptional merit in the discharge of his duties. It is on this post that the petitioner has been working till date.

(iii) That a joint seniority list was prepared of the Jr. Hydrogeologists on 26th of Feb. 1979 in which the name of the petitioner was assigned the Seniority Position at Sr.No.89. This seniority list, though was correctly prepared and was strictly in accordance with the recognised and well established Rule of quota observed at the time of initial recruitment to the service between promotees and directly recruits, yet was styled as a 'provisional seniority list'. Objections against this seniority list were invited and the petitioner believes that some persons who might have felt aggrieved must have submitted their objections against the same.

(iv) That, however, neither the authorities nor the representationists or the persons feeling aggrieved against the aforesaid seniority list supplied any copy of their representations to the petitioner. This deprived of the petitioner his right and opportunity to submit his view-point justifying the seniority position assigned to him in the provisional seniority list. Consequently without hearing the petitioner and affording him any opportunity to submit his view point and without supplying to him a copy of the representation made against him by his juniors, a fresh seniority list, said to be the final one, has been circulated by the authorities on 2nd of December, 1980.

(v) That the final seniority circulated vide No.14-5/80-CH(Estt.)5726 dated 2nd December, 1980 wherein the seniority position assigned to the petitioner at No.89 in the provisional seniority list has been brought down at No.47 amongst the Junior Hydrogeologists is wholly illegal, arbitrary, discriminatory, ex parte, violative of Art.16 of the Constitution of India, against the principles of natural justice, equity and fairplay, inter alia on the following grounds:-

(a) That it is a settled rule of law as well as the administration of services that no person can be condemned unheard. Seniority is a condition of service which cannot be varied to the dis-advantage of a Government servant without affording him an opportunity of being heard. Once the petitioner had been assigned higher seniority in the provisional seniority list that seniority position could not be brought down while circulating the final seniority list without first supplying to him copies of the representations made against him by his juniors and without first hearing his viewpoint. This position of law stands settled by the Hon'ble Supreme Court of India as well as the Hon'ble Punjab and Haryana High Court in number of judicial pronouncements.

4/30

Consequently, the final seniority list circulated on 2nd of Dec. 80 is liable to be withdrawn forthwith.

(b) That the provisional seniority list circulated on 26th February, 1979 had been correctly prepared according to the principles of fixation of seniority laid down in the Government of India, Ministry of Home Affairs Office Memo No. 9/11/55-RPS dated 22nd of December, 1959. These principles of the Government of India are still holding the field and the petitioner placing firm reliance on the same, is entitled to be restored to his original position in the provisional seniority list i.e. at Sr. No. 89 instead of 147 as wrongly assigned in the final seniority list.

(c) That the mode of recruitment to the posts of Junior Hydrogeologists has been provided by the Ministry of Agr. Notification No. 7-18/67-TN dated 15.2.1972, which lays down that the posts shall be filled 100% by promotion and it is only in the event of failure in filling the same by promotion that the source of direct recruitment shall be resorted to. The provision clearly envisages the consideration of the claims of all eligible departmental candidates so as to exhaust the available vacancies by their promotions and it is only in the event of non-availability of the departmental candidates for promotion that the posts shall be thrown open and will be filled by direct recruitment through the UPSC. But in utter disregard of the aforesaid provisions, about 75% posts out of 108 were released to the UPSC to be filled by direct recruitment. For the remaining posts a memorandum for DPC was sent i.e. for 31 candidates since on that date only 31 candidates had completed the requisite service. The selection of the direct recruits by the UPSC earlier to the promotion of the departmental candidates through DPC is wholly unjustifiable and unwarranted by the Rules.

(d) That if the requisite number of posts available with the Board were not filled by promoting the eligible persons from the department due to variety of reasons including the paucity of time at their disposal and by not taking the timely action in the matter etc, the petitioner and persons similarly situated cannot be made to suffer for the remissness of the authorities. The Officers who were available for promotion and were duly qualified, eligible, and suitable could not be placed junior to the persons who were otherwise not entitled to be recruited but brought in only for the delay on the part of the authorities. Such action cannot be countenanced in law and is wholly

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p-17

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CIVIL WRIT JURISDICTION

CIVIL WRIT NO. 3392 OF 1981

N. M. Sikka

Petitioner(s).

*Day through
singing
Court*

versus

*See
20/8/81
U.O.1*

The State of Punjab/Haryana, etc.

Respondents.

NOTICE OF MOTION/NOTICE OF ADMISSION-

*⑬ Chief Hydrogeologist and Member, Central
Ground Water Board, Jangar House
Man Singh Road, New Delhi*

Whereas a petition under Article 226/227 of the Constitution of India, wherein you have joined as respondent and of which a copy is enclosed/copy has already been sent to you in this Court's letter No. Writs, dated, has been presented to this Court.

You are hereby informed that the said petition has been fixed for hearing on (Actual) 37/81 and that if you wish to urge anything in reply to the petition, you may appear in court on that date and file your written statement on or before that day either in person or through any Advocate duly instructed.

Take notice that in default of your appearance on the date aforementioned the case shall be decided in your absence.

Given under my hand and the seal of the Court this 10/5 day of August 1981

BY ORDER OF THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Assistant Registrar
ASSISTANT REGISTRAR

*G.W.B.
463*

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440

In the High Court of Punjab and Haryana at Chandigarh.

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3392

C.W.P.No. of 1981.

V.H. Sikka

-.....

Petitioner

Versus

Union of India and others ...

Respondents

I N D E X

Sr. No.	Particulars	Dates	Pages
1.	Writ Petition		1-9
2.	Annexure P/1 (Provisional Seniority List)	26.2.79	10-19
3.	Annexure P/2 (Final Seniority list)	2.12.80	20-29
4.	Annexure P/3 (Representation)	6.12.80	30-32
5.	Annexure P/4 (Notice)	8.12.80	33-37
6.	Annexure P/5 (Rules)	15.2.72	38
7.	Annexure P/6 (Reminder)	10.2.81	39-40
8.	Power of Attorney		41

NOTE:- The main law point involved is at page 8, para 18 of the writ petition.

Chandigarh:

Dated: 28.7.1981.

(M.R. Agnihotri) & (Anil Seth),
Advocates for the
Petitioner

19
A/141

In the High Court of Punjab and Haryana at Chandigarh.

C.W.P.No. 3392 of 1981.

V.M.Sikka, Junior Hydrogeologist,
NW. Region, Chandigarh.

Central Ground Water Board,

.....Petitioner.

Versus.

1. Union of India-through the Secretary to the Government of India,
Ministry of Irrigation, Sharm Shakti Bhawan, Rafi Marg,
New Delhi.
2. Chairman, Central Ground Water Board, Krishi Bhawan, New Delhi.
3. Chief Hydrogeologist and Member, Central Ground Water Board,
Hamnagar House, Man Singh Road, New Delhi.
4. Dr.Ratesh Kumar, Jr.Hydrogeologist (Sl.No.4 to 61)
5. Shri G.P.Dalal.
6. B.K.Singh.
7. Sh.S.N.Dulloo
8. Sh.Subhas C.Bhattacharya.
9. Sh.O.P.Pal.
10. Sh.K.K.Jati.
11. Sh.Verrama Mala.
12. Sh.S.U.Ansari.
13. Sh.G.V.K.Rao.
14. Sh.M.R.Kulkarni.
15. Sh.C.R.Krishna Reddy.
16. D.M.Setyanarayana.
17. Sh.V.D.Mathur.
18. Sh.R.N.Sharma.
19. Sh.Sambhu Nath.
20. Sh.A.R.Bakshi.
21. Sh.S.K.Tyagi
22. Sh.S.L.M.Saffiulla.
23. Sh.Ram Pratap.
24. Dr.T.G.Ferozuddin.
25. Sh.M.B.Raju.
26. Sh.M.M.Dubhak.
27. Sh.S.M.Mendhakar.
28. Dr.B.S.R.Narasimha Rao.
29. Sh.S.N.Srinivasan.
30. Sh.B.P.Verma.
31. Sh.K.V.S.V.K. Sivaram.
32. Sh.K.N.Murthy.
33. Sh.S.Saihari Rao
34. Sh.S.V.Choughla.
35. Sh.G.Mohan Reddy.
36. Sh.Bansi Lal Gupta.
37. Sh.S.C.Tiwari.
38. Sh.E.R.J.Rao.
39. Sh.R.Nagarajan.
40. Sh.Dr.G.Krishna Rao.
41. Sh.N.Malviya.
42. Sh.A.K.Mishra.

K
CN2/.

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43. Sh.D.Shivane.
45. Sh.D.S.K.Rao.
47. Sh.A.B.Deshmukh.
49. Sh.R.Chakrapany.
51. Sh.P.Natrayan,
53. Sh.C.S.S.Sharma.
55. Sh.N.P.Chaudary
57. Sh.V.N.Dube.
59. Sh.D.S.Saini.
61. Sh.A.D.Joseph.

44. Sh.D.Anjanyulu.
46. Sh.S.Chakladar.
48. Sh.M.S.Jethra.
50. Sh.Kamal Mohmood.
52. Sh.B.L.Basak.
54. Sh.M.R.C.S.Reddy.
56. Sh.V.Sharma.
58. Sh.A.Q.Mumtaz.
60. Sh.Md. Abdul Haleem.

All respondents 4 to 61 are Jr.Hydrogeologists in the Office of the Chief Hydrogeologist and Member Central Ground Water Board, Jam Nagar House, Man Singh Road, New Delhi.

.....Respondents.

Petition under Articles 226/227 of the Constitution of India praying for the issuance of an appropriate writ, order or direction especially in the nature of Certiorari quashing the impugned seniority list circulated vide letter dated 2.12.1980 by which the petitioner has been made junior to the respondents No.4 to 61 in a wholly illegal and arbitrary manner and without assigning any reason disturbing the seniority list issued on 26th of February, 1979 in which the petitioner was assigned the seniority position at serial No.89 and for issuance of a writ Mandamus directing the respondents No.1 to 3 to place the petitioner over and above respondent No.4 to 61.

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Respectfully sheweth :

1. That the petitioner is a citizen of India and resident of Union Territory of Chandigarh, hence competent to present this writ petition to this Hon'ble Court.
2. That the petitioner is M.Sc.(Applied Geology) from Indian Institute of Technology, Kharagpur and joined service on 22nd, September, 1966 as S.T.A. On the basis of interview conducted by the Union Public Service Commission he was selected as Assistant Hydrogeologist and resumed duties as such on 27.2.68. He served on this post for three years efficiently and satisfactorily and on 27th of Feb. 71 quasi-permanent status was conferred upon him.
3. That the petitioner continued discharging his duties to the entire satisfaction of the authorities and on 10th of May, 1976, he was promoted to the grade of Junior Hydrogeologist, by superseeding number of persons who were senior to him. This promotion of the petitioner was in recognition of his high calibre and exceptional merit in the discharge of his duties. It is on this post that the petitioner has been working till todate.
4. That a joint seniority list was prepared of the Junior Hydrogeologists on 26th of February, 1979 in which the name of the petitioner was assigned the seniority position at Sr.No.89. This seniority list, though was correctly prepared and was strictly in accordance with the recognised and well established Rule of quota observed at the time of initial recruitment to the service between promotees and direct recruits, yet was styled as a 'provisional seniority list'. Objections against this seniority list were invited and the petitioner believes that some persons who might have felt aggrieved must have submitted their objections against the same.

2/14/4

5. That, however, neither the authorities nor the representationists or the persons feeling aggrieved against the aforesaid seniority list supplied any copy of their representations to the petitioner. This deprived the petitioner of his right and opportunity to submit the view-point justifying the seniority position assigned to him in the provisional seniority list. Consequently without hearing the petitioner and affording to him any opportunity to submit his view point and without supplying to him a copy of the representation made against him by his juniors, a fresh seniority list, said to be the final one, has been circulated by the authorities on 2nd, of December, 1980. Copy of the extract of seniority list is attached as Annexure P/2 to the writ petition.

6. That against this seniority list, the petitioner submitted a representation on December, 5, 1980 stating therein that the petitioner has been wrongly shown junior to Respondents No.4 to 61 and while acceptance the representation of the respondents against his fixation of seniority in Feb. 1979 seniority list in particular whatever has been given to him. Copy of the representation is attached as Annexure P/3 to the writ petition.

7. That thereafter he got a notice served upon respondents No.1, 2 and 3 through his Counsel on 6.12.80 against the wrong fixation of his seniority to which also he has not received any reply so far. Copy of the notice is attached as Annexure P/4.

8. That when no reply to the notice of the petitioner was received, the petitioner approached this Hon'ble Court with Civil Writ Petition No.294 of 1981 which came up for Motion hearing before Hon'ble Division Bench consisting of Hon'ble the Chief Justice and Hon'ble Mr. Justice S.C. Mittal on

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23.1.1981. The Hon'ble Bench, however, was of the view that since the notice annexure P/4 was issued only on 6.12.1980 the petitioner should have waited for some time and the writ petition was dismissed as withdrawn in order to approach the authorities.

9. That thereafter, the petitioner approached the authorities with the reminder to the notice on 10.2.1981 to which also no reply has been received. Copy of the reminder is attached as Annexure P/5.

10. That more than 6 months have passed, the respondents are neither giving any reply to the notices to the petitioner nor they are considering his case for promotion, rather on the other hand the Departmental Promotion Committee has been moved for filling the 25 selection posts of Senior Hydrogeologist in which names of some of the respondents who are actually Junior to the petitioner have been included and the name of the petitioner is not being considered. Faced with this situation the petitioner is now left with no other equally effective and speedy remedy except to invoke the extra-ordinary writ jurisdiction of this Hon'ble Court. Hence this petition.

11. That the final seniority list circulated on 2nd December, 1980 wherein the seniority position assigned to the petitioner at No.89 in the provisional seniority list has been brought down at No.147 amongst the Junior Hydrogeologist is wholly illegal, arbitrary, discriminatory, exparte, violative of articles 16 of the Constitution of India, against the principles of natural justice, equity and fair play.

12. That it is a settled Rule of Law as well as the administration of services that no person can be condemned unheard. Seniority is a condition of service which cannot be varied to the disadvantage of a Government servant without affording him an opportunity of being heard. Once the petitioner

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has been assigned higher seniority in the provisional seniority list that seniority position could not be brought down while circulating the final seniority list without first supplying to him copies of the representation made against him by his juniors and without first hearing his view point. This position of law stands settled by the Hon'ble Supreme Court of India as well as the Hon'ble Punjab and Haryana High Court in number of judicial pronouncements. Consequently, the final seniority list circulated on 2nd of December, 1980 is liable to be withdrawn forthwith.

13. That the provisional seniority list circulated on 26th February, 1979 had been correctly prepared according to the principles of fixation of seniority laid down in the Government of India, Ministry of Home Affairs office l.s.o. No.9/11/55-RPS dated 22nd of December, 1959. These principles of the Government of India are still holding the field and the petitioner placing firm reliance on the same, is entitled to be restored to his original position in the provisional seniority list i.e. at Sr.No.89 instead of 147 as wrongly assigned in the final seniority list.

14. That the mode of recruitment to the posts of Junior Hydrogeologists has been provided by the Ministry of Agriculture Notification No.7-18/67-TW dated 15.2.1972, which lays down that the posts shall be filled 100% by promotion and it is only in the event of failure in filling the same by promotion that the source of direct recruitment shall be restored to. The provision clearly envisages the consideration of the claims of all eligible departmental candidates so as to exhaust the available vacancies by their promotions and it is only in the event of non-availability of the departmental candidates for promotion that the posts shall be thrown open and will be filled by direct recruitment through the U.P.S.C. But in utter

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disregard of the aforesaid provisions, about 75 posts out of 103 were released to the UPSC to be filled by direct recruitment. For the remaining posts a memorandum for D.P.C. was sent i.e. for 31 candidates, since on that date only 31 candidates had completed the requisite service. The selection of the direct recruits by the UPSC earlier to the promotion of the departmental candidates through DPC. is wholly unjustifiable and unwarranted by the rules. Copy of letter dated 15.2.1972 is attached as Annexure P/6.

15. That if the requisite number of posts available with the Board were not filled by promoting the eligible persons from the department due to variety of reasons including the paucity of time at their disposal and by not taking the timely action in the matter etc., the petitioner and persons similarly situated cannot be made to suffer for the remissness of the authorities. The Officers who were available for promotion and were duly qualified, eligible and suitable could not be placed junior to the persons who were otherwise not entitled to be recruited but were brought in only for the delay on the part of the authorities. Such an action cannot be countenanced in law and is wholly arbitrary and discriminatory hence violative of fundamental rights of the petitioner conferred by Art. 16 of the Constitution of India, in as much as it denies to the petitioner equality of opportunity of matter of employment.

16. That the impugned order is wholly unconstitutional as it affects the Civil Rights of the petitioner for future promotion. It has been held by the Hon'ble Supreme Court of India in the case reported in 1968 SLR-741 that an arbitrary order changing seniority affects civil rights of the Government servant for future promotion and is thus violative of Article 16 of the Constitution of India. To the same effect is the authority of Punjab and Haryana High Court reported in 1974(2) SLR-334 which lays down that the placement of the seniority list is

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quasi-judicial in nature and affected person must be heard before any change is affected. In view of these authorities and many other to be referred to at the time of argument, the impugned order is liable to be sent aside.

17. That the impugned seniority list has caused manifest injustice to the petitioner which is a writ large on the face of record. The petitioner has been made junior to respondents No.4 to 61 which is wholly illegal and cannot sustain in the eyes of law.

18. That the main law point involved in the writ petition is as to whether the seniority of the petitioner can be changed in violative of principles of natural justice, equity and good conscience.

19. That there is no alternative remedy available to the petitioner.

20. That the petitioner has not filed any such or similar writ petition either in this Hon'ble Court or in the Hon'ble Supreme Court of India. Except CWP.No.294 of 81, the reference of which has been given above,

Under the circumstances, it is respectfully prayed that this Hon'ble Court be pleased to send for the records of the case and after a perusal of the same;

- i issue a writ of Certiorari quashing the impugned seniority list (Annexure P/2).
- ii issue a writ of Mandamus directing the respondents to place the petitioner over and above the respondents No.4 to 61.
- iii Declare the petitions senior to respondents No.4 to 61.
- iv. Refrain the respondents No.1 to 3 from implementing the impugned seniority list.

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- v. stay the promotion of respondents to the post of senior Hydrogeologist which the respondents 1 to 3 are going to make on the basis of the impugned seniority list.
- vi. dispense with the service of advance notice to the respondents.
- vii. issue any other writ, order or direction, as this Hon'ble Court may deem fit under the facts and circumstances of the case;
- viii costs of this petition be awarded to the petitioner.

Chandigarh:

Dated: 28.7.81

Verification:

I, V.M. Sikka, the petitioner above named do hereby verify on solemn affirmation that the contents of Paras 1-20 of the above writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed or misrepresented therein.

Chandigarh:

Dated: 28.7.81

(V.M. SIKKA)
Petitioner.

ANNEXURE VI

8/11/85

11501

P-20572

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

No.

Writs dated.

To

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AUG 1985

NEW DELHI

GEOLOGIST & M

1. The Union of India through the Secretary to Govt., of India, Ministry of Irrigation, Sharm Shakti Bhawan, Rafi Marg, New Delhi.

2. The Chairman, Central Ground Water Board, Krishi Bhawan, New Delhi.

3. The Chief Hydro-geologist & Member, Central Ground Water Board, Jammagar, House, Man Singh Road, New Delhi.

Sub.:

CIVIL WRIT PETITION NO. 3392 of 1981.

V.M. Sikka

Petitioner

Versus

Union of India etc.

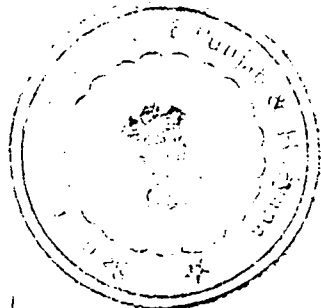
Respondents.

In continuation of this Courts docket No. 11501 writs dated 18.3.1985 I am directed to forward herewith for immediate compliance a copy of the judgment dated 1.8.1985 passed by this court in the above noted case.

Given under my hand and the seal of the court this 13th day of August, 1985.

BY ORDER OF THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

ASSISTANT REGISTRAR (WRITS)



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Sh. T. Singh

16/8/85

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CIVIL WRIT SIDE.

CIVIL WRIT PETITION NO. 3392 of 1981.

V.M.Sikka Junior Hydro-geologist, Central Ground Water Board,
NW. Region, Chandigarh.

Petitioner.

Versus

1. Union of India-through the Secretary to the Government of
India, Ministry of Irrigation, Sharm Shakti Bhawan, Rafi
Marg, New Delhi.

2. Chairman, Central Ground Water Board, Krishi Bhawan, New
Delhi.

3. Chief Hydro-geologist and Member, Central Ground Water Board,
Jamnagar House, Man Singh Road, New Delhi.

4. Dr. Ratesh Kumar, Jr. Hydrogeologist.

5. Shri G.P. Dalal.

6. B.K. Singh

7. Sh. S.N. Dulloo

8. Sh. Subhas C. Bhattacharya

9. Sh. O.P. Dal

10. Sh. K.K. Jati

11. Sh. Verrana Mala

12. Sh. S.U. Ansari.

13. Sh. G.V.K. Rao

14. Sh. M.R. Kulkarni.

15. Sh. C.R. Krishna Reddy

16. D.M. Setyanarayana.

17. Sh. V.D. Mathur.

18. Sh. R.N. Sharma

19. Sh. Sambhu Nath

20. Sh. A.R. Bakshi

21. Sh. S.K. Tyagi

22. Sh. S.L.N. Saffiulla

23. Sh. Ram Pratap

24. Dr. T.G. Ferozeuddin

25. Sh. M.B. Raju

26. Sh. M.M. Dubbhak

27. Sh. S.M. Mendhakar

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CW No. 3392/81.

28. Dr. B. S. R. Narasimha Rao

29. Sh. S. N. Sriniva-San.

30. Sh. B. P. Verma

31. Sh. K. V. S. V. K. Sivaram

32. Sh. K. N. Murthy

33. Sh. S. Saihari Rao

34. Sh. S. V. Choughla

35. Sh. G. Mohan Reddy

36. Sh. Bansi Lal Gupta

37. Sh. S. C. Tiwari

38. Sh. E. R. J. Rao

39. Sh. R. Nagarajan.

40. Dr. G. Krishna Rao

41. Sh. N. Malviya

42. Sh. A. K. Mishra

43. Sh. D. Shivane

44. Sh. D. Anjanyulu.

45. Sh. D. S. K. Rao

46. Sh. S. Chakiadar

47. Sh. A. B. Deshmukh

48. Sh. M. S. Jethra

49. Sh. R. Chakrapany

50. Sh. Kamal Mohmood

51. Sh. I. Natrayan

52. Sh. B. B. Basak

53. Sh. C. S. S. Sharma

54. Sh. M. R. C. S. Reddy

55. Sh. N. P. Chaudhary

56. Sh. V. Sharma

57. Sh. V. N. Dube

58. Sh. A. Q. Muntaz

59. Sh. D. S. Saini

60. Sh. Md. Abdul Haleem.

61. Sh. A. D. Joseph

(Respondents Nos. 12, 14, 16, 17, 27, 29, 33, 39, 40, 45 and 55 deleted from array of respondents vide order dated 10.12.1984 passed by the Hon'ble Mr. Justice M. M. Punchhi in C.M. No. 2498 of 1984).

All respondents 4 to 61 are Jr. Hydrogeologists in the Office of the Chief Hydro-Geologist and Member Central Ground Water Board, JAM NAGAR House, Nan Singh Road, New Delhi.

Respondents.

Petition

A/Sg 20891

CW No.3392/81.

Petition under Articles 226/227 of the Constitution of India praying that this Hon'ble Court be pleased to send for the records of the case and after a perusal of the same ;

- i. issue a writ of certiorari quashing the impugned seniority list (Annexure F/2).
- ii. issue a writ of Mandamus directing the respondents to place the petitioner over and above the respondents No. 4 to 61.
- iii. Declare the petitioner senior to respondents No. 4 to 61.
- iv. Refrain the respondents 1 to 3 from implementing the impugned seniority list.
- v. Stay the promotion of respondents to the post of senior Hydrogeologist which the respondents 1 to 3 are going to make on the basis of the impugned seniority list.
- vi. dispense with the service of advance notices to the respondents.
- vii. issue any other writ, order or direction, as this Hon'ble Court may deem fit under the facts and circumstances of the case;
- viii. costs of this petition be awarded to the petitioners.

Dated the 1st August, 1985.

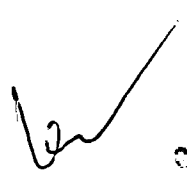
PRESENT

THE HON'BLE MR. JUSTICE PRITPAL SINGH.

For the Petitioner : Mr.R.S.Moongia, Advocate .

For the Respondents: Mr.H.S.Brar, Advocate with
No. 1 to 3. Mr.P.S.Teji, Advocate and
Mr.Satinder Singh, Advocate.

Judgment



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to
CW No.3392/81.

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JUDGMENT

Pritpal Singh, J.

*The petitioner as well as respondents Nos.4 to 61 are working as Junior Hydrogeologists in the Central Ground Water Board. A seniority list of the Junior Hydrogeologists was prepared by the department on December 2, 1980 (Annexure P.2). In this list the petitioner was shown as junior to respondents Nos.4 to 61. He has filed a writ of certiorari for quashing the said seniority list and also of mandamus directing respondents Nos.1 to 3 to place him senior to respondents Nos.4 to 61 in the seniority list.

2. The undisputed facts of this case are that against the vacancies existing in the year 1973 the respondents Nos.4 to 61 were directly recruited in 1974. The petitioner was earlier working as Assistant Hydrogeologist and he was promoted to the grade of Junior Hydrogeologist in 1976. The recruitment rules framed in 1972 (Annexure P.5) provided that the vacancies of Junior Hydrogeologists will be filled up by promotion failing which by direct recruitment. However, subsequently the rules were amended with effect from June 18, 1974, according to which eighty per cent of the posts were to be filled by direct recruitment and 20 per cent by promotion. As the petitioner and the respondents were appointed as Junior Hydrogeologists after the enforcement of the amended rules, the respondents were placed senior to the petitioner in the impugned seniority list. Contention on behalf of the petitioner is that these appointments

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CW No.3892/81.

appointments were governed by the old rules according to which priority for recruitment to the posts of Junior Hydrogeologists was to be given to the promotees, failing which the posts were to be filled by direct recruitment. It is submitted that the authorities erroneously applied the amended rules dated June 18, 1974 in preparing the impugned seniority list (Annexure P.2) while fixing inter se seniority between the petitioner and all the respondents.

3. Thus, the sole point for determination in this petition is whether in the fixing of inter se seniority between the parties, old recruitment rules of 1972 are applicable or the amended rules of 1974? It is not controverted that if the old rules are applied then the petitioner would rank senior to the respondents because priority will have to be given to promotees in filling the posts of Junior Hydrogeologists and only those remaining posts which somehow could not be filled due to non-availability of promotees could be filled by direct recruitment. If on the other hand the amended rules are applicable to the recruitment of the parties then the petitioner could not claim seniority over the respondents.

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4. *In the written statement filed by respondents Nos.1 to 3 it is stated that the reason for applying the amended rules in preparation of the seniority list of the parties is that these appointments were made after the enforcement of the amended rules. I am, however, of the opinion that the appointment of the parties to the posts of Junior Hydrogeologists was governed by the old rules and respondents Nos.1 to 3

have

CW No.3392/81.

have erroneously applied the amended rules in fixing inter se seniority between the petitioner and the respondents.

4. As mentioned earlier, the vacancies against which the appointments were made were in existence in 1973 i.e. before the enforcement of the amended rules of 1974. It is firmly held by the Supreme Court in Y.V.Rangaiah and others v. J.Sreenivasa Rao and others, A.I.R.1983 Supreme Court 852, that the vacancies which occurred prior to the amended rules would be governed by the old rules and not by the amended rules. It was observed that there is not the slightest doubt that the posts which fell vacant prior to the amended rules would not be governed by the amended rules but the old rules which were prevailing when the vacancies had occurred. ^{trans-act} This view of the Supreme Court [was] followed by this Court in Rajinder Gandhi, Deputy Accountant General and others vs. Union of India and others, 1983(3) S.L.R.260 and the authorities were directed to fill up the vacancies by applying the old rules which were in force when the vacancies had arisen and not the new rules which had come into force at the time of the filling up of the vacancies. The reason behind the view taken by the Supreme Court, and followed by this Court in the earlier judgment, plainly is that if the appointments are delayed by the department the officer should not be allowed to suffer. In the instant case the vacancies were existing in 1973 and if they were filled up promptly the petitioner had to be given preference as a promotee to the respondents who

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CW No.3392/81.

who were direct recruits, in accordance with the rules then prevailing (Annexure P.5). It is no fault of the petitioner that the vacancies were allowed to linger on by the department till the amended rules were framed in 1974. Thus, following the dictum of the Supreme Court in Y.V.Rangaiah's case (supra) it has to be inevitably held that the inter se seniority between the petitioner and the respondents is governed by the old rules and not by the amended rules.

6. Consequently, allowing this petition the seniority list (Annexure P.2) is quashed and respondents Nos.1 to 3 are directed to prepare a fresh seniority list of the Junior Hydrogeologist within six months from today applying old rules (Annexure P.5) notified on February 15, 1972. No order as to costs.

Sd/-Pritpal Singh,

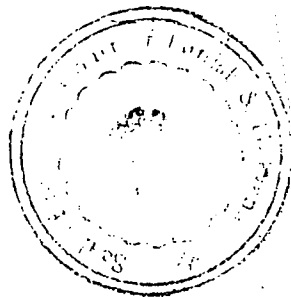
Judge.

August 1, 1985.

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Exd. By. 12

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ANNEXURE-III

No.14-13/80-CH(Estt)
Government of India
Central Ground Water Board
NH-IV, Faridabad (Haryana)

Dated the : 8.7.1987

To

The Director,
Central Ground Water Board,
NR/CR/WR/ER/SR/NWR/NER/NCR/WCR/SER/SWR

The Director/Officer-Incharge
Central Ground Water Board,
SIDA Project/KSP Project,
Trivandrum/Jamshedpur(Tatanagar), JN House, New Delhi.

The Offficer-Incharge,
Central Ground Water Board,
State Unit Office,
Madras/Shillong/Trivandrum/Jodhpur/Poona/Patna/
Jammu/Agartala/Belgaum/Raipur.

Sub: Seniority list of Junior Hydrogeologist.

Sir,

In continuation of letter of even number dated 6.1.1987 on the above subject, a copy of the final seniority list after taking into account the representations received from some of the officers, is circulated herewith for information of all concerned.

Yours faithfully,

(B.P.C. SINHA)
CHIEF HYDROGEOLOGIST & MEMBER

Copy forwarded to:

Shri A.K. Ahir, Deputy Secretary(GW), Ministry of Water Resources, Krishi Bhawan, New Delhi with reference to endorsement to their order No.7-6/87-GW dated the 6th July, 1987.

(B.P.C. SINHA)
CHIEF HYDROGEOLOGIST & MEMBER

ANNEXURE-VI

- i) Authorised Sanctioned Strength
- ii) Permanent Posts
- iii) Temporary Posts

- 167
- 115
- 52

As on 1.4.1985
Pre-Scale of pay Rs.700-40-900-EB-40-1100-50-1300.
Revised scale Rs.2200-75-2800-EB-100-4000/-

SENIORITY LIST OF JUNIOR HYDROGEOLOGIST

S.No.	Name of Officer/ Educational Qualification	Whether SC/ST	Date of Birth	Date of entry in the Govt. service	Date of regular appoint- ment in the grade	Whether direct or promotee tively	Reoruit post held substan-	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	S/Shri M.A.Haseeb M.Sc.	Neither	20.4.39	31.7.65	21.8.70	D.P.C.	Jr.HG 1.3.80	Offtg. as Sr.HG 29.4.83
2.	Saleem Romani M.Tech.	-do-	28.12.45	13.10.69	13.10.69	Direct	-do-	Offtg. as Sr.HG 3.2.83
3.	A.Subramanian M.Sc.	-do-	31.8.40	24.8.65	27.8.70	DPC	-do-	-do-
4.	S.K.Sharma M.Tech.	-do-	28.5.44	22.10.69	22.10.69	Direct	-do-	-do-
5.	U.P.Srivastava M.Sc.	-do-	15.1.41	5.2.65	1.9.70	DPC	-do-	-do- 24.4.83

contd....2..

1. 2. 3. 4. 5. 6. 7. 8. 9.

S/Shri

18.	S.A.H. Jaffery M.Sc.	Neither	1.3.39	8.8.63	16.6.72	Direct	Jr.HG 1.3.80	Offtg. as Sr.HG 5.12.83
19.	S.K.Doshi M.Sc.	-do-	15.7.42	1.1.63	19.6.72	-do-	-do-	-do- 16.1.84
20.	S.J. Prasad M.Sc.	-do-	9.2.41	5.8.63	17.6.72	DPC	-do-	
21.	D.P. Mathuria M.Tech.	-do-	10.4.35	6.3.62	16.6.72	Direct	-do-	-do- 25.2.85
22.	M.C. Jindal M.Tech.	-do-	20.6.43	10.1.66	12.2.74	DPC	-do-	-do-
23.	V. Jagannathan M.Tech.	-do-	6.3.42	18.3.68	30.3.74	-do-	-do-	-do- 2.3.85
24.	V.M. Sikka M.Sc.	-do-	22.3.45	22.9.66	10.5.76	DPC, 1976	Astt.HG 3.6.70	
25.	A.K. Misra M.Tech.	-do-	24.6.42	30.4.65	2.4.74	-do-	Jr.HG 1.3.80	
26.	O.P. Pal M.Sc.	-do-	18.6.44	14.12.65	12.2.74	-do-	-do-	
27.	N. Malaviya M.Sc.	-do-	30.12.40	14.12.65	29.4.74	-do-	-do-	
28.	K.K. Jati M.Tech.	-do-	16.5.40	6.12.65	30.4.74	-do-	-do-	

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1.	2.	3.	4.	5.	6.	7.	8.	9.
S/Shri								
39.	Malaveerana M.Sc.	SC	1.7.43	15.1.70	2.5.74	DPC 1976	Jr.HG 1.3.80	
40.	S.L.Saffiula M.Sc.	Neither	9.8.41	15.6.70	15.6.74	-do-	-do-	
41.	A.B.Deshmukh M.Sc.	-do-	20.9.30	15.10.70	5.6.74	-do-	-do-	
42.	Dr. Ratesh Kumar M.Sc. Ph.D.	-do-	12.11.44	20.8.74	20.8.74	Direct 1974	-do-	
43.	S.N.Dullloo M.Sc.	-do-	8.8.45	6.2.75	6.2.75	-do-	-do-	Offtg. as Sr.HG w.e.f. 11.3.85.
44.	G.V.K.Rao, M.Tech.	-do-	20.4.42	24.6.67	30.3.74	-do-	-do-	
45.	Shambhu Nath M.Sc.	-do-	3.11.38	1.10.64	1.4.74	-do-	-do-	
46.	A.R.Bakshi M.Sc.	-do-	30.10.46	30.10.60	29.4.74	-do-	-do-	
47.	S.K.Tyagi M.Sc.	-do-	17.3.41	5.7.67	2.4.74	-do-	-do-	
48.	Dr.T.G.Ferozuddin M.Sc.Ph.D.	-do-	13.10.41	2.12.71	3.6.74	-do-	-do-	
49.	M.M.Dubak M.Tech.	-do-	9.10.46	22.1.75	22.1.75	-do-	-do-	

-: 7 :-

S/Shri	S/C	3.7.49	16.8.77	16.8.77	Director	Jr.Hg	
5b. A.R. Bhalsara M.Sc.					Director 1976	Jr.Hg 1.3.80	
51. R. Mehshram, M.Sc.	-do-	28.8.53	9.5.78	9.5.78	Direct 1977	-do- 9.5.80	On lien with I.B.M. w.e.f. 9.7.82
52. S.P. Bagade, M.Sc.	-do-	1.6.49	27.9.75	17.4.78	-do-	-do-	
53. S.C. Dhiman, M.Sc.	-do-	24.9.52	1.1.77	7.7.78	-do-	-do- 8.7.80	
54. K. Keerthiseelan, M.Sc.	-do-	4.7.46	31.1.77	12.7.78	-do-	-do- 12.7.80	
55. D.B. Saha M.Sc.	-do-	2.2.51	22.2.75	15.7.78	-do-	Jr.Hg. 15.7.80	
56. D.Y. Sirsakar M.Sc.	S/T	14.6.53	28.7.78	28.7.78	-do-	Jr.Hg. 28.7.80	On lien with IBM Nagpur upto 31.8.85.
57. T.D.M. Hanse M.Sc.	S/C	20.8.50	5.6.76	10.8.79	Direct 1978	Jr.Hg. 10.8.81	

-: 9 :-

1.	2.	3.	4.	5.	6.	7.	8.	9.
74.	S/Shri V. Sharma M.Tech.	Neither	15.3.45	15.12.75	15.12.75	Direct 1975		
75.	V.N. Dube M.Tech.	-do-	10.1.38	17.7.73	1.4.75	-do-		
76.	A.Q. Mumtaz M.Tech.	-do-	10.4.39	28.11.75	28.11.75	-do-		
77.	D.S. Saini M.Tech.	-do-	2.3.45	6.8.75	6.8.75	-do-		
78.	M.A. Haleem M.Tech	-do-	27.12.42	1.9.75	1.5.75	-do-		

On deputation
with PSTC,
Chandigarh
w.e.f. 22.12.34.

1. 2. 3. 4. 5. 6. 7. 8. 9.

85. D.S.C.Thambi M.Sc Neither 3.4.53 7.7.77 7.7.77 Direct 1976

86. G.S.Mittal M.Sc - do- 27.9.54 15.8.77 15.7.77 - do-

On lien with Rajasthan Govt. upto 16.7.87

87. N.K.Shukla M.Sc - do- 5.6.53 15.7.77 15.7.77 - do-

88. R.P.Mathur M.Sc - do- 25.9.53 12.6.78 12.6.78 - do-

89. Altaf Ahmed M.Sc - do- 2.3.51 11.7.77 11.7.77 - do-

90. Dr.S.B.Singh M.Sc - do- 20.1.46 20.11.73 19.12.79 D.P.C. 1979

169

1 2

111. K.M.Ne
M.Sc

112. S.Sude
M.Sc

113. S.K.Bc
M.Tech

114. P.K.Dc
M.Sc

KS

SELF CONTAINED NOTE FOR FILLING UP THE POST OF SENIOR HYDROGEOLOGIST IN THE CENTRAL GROUND WATER BOARD.

There are at present 62 sanctioned posts of Senior Hydrogeologist in Central Ground Water Board (58 regular and 4 Projects). Against these, 57 officers are in position and 3 are on deputation. One post of Director is also vacant for which Departmental Promotion Committee Memo. has been sent to the Ministry. Consequent on promotion to the post of Director one more post of Senior Hydrogeologist will fall vacant. As such 6 vacancies of Senior Hydrogeologist are required to be filled up by promotion. The break up of the vacancies is as under:--

- (i) One vacancy relate to 1983 which has been kept vacant for Shri Niraj Malviya as per the directions of the High Court of Allahabad Lucknow Bench, Lucknow.
- (ii) 4 vacancies relate to 1984 (i.e. two are resultant vacancies). Consequent on promotion of S/Sh. V.C. Jacob and V.A.B. Sastri as Director and two posts have been sanctioned for Kasai Swaran Rekha Project vide Ministry No.15-6/78-GW-Vol.III dated 25-6-84.
- (iii) One is likely vacancy to be occurred in 1984 as a result of promotion of one Senior Hydrogeologist as Director.

One regular vacancy is required to kept vacant in the grade of Senior Hydrogeologist for Sh. Niraj Malviya, Junior Hydrogeologist as per the directions of the High Court of Judicature of Allahabad Lucknow Bench Lucknow in the writ petition filed by him.

According to the recruitment rules, the post of Senior Hydrogeologist is required to be filled up 100% by promotion from the grade of Junior Hydrogeologist with 5 years continuous service in the grade rendered after appointment thereto on regular basis, failing which by direct recruitment.

Although 68 officers fulfil the requirements of the recruitment rules for consideration for promotion to the post of Senior Hydrogeologist but against 6 vacancies the following 18 officers are required to be considered for promotion to the post of Senior Hydrogeologist as per field of choice.

Sl.No.	Name of officers
1.	Shri S.N. Sar.
2.	Shri K.M. Vedapuri.
3.	Sh. K. Srinivasan.
4.	Shri P.R. Subramanian.
5.	Shri S.J. Prasad.
6.	D.P. Mathuria.
7.	Shri V. Jaganathan.
8.	Dr. Rakesh Kumar.
9.	Shri M.C. Jindal.
10.	Shri G.P. Dalal.

Alb

11. Shri B.K. Singh.
12. Shri S.N. Dulloo.
13. Shri S.C. Bhattacharya.
14. Shri O.P. Pal.
15. Shri K.K. Jatti.
16. Shri Veerana Mala.
17. Shri G.V.K. Rao.
18. Shri Ch.R.K. Reddy.

The name of Shri M. Mehta who is at Sl.No. 2 in the seniority list has not been included in the present proposal as he has already been selected by the D.P.C. held in 2/83 for promotion to the post of Senior Hydrogeologist. He is presently on deputation with the Government of Zambia and his promotion would be given effect on his repatriation.

Shri S.C. Bhattacharya, Junior Hydrogeologist has been appointed in Rural Electrification Corporation and his lien in Central Ground Water Board has been retained for 2 years w.e.f. 11-10-82 to 10-10-84.

Vigilance clearance as well as Integrity certificate in respect of the above officers as per list enclosed would be furnished by the Ministry as all the officers are holding Group 'A' posts.

The D.P.C. Group 'A' is requested to kindly consider the case of promotion of Junior Hydrogeologist to the post of Senior Hydrogeologist in the Central Ground Water Board.

(Signature)
(B.P.C. SINHA)
CHIEF HYDROGEOLOGIST & MEMBER.

(Signature)

Sinc 13/14

ANNEXURE-IX

CONFIDENTIAL

No.7-8/84-GW
Government of India
Ministry of Irrigation & Power
(Department of Irrigation)

A/169

New Delhi, the 21st February, '85.

To

The Chief Hydrogeologist,
Central Ground Water Board,
Jamnagar House,
NEW DELHI.

Subject:- Filling up of the posts of Senior Hydrogeologist
by promotion in the Central Ground Water Board :

Sir,

I am directed to refer to your letter No.10-6/84-CH(Estt) dated the 13.7.1984 and subsequent correspondence resting with this Ministry's letter No.7-8/84-GW dated the 3th August, '84 on the above subject, and to say that on the recommendations of the Departmental Promotion Committee (Group 'A'), the President is pleased to approve the appointment of the following Junior Hydrogeologists of the Central Ground Water Board as Senior Hydrogeologist in the pay scale of Rs.1100-50-1600 in the same organisation in the order of merit in an officiating capacity, with effect from the date(s) of their taking over the charge, until further orders :-

1. Shri D.P. Mathuria
2. Shri V.Jaganathan
3. Shri M.C. Jindal
4. Shri B.K. Singh
5. Shri S.N. Dulloo

2. The above officers will, as usual, be on probation for a period of two years from the date(s) of their taking over the charge.

3. A copy of the minutes of the Departmental Promotion Committee (Group 'A') is enclosed.

4. Consequent on their promotion, the following postings and transfers have also been approved by the competent authority :-

S.No.	Name of the officer	Present posting	New place of posting.
1.	Shri D.P. Mathuria	NCR, Bhopal	NCR, Bhopal
2.	Shri V.Jagannathan	SWR, Bangalore	NWR, Bangalore.
3.	Shri M.C. Jindal	NWR, Chandigarh	NWR, Chandigarh.
4.	Shri B.K. Singh	NR, Lucknow.	NR, Lucknow.
5.	Shri U.P. Srivastava	NCR, Bhopal	Kasai Project.
6.	Shri G.K.D. Surman	NCR, Bhopal	Kasai Project

Contd...p.2.

NB: (P)

Shri S N. Dullor may be promoted w e f the date Shri K. Rajamathi takes over the charge of Director

S.No.	Name of the officer	Present posting	New posting
7.	Shri G.Suryanarayanan	NWR, Chandigarh	S.R., Hyderabad
8.	Shri S.K. Sinha	NR, Lucknow	State Un
9.	Sh. P. Subramaniam	OIC, SU, Patna	SUO, Kerala
10.	Shri B. Sarcar	SUO, Orissa	E.R., Calcutta
11.	Shri D.V.N. Raju	SUO, Jodhpur	SUO, Bhubanes
12.	Shri O.P. Mathur	NWR, Chandigarh	SUO, Jodhpur
13.	Shri S. Ranganathan	SUO, Gauhati	SR, Madras
14.	Shri V.S. Vijayaraghavan	SR, Madras.	SUO, Gauhati
15.	Shri S.N. Dulloo.	SUO, Jammu	SUO, Jammu.
16.	Shri D.P. Singh	SUO, Jammu.	NWR, Chandiga

5. The taking over charge reports of the above officers may please be sent in due course for issue of necessary notification.

6. The promotion of the five officers mentioned in para 1, to the grade of Senior Hydrogeologist, shall however, be subject to the decision of Punjab and Haryana High Court, Chandigarh and Andhra Pradesh High Court, Hyderabad, in the writ petition filed by S/Shri V.M. Sikka and J.V.S. Murthy, Junior Hydrogeologists (the latter having voluntarily since retired), Central Ground Water Board.

7. Further, while issuing the formal letter of appointment to the five officers mentioned in para 1, above, it shall be confirmed that one regular vacancy in the grade of Senior Hydrogeologist, has been kept reserved from amongst the departmental promotions to the grade of Senior Hydrogeologist, as per the directions of the High Court of Judicature at Allahabad, Lucknow Branch, Lucknow, in the writ petition filed by Shri Niraj Malviya, against wrong fixation of his seniority in the grade of Junior Hydrogeologist.

Encl: as above.

Yours faithfully,

Anatani
(A. NATARAJAN)

Copy forwarded to :- Deputy Secretary to the Govt. of India.

1. The Secretary, Union Public Service Commission (Attention : Shri Krishan Kumar, Desk Officer), Dholpur House, New Delhi with reference to their letter No.F.1/16(13)/84-AU.6 dated the 25.10.1984.
- 1A. Chief Engineer, C.G.W.B., New Delhi.
2. The Pay & Accounts Officer, C.G.W.B., Faridabad.
3. Guard File/Event Register/Personal Files.

Anatani
(A. NATARAJAN)
Deputy Secretary to the Govt. of India.

ANNEXURE-X

S.No. 15(1)

8/21

No. 10-6/84-CH(Estt.)
Government of India
Central Ground Water Board
N.H.IV, Faridabad(Haryana)

Dated the:

27/2/85

OFFICE ORDER NO. 321 OF 1985

Subject: Promotion to the post of Senior Hydrogeologist in Central Ground Water Board.

On the recommendations of the D.P.C. the following Junior Hydrogeologists are promoted to the post of Senior Hydrogeologist in the pay scale of Rs. 1100-50-1600/- in the Central Ground Water Board in an officiating capacity till further orders. Their promotions will take effect from the date of their taking over charge at the station of their posting mentioned against their names. Their charge assumption report may be sent to this office.

S.No.	Name	Present place	The place to which posted.
1.	Sh. D.P.Mathuria ✓	N.C.R., Bhopal	N.C.R.Bhopal
2.	Sh. V.Jaganathan ✓	S.W.R., Bangalore	S.W.R., Bangalore
3.	Sh. M.C.Jindal ✓	N.W.R., Chandigarh	N.W.R., Chandigarh
4.	Sh. B.K. Singh ✓	N.R., Lucknow	N.R., Lucknow

1. They will be on probation for a period of two years from the date of their regular appointment to the post of Senior Hydrogeologist.
2. The promotion of the above officers to the grade of Senior Hydrogeologist shall be subject to the decision of the Punjab and Haryana, High Court, Chandigarh and Andhra Pradesh High Court, Hyderabad in writ petitions filed by S/Shri V.M. Sikka, and J.V.S.Murthy, Junior Hydrogeologist (the latter having since voluntarily retired) Central Ground Water Board respectively.
3. One regular vacancy has been kept vacant from among the Departmental promotions to the grade of Senior Hydrogeologist for Shri Niraj Malviya, Junior Hydrogeologist, Central Ground Water Board as per the directions of High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, in the writ petition filed by Shri Niraj Malviya.

cont..2

8/12

- 2 -

unchanged. Other terms and conditions of their appointment will remain

DISTRIBUTION:-

- (B.P.C.SINHA)
CHIEF HYDROGEOLOGIST & MEMBER
1. Concerned Officer.
 2. Deputy Secretary(GW) Govt. of India, Ministry of Irrigation, Krishi Bhavan, New Delhi with reference to his letter No. 7-8/84-GW dt.21.2.
 3. The Director, Central Ground Water Board, NR/NCR/NWR/SWR, Lucknow/Bhopal/Chandigarh/ Bangalore.
 4. The Officer Incharge, Central Ground Water Board, Unit office, Jammu.
 5. P.A.O., Central Ground Water Board, N.H.IV, Faridabad.
 6. Sr. Hydrogeologist, Central Ground Water Board, Faridabad/New Delhi.
 7. Sh. O.R.Chawla, S.D.C., Central Ground Water Board, N.H.IV, Faridabad.
 8. Office Order File/Office Order Book.
- TC

SIN 6 ANNEXURE-8191c

No. 7-6/87-GW
Government of India
Ministry of Water Resources

New Delhi, July 6, 1987. 10/73

To

The Chief Hydrogeologist,
Central Ground Water Board
Jamnagar House
NEW DELHI

Subject:- Filling up the vacant posts in the grade of
Senior Hydrogeologist in Central Ground Water
Board.

Sir,

I am directed to refer to your letter No. 10-6/
84-CH/Estt-72, dated 24.2.1987, on the subject cited
above and to convey the approval of the President to
the appointment of the following 39 Junior Hydrogeologists
to the post of Senior Hydrogeologists in the pay scale of
Rs. 3000-4500 (revised) on promotion, purely on ad-hoc basis
w.e.f. their taking over charge of the post:-

S/Shri

1. S.N. Sar
2. P.R. Subramanian
3. S.J. Prasad
4. V.M. Sikka
5. A.K. Misra
6. O.P. Pal
7. N. Malviya
8. K.K. Jatti
9. C.R.K. Reddy
10. P. Laxminarayana
11. M.B. Raju
12. E.R.J. Rao
13. S.C. Tiwari
14. G.P. Dalal
15. E. Ravindra Nath
16. Malveerana
17. A.B. Deshmukh
18. Dr. Ratesh Kumar
19. G.V.K. Rao
20. Shambu Nath
21. A.R. Bakshi
22. S.K. Tyagi
23. T.G. Ferozuddin
24. M.M. Dubak
25. B.S.R. Narasimha Rao
26. S.V. Chougula
27. G.M. Reddy
28. B.L. Gupta
29. D. Shivane
30. D. Anjeneyulu

10/7/74

31. S. Chakladar
32. M.S. Jethra
33. A.D. Joseph
34. A.R. Bhaisare
35. S.P. Bagade
36. S.C. Dhiman
37. K. Keerthiseelan
38. D.B. Saha
39. T.D.M. Hunse

The promotion is being made on purely adhoc basis and the ad-hoc promotion will not confer any right for regular promotion. The Government will reserve the right to cancel the ad-hoc promotion and revert the officer to the post from which he was promoted, at any time without assigning ^{any} reason.

Posting orders will be issued separately.

Yours faithfully,

(Signature)

(A.K. AHIR) 6782
Deputy Secretary to the Govt. of
India
Tel. 382481.

Copy to:-

1. Chief Engineer, Central Ground Water Board, New Delhi.
2. Chief Hydrogeologist, Central Ground Water Board. (with 10 S/4p.)
3. Pay & Accounts Officer, Central Ground Water Board, Faridabad.
4. Chief Controller of Accounts, Ministry of Water Resources, New Delhi
5. Event Register/Personal Files
6. Guard file.
7. D.O. II

(Signature)

(A.K. AHIR)
Deputy Secretary to the Govt. of
India.

B

ANNEXURE-XI

101/c

No. 10-6/84-CH.Estt 3970-4038

Government of India
Central Ground Water Board
NH IV., Faridabad (Haryana)

Dated: 7.7.87

OFFICE ORDER NO. 1109 OF 1987

The competent authority has approved the appointment of the following officers to the post of Senior Hydrogeologist in the Central Ground Water Board in the pay scale of Rs. 3000-100-3500-125-4500/- (Revised) on promotion purely on adhoc basis w.e.f. their taking over charge of the post.

<u>Sl.No.</u>	<u>Name of Officers</u>
1	S/Shri S.N.Sar
2	P.R.Subramanian
3	S.J.Prasad
4	V.W.Sikka
5	A.K.Misra
6	O.P.Pal
7	N.Malviya
8	K.P.Jatti
9	C.R.K.Reddy
10	P.Laxminarayana
11	M.B.Raju
12	E.R.J.Rao
13	S.C.Tiwari
14	G.P.Dalal
15	E.Ravindra Nath
16	Malveerana
17	A.B.Deshmukh
18	Dr Ratesh Kumar
19	G.V.K.Rao
20	Shambu Nath
21	A.R.Bakshi
22	S.K.Tyagi
23	T.G.Ferozuddin
24	M.M.Dubak
25	B.S.R.Narasimha Rao
26	S.V.Chougula
27	G.M.Reddy
28	B.L.Gupta
29	D.Shivane
30	D.Anjeneyulu

A176

- 31 S.Chakiadar
- 32 M.S.Jethra
- 33 A.D.Joseph
- 34 A.R.Bhaisare
- 35 S.P.Bagade
- 36 S.C.Dhilman
- 37 K.Keerthiseelan
- 38 D.B.Saha
- 39 T.D.M.Hunse

The promotion is being made on purely adhoc basis and the adhoc promotion will not confer any right for regular promotion. The Govt. will reserve the right to cancel the adhoc promotion and revert the officer to the post from which he was promoted, at any time without assigning any reason.

For the time being they will take charge at the place of present posting and their posting orders will be issued separately.

They will continue to perform the same duties as are being performed by them hitherto and till further orders. The charge assumption report in triplicate may please be forwarded to this office urgently.

DISTRIBUTION

- 1 All Concerned
 - 2 All Directors/Officer Incharge, State Unit Office.
 - 3 Dy. Secretary (GW), Min. of Water Resources,
 - 4 Krishi Bhawan, New Delhi, with reference to his
 - 5 letter dated 6.7.87.
 - 6 PAO., CGWB., NH IV., Faridabad
 - 7 PS to Chairman, CGWB., New Delhi.
 - 8 TS to Chief Hydrogeologist & Member, CGWB, New Delhi.
 - 9 Director (HQ), CGWB., NH IV., Faridabad (Haryana).
- Personal File.
Office Order Book.

(B.P.C.SINHA)
CHIEF HYDROGEOLOGIST & MEMBER

vv

/vv/

No. 10-6/84-GH(Estt)

Government of India,
Central Ground Water Board,
N.H.IV, Faridabad, (Haryana).

Dated the:- 29th June, 1988.

OFFICE ORDER NO. 818 OF 1988.

Consequent upon the judgement of Punjab and Haryana High Court which quashed the seniority list dated 1-6-1982 of Junior Hydrogeologists and directed the Ministry to draw up a fresh seniority list, the seniority list in the grade of Junior Hydrogeologist underwent a change. Accordingly, DPCs held in 1983 and 1984 for 15 and 5 vacancies respectively have been reviewed and on the recommendations of the Departmental Promotion Committee, Group-A, the President is pleased to approve the appointment of the following Junior Hydrogeologists/Senior Hydrogeologists as Senior Hydrogeologists in the pay scale of Rs.3000-100-3500-125-4500 in the Central Ground Water Board, in order of merit, in an officiating capacity, from the date of issue of this letter, until further orders:-

I. OFFICERS RECOMMENDED FOR 1982:-

1. S/Shri M.A. Haseeb, ✓
2. Saleem Romani, ✓
3. A. Subramanian, ✓
4. Santosh Kumar Sharma, ✓
5. U.P. Srivastava, ✓
6. D.S.S. Murthy, ✓
7. O.P. Mathur, ✓
8. H.L. Sangra, ✓
9. P.K. Aggarwal, ✓
10. M. Mehta,
11. I. Banerjee,
12. G. Balasubramanian,
13. John Kurien.

II. OFFICERS RECOMMENDED FOR THE YEAR 1984:-

1. S/Shri M. Sankaran,
2. S.A.H. Jaffery,
3. S.K. Doshi,
4. D.P. Mathuria,
5. M.C. Jindal

On the recommendations of the Departmental Promotion Committee, (Group-A), the approval of the President is also conveyed for the appointment of the following Junior Hydrogeologists/Senior Hydrogeologists as Senior Hydrogeologists in the pay scale of Rs.3000-100-3500-125-4500 in the Central Ground Water Board against the vacancies pertaining to the years 1985 and 1986, in order of merit, in an officiating capacity from the date of issue of this letter, until further orders:-

Contd.2..

III. OFFICERS RECOMMENDED FOR THE YEAR 1985:-

1. S/Sh. P.R. Subramanian,
2. V. Jaganathan,
3. V.M. Sikka,
4. A.K. Mishra,
5. O.P. Pal,
6. N. Malaviya,
7. K.K. Jati,
8. P. Laxminarayana,
9. M.B. Raju,
10. S.C. Tiwari,
11. E. Ravindra Nath,
12. Malaveeranna (SC),
13. S.N. Dulloo,
14. G.V.K. Rao,
15. A.R. Bakshi,
16. Dr. T.G. Firozuddin,
17. M.M. Dubbak,
18. Dr. B.S.R. Narsimha Rao,
19. G.M. Reddy,
20. B.L. Gupta,
21. D. Shivane,
22. D. Anjaneyulu,
23. S. Chakladar,
24. M.S. Jethra,
25. A.D. Josheph (ST)
26. S.P. Bagade, (SC)
27. S.C. Dhiman, (SC)
28. K. Keerthiseelan (SC)
29. R. Chakrapany,
30. P. Natrajan,
31. M.R.C.S. Reddy,

IV. OFFICERS RECOMMENDED FOR THE YEAR 1986:-

1. S/Sh. S.N. Sar,
2. S.J. Prasad,
3. Ch. R.K. Reddy,
4. E.R.J. Rao,
5. G.P. Dalal,
6. B.K. Singh,
7. A.B. Deshmukh,
8. Dr. Ramesh Kumar,
9. Shambhu Nath,
10. S.K. Tyagi,
11. A.R. Bhaisare (SC)

All the officers listed above except those who were appointed earlier on the recommendation of the original Departmental Promotion Committee Meeting held during 1983 and 1984 will be on probation for a period of two years from the date of their regular appointment to the post of Senior Hydrogeologist.

Contd.3....

:: S ::

22/1/88

The promotions of the above officers to the grade of Senior Hydrogeologist shall, however, be subject to the decision of the Central Administrative Tribunal, Jammu on the writ petition filed by Shri S.N. Dulloo, Senior Hydrogeologist, Central Ground Water Board.

22/1/88

The charge assumption report in respect of the following officers may kindly be sent in triplicate urgently for issue of necessary Gazette Notification:-

1. S/Sh.M.B. Raju,
2. R. Chakrapany,
3. P. Natrajan,
4. M.R.C.S. Reddy,

J. Kumar

(JATINDER KUMAR)

— SENIOR ADMINISTRATIVE OFFICER.

DISTRIBUTION:-

1. Officers concerned.
2. The Director, Central Ground Water Board, _____
3. The Officer Incharge, Central Ground Water Board, State Unit Office _____
4. The Deputy Secretary (GW), Ministry of Water Resources, Krishi Bhavan, New Delhi, with reference to Ministry's letter No.7-6/87-GW-Vol.II dated 28-6-1988.
5. The Pay and Accounts Officer, Central Ground Water Board, N.H.IV, Faridabad.
6. The Superintending Hydrologist, Central Ground Water Board, N.H.IV, Faridabad.
7. TS to Chief Hydrogeologist and Member, CGWB, Jamnagar House, New Delhi.
8. Office Order File.
9. Personal file.

::*:*:

UPADHYAYA

29-6-1988

JK

ANNEXURE-XIII

No. 10-874-CH (Estt)
Government of India,
Central Ground Water Board,
N.H.IV, Faridabad, (Haryana).

Dated the: 4

OFFICE ORDER NO. 96 OF 1989.

am to
nvey the
proval of

In supersession of this office order No. 818 of 1988 issued under letter of even number dated 27-6-1988, the competent authority to the promotion to the following officers holding the post of Junior Hydrogeologist/Senior Hydrogeologist to the post of Senior Hydrogeologist in the pay scale of Rs. 3300-100-3500-125-4500/- in the Central Ground Water Board with effect from the dates indicated against each officer:-

OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR, 1982. DATES FROM WHICH REGULAR PROMOTION IS APPROVED.

- | | |
|--------------------------|---|
| 1. S/Sh. J.V.S. Murthy, | 11- 7-1983 (Voluntarily Retired) |
| 2. M.A. Haseeb, | 29- 4-1983 |
| 3. Saleem Romani, | 3- 2-1983 |
| 4. A. Subramanian, | 3- 2-1983 |
| 5. Santosh Kumar Sharma, | 3- 2-1983 |
| 6. D.K. Vaid, | Absorbed in NABARD. |
| 7. U.P. Srivastava, | 26- 4-1983 |
| 8. D.S.S. Murthy, | 22- 7-1983 |
| 9. O.P. Mathur, | 15- 7-1983 |
| 10. H.L. Sangra, | 14-11-1983 |
| 11. P.K. Agarwal, | 3- 6-1983 |
| 12. M. Mehta, | 18-11-1983 |
| 13. I. Banerjee, | 18-11-1983 |
| 14. G. Balasubramanyam, | 24-12-1983 |
| 15. John Kurian, | Permanently absorbed in NABARD
w.e.f. 16-6-83. |

II. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR 1984.

- | | |
|--------------------|------------|
| 1. M. Sankaran, | 25-10-1984 |
| 2. S.A.H. Jaffery, | 25-10-1984 |
| 3. S.K. Doshi, | 25-10-1984 |
| 4. D.P. Mathuria, | 25- 2-1985 |
| 5. M.C. Jindal, | 25- 2-1985 |

III. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR 1985.

- | | |
|----------------------|------------|
| 1. P.R. Subramanian, | 10- 5-1988 |
| 2. V. Jaganathan, | 10- 5-1988 |
| 3. V.M. Sikka, | 10- 5-1988 |
| 4. A.K. Misra, | 10- 5-1988 |
| 5. O.P. Pal, | 10- 5-1988 |
| 6. N. Malaviya, | 10- 5-1988 |
| 7. K.K. Jati, | 10- 5-1988 |
| 8. P. Laxminarayana, | 10- 5-1988 |

Contd. 2...

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9.	S/Sh.M.B. Raju,	10- 5-1988
10.	S.C. Tiwari,	10- 5-1988
11.	E. Ravindra Nath,	10- 5-1988
12.	Malaveeranna (SC)	10- 5-1988
13.	S.N. Dulloo,	10- 5-1988
14.	G.V.K. Rao,	10- 5-1988
15.	A.R. Bakshi,	10- 5-1988
16.	Dr.T.G.Ferozuddin,	10- 5-1988
17.	M.M. Dubak,	10- 5-1988
18.	Dr.B.S.R.Narasimha Rao,	10- 5-1988
19.	G.M. Reddy,	10- 5-1988
20.	B.L. Gupta,	10- 5-1988
21.	D. Shivane,	10- 5-1988
22.	D. Anjaneyulu,	10- 5-1988
23.	S. Chakladar,	10- 5-1988
24.	M.S. Jethra,	10- 5-1988
25.	A.D. Joseph (S/T)	10- 5-1988
26.	R. Mehshram (S/C)	10- 5-1988
27.	S.P. Bagade (S/C)	10- 5-1988
28.	S.C. Dhiman, (S/C)	10- 5-1988
29.	K.Keerthiseelan (S/C)	10- 5-1988
30.	R. Chakrapany,	10- 5-1988
31.	P. Natrajan,	10- 5-1988
32.	M.R.C.S.Reddy,	10- 5-1988

IV. OFFICERS RECOMMENDED AGAINST THE VACANCIES FOR THE YEAR 1988

1.	S.H. ...	10- 5-1988
2.	S. ...	10- 5-1988
3.	Ch.R.K. Reddy,	10- 5-1988
4.	E.R.J. Rao,	10- 5-1988
5.	G.P. Dalal,	10- 5-1988
6.	B.K. Singh,	10- 5-1988
7.	A.B. Deshmukh,	From the date of taking over charge.
8.	Dr.Ratesh Kumar,	-do-
9.	Shambhu Nath,	-do-
10.	S.K. Tyagi,	-do-
11.	A.R. Bhaisare (SC)	-do-

In respect of the following officers, the period shown against them from the dates of their working in the post of Senior Hydrogeologist on the basis of the earlier promotion to the dates indicated against each in col. No.4 below, will be treated as if they were holding the post on ad-hoc basis. The periods being treated as on ad-hoc services will not be counted towards fixation of the seniority in the grade and also will not entitled them to any claim for promotion, confirmation, etc. in the grade.

Sl. No.	Name of the officer	Date from which working in the post.	Date of promotion
1.	S/Sh.M.Sankaran,	12-12-1983	25-10-1984
2.	S:A.H.Jaffery,	9-12-1983	25-10-1984
3.	S.K. Doshi,	16- 1-1984	25-10-1984

Contd.3...

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AAO/CH) P1
Shri. Joshi
10/24/5
ANNEXURE - XIV
Sino (11) - 8-2/c
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(TO BE PUBLISHED IN PART II SECTION 3(1) OF THE
GAZETTE OF INDIA)

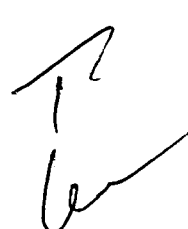
No. 25-32/84-GW
Government of India
Ministry of Water Resources

New Delhi, Dated 18-5-87

NOTIFICATION

G.S.R. . In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following rules regulating the method of recruitment to Group 'A' Scientific posts in the Central Ground Water Board, namely :-

1. Short-title and commencement - (1) These rules may be called the Central Ground Water Board (Scientific Group 'A' Posts) Recruitment Rules, 1987.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions - In these rules unless, the context otherwise requires -
 - (a) "Commission" means the Union Public Service Commission;
 - (b) "Government" means the Government of India;
 - (c) "Schedule" means the Schedule annexed to these rules.
3. Application - These rules shall apply to the posts specified in column 1 of the Schedule.
4. Number of posts, classification and scale of pay - The number of the said posts, their classification and the scales of pay attached thereto shall, save as provided in rule 6, be as specified in columns 2 to 4 of the Schedule.
5. Initial constitution - (1) All Group 'A' officers working the Central Ground Water Board and holding on a regular basis on the date of commencement of these rules, the posts specified in column 1 of the Table carrying the scales of pay specified in corresponding entries in column 2 of the said Table, shall be redesignated as specified in the



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grades of Scientist 'B' and Scientist 'C' to the respective higher grades, namely, Scientist 'C' and Scientist 'D' subject to the following conditions, namely :-

(a) The total number of Officers in the grade of Scientist 'D' shall not exceed 20% of the total number of posts in the grades of Scientist 'B', Scientist 'C' and Scientist 'D' put together.

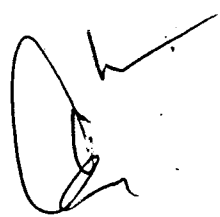
(b) The total number of officers taken together shall not exceed the total number of posts in the grades of Scientist 'B', Scientist 'C' and Scientist 'D' at any given point of time but there shall be complete flexibility in the number of posts in relation to the respective grades.

(c) The departmental officers who have rendered in the respective grade the requisite regular service specified in column 11 of the Schedule may be recommended by the Board of Assessment comprising the officers specified in column 12 of the Schedule for promotion to the next higher grade. While evaluating the suitability of the officers for promotion, the Assessment Board shall take into consideration their qualifications, performance, merit and seniority. The selection shall be on basis of confidential reports and interview. However, the Assessment Board may, at their discretion, consider in absentia the candidature of such officer who is unable to present himself for the interview. The Assessment Board shall draw up a list of officers who are assessed as fit for promotion to the next higher grade. In so far as persons undergoing training in India or abroad (under F.R. 51) are concerned, they shall be promoted to the next higher grade with effect from the date they would have been so promoted had they not proceeded on training subject to the following conditions being fulfilled :-

(a) The period of such training is treated as duty under F.R. 9(6)(b).

(b) They have been approved for promotion to the next higher grade.

(c) All their seniors, except those regarded as unfit for promotion to the particular grade, available have been promoted to that grade.



B/OS

3. Central Ground Water Board (Hydrometeorologist) Recruitment Rules, 1972. 1109 dated 16.9.72. (1) 844 dated 2.7.77. (i) 378 dated 13.4.85.
4. Central Ground Water Board (Director) Recruitment Rules, 1974. 701 dated 6.7.74. Amended on 6.10.86.
5. Central Ground Water Board (Senior Chemist) Recruitment Rules, 1974. 620 dated 23.6.74. 934 dated 5.10.85.
6. Central Ground Water Board (Superintending Chemist) Recruitment Rules, 1979. 1400 dated 24.11.79. Amended on 3.7.86.
7. Central Ground Water Board (Superintending Geophysicist) Recruitment Rules, 1972. 1540 dated 12.12.79. Amended on 17.10.84.
8. Central Ground Water Board (Senior Geophysicist) Recruitment Rules, 1979. 1311 dated 25.11.79. (a) 919 dated 26.7.77. (b) 1401 dated 29.12.77.
9. Central Ground Water Board (Junior Geophysicist and Assistant Geophysicist) Recruitment Rules, 1973. 657 dated 1.6.73. (a) 1309 dated 7.12.77. (b) 975 dated 5.8.78. (c) 1495 dated 15.12.78. (d) 1159 dated 17.11.79.

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S C H E D U L E

Age limit for direct recruits.

1	2	3	4	5	6
No of post.	Number of post.	Classification.	Scale of pay.	Whether selection post or non-selection post.	Age limit for direct recruits.
Scientist (B)	167* (1986)	General Central Services, Group 'A', Gazetted.	Rs. 2200-75-2800-EB-100-4000.	Selection.	(i) For direct recruitment through examination: Not less than 21 years but less than 30 years on the 1st January of the year in which the examination is held.
(Junior Hydrographer)	*Subject to variation dependent on work load.				(ii) For direct recruitment on the basis of interview: Not exceeding 35 years (relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government).

Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman & Nicobar Islands and Lakshadweep).

and education of prescribes. The following will be promoted.

Method of recruitment. Whether by direct recruitment or by promotion or by deputation/transfer a percentage of the vacancies to be filled by various methods.

10

- (i) 50% by promotion failing which by transfer on deputation and failing which by direct recruitment.

- (ii) 50% by direct recruitment on the results of the Geologists' Examination conducted by the Union Public Service Commission on failing which on the basis of selection by interview.

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In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made.

PROMOTION
Assistant Hydrogeologist with 3 years regular service in the grade.

Transfer on deputation

- Officers under the Central/State Government
(a)(i) Holding analogous posts on a regular basis; or
(ii) With 3 years regular service in posts in the scale of Rs.2000-3500 or equivalent; and
(b) Possessing the educational qualifications and experience laid down for direct recruits under column 7.

(The departmental officers in the feeder category, who are in the direct line of promotion will not be eligible for consideration for appointment on deputation. Similarly, deputationists shall not be eligible for consideration for appointment by promotion. Period of deputation including, period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organisation/department of the Central Government shall ordinarily not exceed 3 years).

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Yes.

ANNEXURE XV

Annexure: A

No. 35-188/78-GW
Govt. of India
Ministry of Water Resources,

New Delhi, Nov. 29, 1988.

To,

The Chairman,
Central Ground Water Board,
New Delhi.

Sub: Representation of Shri B.K. Singh, Scientist 'C'
(Sr. Hydrogeologist) regarding selection/appointment
for the post of Sr. Hydrogeologist.

Sir,

I am directed to refer to CGWB letter No. 3-175/72-CI
(Estt) dated 19th September, 1988 on the above mentioned subject
and to say that the various points raised by Shri B.K. Singh,
Scientist 'C' (Sr. Hydrogeologist) in his representation dated
27.7.1988 have been examined and his promotion has been made
on the recommendations of the Review D.P.C. in accordance with
the instructions/ rules available on the subject. It is
requested that Shri Singh may be informed accordingly under
intimation to this Ministry.

Yours faithfully,

sd/+
(A.K. Puri)
Desk Officer
Tele: 381370

[Handwritten signature]

6. In the case of confirmation, a permanent post can be kept reserved for the types of cases mentioned in paras. 1 to 3 above. If the officer concerned is recommended for confirmation on the basis of review by the DPC, he should be confirmed against the reserved vacancy and the seniority already allotted to him on the basis of review should not be disturbed by the delay in confirmation.

XVI. Convening of Review DPC

To rectify certain unintentional mistakes, etc., it may be necessary to convene a review DPC under certain circumstances, e.g., (a) when eligible persons were omitted to be considered, or (b) ineligible persons were considered by mistake, or (c) where the seniority of a person is revised with retrospective effect to differ with the seniority list placed before the earlier DPC, or (d) where some procedural irregularity was committed by a DPC, or (e) when adverse remarks in the C.R.s. were toned down or expunged after the DPC had considered the case of the officer. Whenever such review DPC meets, it should consider only those persons who were eligible as on the date of meeting of original DPC. That is, persons who became eligible as on a subsequent date should not be considered by that review DPC. Such cases will, of course, come up for consideration by that regular DPC. Further the review DPC should restrict its scrutiny to the C.R.s. for the period relevant to the first DPC. The C.R.s. written for remarks relating to the relevant period, were toned down or expunged, the modified C.R.s. should be considered as if the original adverse remarks did not exist at all.

Powers of review DPC.—1. The circumstances under which the proceedings of a DPC can be reviewed have been laid down above. These are not exhaustive but only illustrative. The proceedings of any DPC can be reviewed only if the DPC has not taken all material facts appropriately into consideration or if such material facts have not been brought to the notice of the DPC or if there have been grave errors in procedure followed by the DPC. Review DPCs can be held accordingly only in such instances of facts or wrong procedure. Such review DPCs cannot in any case go into the merits of the assessment made by the DPC.

2. Each DPC should decide its own method and procedure for objective assessment of the suitability of the candidates and it is entirely left to the DPC to make its own classification of the officers being considered by them for promotion to selection posts. This, however, does not mean that the recommendations of the DPC are mandatory. The DPC is a recommendatory body and the recommendations made by it are subject to approval by the appointing authority. The procedure to be followed when appointing authority does not agree with recommendations of the DPC has been laid down in detail in para. IX. Once the recommendations of the DPC are accepted by the appointing authority, it shall be final. Thus, if any question is to be raised or disagreement with regard to the merit of assessment by the DPC is to be expressed it should

be done only before the recommendations of the DPC are accepted and acted upon.

3. Another question that has been raised is whether the review DPC could change the grading of the officers already considered by them and graded or whether they can change the zone of consideration or take into account any increase in the number of vacancies. As mentioned in the preceding paragraph, a Review DPC can only reconsider the case with regard to the revised set of facts for rectifying unintentional mistakes which might have taken place earlier. The Review DPC is required to consider the case again only with reference to the technical or factual mistakes that took place earlier and, therefore, it should neither change the grading of an officer earlier considered without any valid reasons which should be recorded nor change the zone of consideration nor take into account any increase in the number of vacancies which might have occurred subsequently.

[G.I., D.P. & A.R., O.M. No. 22011/30/80-Estt. (D), dated the 26th March, 1980.]

Special circumstances for holding a second/review DPC.—(i) Vacancies due to death, voluntary retirement, new creations, etc., clearly belong to the category which could not be foreseen at the time of placing facts and materials before the DPC. In such cases, another meeting of the DPC should be held for drawing up a panel for those vacancies as these vacancies could not be anticipated at the time of holding the earlier DPC. If for any reason, the DPC could not meet for the second time, the procedure for drawing up of year-wise panels may be followed when it meets next for preparing panels in respect of vacancies that arose in subsequent year(s).

(ii) In regard to vacancies subsequently intimated but were not intimated earlier due to error/omission on the part of the Department concerned, the Ministries are required as per existing orders to investigate such errors/omissions in furnishing correct information to DPCs and take action against the persons responsible where it is found that there is no proper justification for such omission. As taking of action as above in cases of non-reporting will not mitigate the injustice done to the officers concerned by artificially restricting the zone of consideration nor can the wrong done be rectified by holding a second DPC or preparing an year-wise panel, a review DPC should be held keeping in mind the total vacancies of the year.

[Dept. of Per. & Trg., O.M. No. 22011/12/85-Estt. (D), dated the 16th June, 1986.]

XVII. Instructions regarding Scheduled Castes/Scheduled Tribes

Instructions have been issued from time to time by the Department of Personnel and A.R. regarding reservations and concessions to Scheduled Castes and Scheduled Tribes in the matter of promotions and regarding reservations in confirmations. These instructions should be duly taken into account by the appointing authorities concerned while formulating proposals for promotion/confirmation for consideration of

ANNEXURE - XVI

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

Circuit Bench, Lucknow

O.A. No. 41/90 (L).

41/90

B.K. Singh

...

Petitioner

Vs

Union of India and others

Opp. Parties

REJOINDER AFFIDAVIT ON BEHALF OF THE
PETITIONER IN REPLY TO WRITTEN STATEMENT
SUBMITTED ON BEHALF OF THE OPPOSITE
PARTIES 1 TO 3.

I, B.K. Singh, aged about 47 years, son of
Late Sri B.N. Singh, resident of C-291 Niralanagar,
Lucknow, do hereby solemnly affirm and state on oath
as under:-

- 1) That the deponent is the petitioner in the above noted case and is as such fully conversant with the facts of the case deposed to hereinunder. The deponent has gone through the written statement and understood the contents thereof.
- 2) That the contents of paragraph 1(a) of the written statement need no reply.
- 3) That the contents of paragraph 1(b) of the written statement need no reply. It is, however, submitted that the Departmental Promotion Committee should have been convened in the year 1973 and eligible

Filed today
5/8/91

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persons on the date of selection should have been promoted. However, S/Sri A.K. Misra and E. Ravindranathan were not even eligible for promotion in the year 1972-73.

- 4) That the contents of paragraph 1(c) of the written statement need no reply.
- 5) That as regards the contents of paragraph 1(d) of the written statement, it is stated that 34 candidates were eligible for promotion in 1973 and all these candidates should have been promoted simultaneously with U.P.S.C. in 1974, but D.P.C. held in 1976 promoted only 22 candidates. Nowhere the number of posts available in 1973 have been spelt out.

It is, however, wrong to say that 59 candidates were recommended by U.P.S.C. In fact, a total of 84 candidates were recommended in three phases as seen in Annexure-IV to the written statement.

- 6) That as regards the contents of paragraph 1(e) of the written statement, it is submitted that the alleged administrative difficulty in convening a meeting of the D.P.C. in the year 1973 has not been disclosed at any stage. It is, therefore, clear that the D.P.C. was not convened in the year 1973 without any valid reasons as a result of which complications have arisen.
- 7) That as regards the contents of paragraph 1(f) of the written statement, it is submitted that when according to own admission of the opposite parties 34 candidates were eligible for promotion, then there was no reason as to why only 22 of them were given promotion subsequently. The statement that the relative seniority of the petitioner and other respondents was fixed according to revised recruitment rules of 1974 i.e. one promotee

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and 4 direct recruits in the seniority list as on 1. 1. 1978 circulated vide letter No.14-5/80-CH(Estt)-5757 dated 2.12.1980 is completely wrong and far from truth. On the contrary, this seniority fixation was without any basis and as such was challenged by Shri V.M. Sikka, Scientist-C(Respondent No.6). The department has been in a habit of giving wrong statements and figures.

- 8) That as regards the contents of paragraph 1(g) of the written statement, it is stated that firm vacancies available in the year 1973 for recruitment to the posts of Junior Hydro-geologists have not been spelt out.
- 9) That the contents of paragraphs 1(h) to 1(n) need no reply as factual statements have been made in these paragraphs.
- 10) That the contents of paragraph 1(o) of the written statement are not admitted as stated. Infact, the Review D.P.C. over-stepped its jurisdiction and authority in reassessing the merit of a candidate while the Hon'ble High Court of Punjab and Haryana in the judgment admittedly directed preparation of seniority list on the basis of the rules then existing and in this view of the matter the Review D.P.C. was not competent to reopen the assessment of merit of each candidate which had already been determined by the previous regular D.P.C. It is, however, submitted that the review D.P.C. recommended the number of officers as given below(Office Order No.818 of 1988 dated 29th June 1988) and not as given by the statement of the department.

DL

- a) Against 1982 post - 13 officers
- b) Against 1984 post - 5 officers
- c) Against 1985 post - 31 officers
- d) Against 1986 post - 11 officers

The review D.P.C., it seems, reviewed the entire promotions from 1982 onward and recasted the date of promotions etc whereas they should have only looked into the cases of the officers who became senior to the petitioner by virtue of revised seniority list. The review D.P.C. cannot rejudge the candidates already judged by earlier D.P.C.

- 11) That as regards the contents of paragraph 1(p) of the written statement, it is stated that the deletion of names of two officers who left the department does not call for fresh orders and the need of issuance of fresh order superseding the earlier order need a closer look and smacks of ulterior motive.
- 12) That as regards the contents of paragraph 1(q) of the written statement, it is stated that the plea that conditional promotion do not confer any right of promotion/seniority is not tenable. The service rendered on regular basis cannot be treated as ad hoc. The condition/content of the order No.96 of 1989 vide letter No.10-6/84-CH(estt) dt 3.2.1989 cannot be applied with back date. The period of service of petitioner from 4.2.1985 to 10.5.1988 cannot be treated as adhoc.
- 13) That the contents of paragraph 1(r) of the written statement, are denied and the petitioner has full right to claim his seniority with effect from 4.3.1985 as he had been promoted by regular D.P.C. on regular basis and was adjudged superior to respondents Nos. 4, 16, 36, 37 and 40. The Hon'ble High Court order only stated that
- DS

a fresh seniority list be prepared. The petitioner did not contest the case as there was a gross injustice to Mr. V.M.Sikka by not applying 20% and 80% rules in fixing his seniority. The same injustice is being meted out to the petitioner now.

The best course would have to assess and promote the persons concerned, who become senior to the petitioner and place them at their just place to implement the court judgement.

Revised D.P.C. has no power to rejudge the candidates already judged and change the gradings awarded by regular D.P.C. in 1984.

- 14) That the contents of paragraph 4 of the written statement need no reply.
 - 15) That as regards paragraph 5 of the written statement, it is stated that the statement made in paragraph 4.1 of O.A. are facts and cannot be said to be partially admitted. The reference of sub-paragraph (b) of paragraph 3 is not related to the para 4.1.
 - 16) That as regards paragraph 6 of the written statement, it is submitted that Review D.P.C. overstepped the jurisdiction conferred upon it and acted illegally in reviewing the promotions made earlier. In the judgment of Hon'ble High Court of Punjab & Haryana, there is only one direction that a fresh seniority list of Junior Hydrogeologist be prepared in accordance with old recruitment rules. Review D.P.C. reassessed the merit of each candidate, already assessed by D.P.C. and which has not been questioned by any body. Any statement contrary to this is vehemently denied.
 - 17) That as regards the contents of paragraph 7 of the
- 22

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written statement, it is stated that the statement made in paragraph 4.3 is reaffirmed. The contention of the respondent that the petitioner was promoted to the post of Senior Hydrogeologist is partially admitted is also incorrect. It is a fact that the petitioner was promoted on the basis of regular D.P.C. to the post of Senior Hydrogeologist. The promotion was subject to the decision of Punjab and Haryana High Court. The High Court in its order asked the department to revise the seniority list only and did not stay the promotion. The Office order No.96 of 1989 issued under letter No.10-6/34-CH(Estt) dated 3.2.89 altering the regular appointment of petitioner into an ad hoc appointment stands challenge. The Review D.P.C. has erred in reviewing the promotion of the petitioner vis a vis other candidates.

- 18) That the contents of paragraph 8 of the written statement as are contrary to the averments of paragraph 4.4 of the application are not admitted. The contents of paragraph 4.4 of the application are, therefore, reiterated to be true in full.
- 19) That the contents of paragraph 9 of the written statement need no reply.
- 20) That as regards the contents of paragraph 10 of the written statement, it is stated that the statement to the extent that in 1984, only 5 vacancies were available and 15 officers were considered have been admitted. In 1983 there was one vacancy and in 1984 there were 5 vacancies.

There is a discrepancy in the respondent's statement in paragraph 3 of (o). No vacancy in 1983 has been shown.

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- 7 -

The list of officers who were senior to the petitioner in 1984 and were not considered by DPC due to reasons stated in column of reason for deletion is also not correct. The officer at Sl.No.1 to 6 are working as Senior Hydrogeologist in the department. Sl.Nos. 7 to 9 have left the department and 10 to 12 were working as Senior Hydrogeologist and are in the department. Shri S.J.Prasad, at Sl.No.1, was not working as Senior Hydrogeologist at that time and he was also dropped in 1984 by D.P.C. He has been promoted by D.P.C/Review D.P.C. held in 1988.

- 21) That the contents of paragraph 11 of the written statement need no reply.
- 22) That the contents of paragraph 12(both paragraphs) and 13 of the written statement need no reply.
- 23) That the contents of paragraph 14 of the written statement as are contrary to the averments of paragraph 4.11 of the application are incorrect, hence denied. It is, however, submitted that since promotion process was started after new recruitment rules came into force then selection should have been made in accordance with amended rules.
- 24) That as regards the contents of paragraph 15 of the written statement, it is submitted that there was no question of review of the merit already fixed and determined by the regular D.P.C. on the basis of which the applicant was given promotion on the post of Senior Hydrogeologist. The judgment of Punjab and Haryana High Court was clearly misread and wrongly applied and acted upon as there was no such direction by the High Court that the merit of each candidate already determined shall be reassessed by the review D.P.C. The judgment would have been applied in the

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manner the High Court directed.

- 25) That the contents of paragraph 16 of the written statement are not correct as stated, hence denied. It has already been stated that the Hon'ble High Court of Punjab and Haryana only directed preparation of a fresh seniority list in accordance with unamended rules and never directed for review of whole selection made by the previous and regular D.P.C. The judgement would have been applied without disturbing and altering the merit already fixed and determined by the regular D.P.C.
- 26) That as regards the contents of paragraph 17 of the written statement, the contents of paragraph 4.14 of the application are reiterated to be true. The review D.P.C. overstepped its authority and jurisdiction.
- 27) That the contents of paragraph 18 of the written statement need no reply.
- 28) That the contents of paragraph 19 of the written statement as stated are not admitted. In fact, on quashing of the seniority list by the Hon'ble High Court of Haryana and Punjab, persons who were not earlier considered by the D.P.C. should have been considered by the review D.P.C. and placed at appropriate places in the new seniority list instead of reassessing the merit of even those candidates like the applicant whose merit has already been determined and fixed by the regular D.P.C. It will not be out of place to mention here that the selections made by the original D.P.C. in which the applicant was selected and the merit determined by this D.P.C. was never questioned by any body and, therefore, it was

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wrong and illegal on the part of the opposite parties to disturb the merit already fixed by the D.P.C.

- 29) That the contents of paragraph 20 of the written statement need no reply.
- 30) That as regards the contents of paragraph 21 of the written statement, it is incorrect to say that subsequent revision was made on raising same points which were raised in earlier representations and that there was no necessity for reconsideration. Subsequent representation was necessitated due to fact that the date of appointment of the applicant on the post of Senior Hydrogeologist was also changed.
- 31) That as regards the contents of paragraph 22 of the written statement, it is submitted that the points raised by the applicant in his representation were never considered by the opposite parties and, therefore, no specific reply was given. It is, however, submitted that Sri E. Ravindranathan cannot be placed at Sl.No.38 in the revised seniority list. He was admittedly promoted by the D.P.C. in the year 1979 and not in the year 1976 as shown in Annexure-7 of the written statement. Sri E. Ravindranathan was not even eligible for promotion in the year 1984 as he had not completed 5 years regular service then.
- 32) That the contents of paragraph 23 of the written statement need no reply. It is, however, clarified that what the applicant wanted to say in the application is that the review D.P.C. recommended only two persons out of 5 already selected by the D.P.C. held in 1984.
- 33) That the contents of paragraph 24 of the written statement as worded are not admitted. The opposite

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parties have twisted the matter. In fact, the controversy in the present petition is that the review Departmental Promotion Committee has no such power to reassess the merits of the candidates already assessed by the previous original D.P.C. In view of the matter the review D.P.C. cannot enjoy same powers as vested in original D.P.C. The provisions contained in O.M.No.22011/6/75-Estt(D) dated 30.12.76 and other connected office memorandum cannot be applied in the case of review D.P.C. Review D.P.C. should not change the grading of officers already graded by D.P.C.

- 34) That as regards the contents of paragraph 25 of the written statement, it is submitted that according to own admission of the opposite parties, the review D.P.C. overstepped the jurisdiction vested in it and it also acted in utter disregard of the judgment of the Hon'ble High Court of Punjab and Haryana. There was no need to reassess the merit of each candidate which had already been determined.
- 35) That the contents of paragraph 26 of the written statement are not admitted. There was no need for the D.P.C. to revise and reassess the merit already determined by the previous D.P.C. which was admittedly never disputed nor questioned by any body. As already stated, the Punjab and Haryana High Court also never directed to act as such.
- 36) That the contents of paragraphs 27 and 28 of the written statement are incorrect, hence denied. The promotion of the applicant on the post of Senior Hydro-geologist was not ad hoc but it was only subject to decision of the Hon'ble High Court of Punjab and Haryana. It cannot, therefore, be said that this promotion was on ad hoc basis and as already stated the order treating such

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promotion on ad hoc basis is illegal, arbitrary and without any legal force.

- 37) That the contents of paragraph 29 of the written statement as stated are incorrect that the contention of the applicant is without any force. The applicant performed duties on the post of Senior Hydro-geologist on promotion made on the basis of recommendations of the Departmental Promotion Committee, and therefore, the same cannot be treated as ad hoc.*
- 38) That the contents of paragraphs 30 and 31 of the written statement need no reply.*
- 39) That the contents of paragraph 32 of the written statement as worded are not admitted. It is submitted that the applicant challenges reassessment by the Departmental Promotion Committee and Review D.P.O. and disturbance of whole seniority list on the basis of such reassessment on the post of Senior Hydro-geologist. The applicant has always been representing against the actions of the opposite parties.*
- 40) That the contents of paragraph 33 of the written statement are incorrect, hence denied. The applicant deserves to succeed.*

*Dated, Lucknow,
the July, 1991.*


DEPONENT

VERIFICATION

I, the deponent named above, do hereby verify that the contents of paragraphs 1 to 40 above are true to my

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personal knowledge. No part of it is false and nothing material has been concealed, so help me God.

Signed and verified this the day of July,
1991 at Lucknow.


DEPONENT

I identify the deponent B.K. Singh
on the basis of perusal of records produced
before me who has also signed in my presence


(P. K. SRIVASTAVA)
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

(Lucknow Bench), Lucknow

O.A. No. 41 of 1990(L)

B.K. Singh

..

Applicant

Vs

Union of India & others

..

Respondents

REJOINDER AFFIDAVIT OF THE PETITIONER IN REPLY
TO THE COUNTER AFFIDAVIT SUBMITTED BY OPPOSITE
PARTY NO. 15.

I, B.K. Singh, aged about 47 years, son of Late Sh. B.R.
Singh, resident of C-291, Niralanagar, Lucknow, do hereby
solemnly affirm and state on oath as under:-

- 1) That the deponent is the applicant in the abovesated case and is as such fully conversant with the facts of the case deposed to hereinafter. The deponent has gone through the counter affidavit filed by the opposite party No. 15 and understood the contents thereof.
- 2) That the contents of second and third sentence of paragraph 1 of the counter affidavit ~~was~~ are incorrect, hence denied. The contents of paragraph 1 of the application are reiterated to be true.
- 3) That the contents of paragraph 2 of the counter affidavit need no reply.

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5/8/91

B.K. Singh

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- 4) That the contents of paragraph 3 of the counter affidavit are incorrect, hence denied and the contents of paragraph 4.3 of the O.A. are reiterated to be true. The D.P.C. in 1934 was held for 5 vacancies and the applicant was selected against one of them. One of the posts was kept reserved for Shri Naeraj Lalviya and hence only 4 officers were promoted in the first instance by the Officer's order No. 321 of 1935 dated 27.2.1935. Subsequently, Shri S. N. Dillu was also promoted as a result of the same D.P.C. against the resultant vacancy.
 - 5) That as regards the contents of paragraph 4 of the counter affidavit, it is incorrect that the fifth selected candidate Sri S. N. Dillu was appointed against fourth vacancies. The fifth vacancy occurred as a result of voluntary retirement of Sri J. V. S. Murthy.
 - 6) That as regards the contents of paragraph 5 of the counter affidavit, it is ~~not~~ incorrect to say that the seniority list released on 21. 2. 1930 was not final. The statement made in O.A. at S 1. Nos. 4.5, 4.6 and 4.7 are correct and reaffirmed. The seniority list of Jr. Hydro^{geo}logist as on 1.1.1978 released on 2.12.80 vide letter No. 14-5/80 CH(Asstt)-5785 was a final inter^{geo} seniority list, till the D.P.C. of 1984 took place and appellant stood promoted to the post of ^{Mr} Jr. Hydrogeologist. The seniority list was subsequently reviewed in 1987 in view of the Punjab and Haryana High Court judgment.
 - 7) That the contents of paragraph 6 of the counter affidavit are not admitted. In fact, the statement of respondent No. 15 in response to point 4.3 that his name was ^{not} considered is only admitted. However, it is incorrect to say that only 12 candidates were considered. The correct situation is that 18 candidates were considered and the respondent being at Sl. No. 16 was not

Prakash Singh

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considered. The department considered one Shri S. C. Bhattacharya who was at sl. No. 13 just below Shri S. N. Dhillu and who was absorbed permanently in R. E. C. The applicant remains senior to the respondent ~~in~~ the grade of Junior Hydrogeologist and Senior Hydrogeologist.

as regards

- 8) That ~~the contents of paragraph 7, as stated in the counter affidavit~~
The contention of respondent in response to points 4.9 and 4.10 of O.A. to the extent that seniority list is valid is admitted. The applicant is senior to respondent No. 15. However, it is not admitted that he should get seniority based ^{on} ~~into~~ the principles of reservation as he had not claimed the right when he joined the department or when he was promoted to the post of Junior Hydrogeologist. The averments made ^{relevant} in point of O.A. are also reiterated.
- 9) That the contents of paragraph 8 of the counter affidavit need no reply. However contents of para 4.11 ^{to} 4.2.6 of the O.A. are reiterated to be true.
- 10) That as regards para 9 of the counter affidavit, the statement of the respondent to the extent that his name was not considered by D.P.C. in 1984 ^{is} admitted. However, his statement that review D.P.C. has rightly assessed his work ~~is~~ based on revised seniority is not admitted. The fact remains that respondent was junior and remained junior to the applicant after the revised seniority. The review D.P.C. has wrongly assessed his candidature and this is being challenged as review D.P.C. has acted beyond the ⁱⁿ jurisdiction.
- 11) That the contents of paragraph 10 of the counter affidavit as stated are incorrect, hence denied and the contents of paragraph 4.2.8 to 4.3.0 of the original application are reiterated to be true. The review D.P.C. was convened only

Prakash Singh

Page 3

because of Punjab and Haryana High Court Judgment and, therefore, it acted beyond the terms of reference and acted illegally. It is incorrect that the original D.P.C. have not taken all material facts.

12) That as regards the contents of paragraph 11 of the counter affidavit, it is incorrect that the applicant was junior to the answering opposite party. The request was, therefore, untenable.

13) That the contents of paragraph 4.3.1 of the application are, however, reiterated to be true.

13) That the contents of paragraph 12 of the counter affidavit are incorrect, hence denied and the contents of paragraph 4.3.2 of the original application are reiterated to be true. D.P.C. of 1936 followed the correct procedure. Review D.P.C. was convened due to decision of Punjab and Haryana High Court judgment to consider the candidates who could not be considered by regular D.P.C. and ^{hence B} after review D.P.C. should have assessed the ^{left out B} ~~different~~ candidates, ^{and B} their relative seniority should have been fixed. The review D.P.C. has no powers to (i) make the regular appointment into ad hoc and (ii) to alter the merits of the candidates selected earlier by D.P.C. It thus acted beyond its scope and power.

14) That the contents of paragraph 12(repeated) of the counter affidavit are incorrect, hence denied. The respondent No. 13 was not considered as he was outside the zone of consideration and, therefore, it is incorrect to say that he was denied promotion on the post of Senior Hydrogeologist since opposite party No. 13 has all along been junior to the applicant. Hence it is a hypothetical question as to whether he would have been

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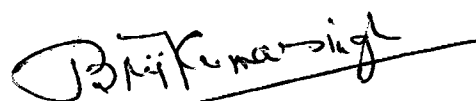
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given promotion prior to the applicant on the post of
Senior Hydrogeologist and Scientist Grade D.

15) That the contents of paragraph 13 of the counter affidavit
are incorrect, hence denied. The application deserves to
succeed.

Dated, Lucknow,

the September 1930.

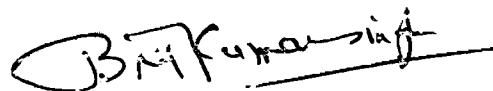


(B. K. SINGH)
Applicant

VERIFICATION

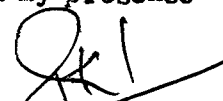
I, B. K. Singh, son of Late Shri B. N. Singh, aged about
47 years, residing at C-291, Nirala Nagar, Lucknow, do hereby
verify that the contents of paragraphs 1 to 15 above are true
to my personal knowledge. No part of it is false and nothing
material has been concealed, so help me God.

Signed and verified this the day of September 1930
at Lucknow.



(B. K. SINGH)
Applicant

I identify the deponent B. K. Singh on
perusal of records produced before me who has
also signed in my presence



(P. N. Srivastava)

Advocate
Counsel for the Applicant

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW Bench,
LUCKNOW.

O.A.No. 41 of 1990

Between:

S.K.Singh .. Applicant
Vs.

Union of India and others .. Respondents

Counter affidavit filed by M.Veeranna, Respondent No.15

I, M.Veeranna S/o M.Onnurappa, aged 47 years,
Scientist - C (Senior Hydrogeologist), Office of the
Central Ground Water Board, Southern Region, Hyderabad,
do hereby solemnly and sincerely affirm and state on
oath as follows:

1. I am the Respondent No.15 in the O.A.No.41 of 90
herein and hence fully acquainted with all the facts of
the case. The facts stated and averments made in the C.A.
are not correct and I deny all of them except those that
are specifically admitted hereunder. The O.A. does not
contain merits for granting relief as prayed therein.

2. The paras 4.1 and 4.2 contain formal information
that do not require reply.

3. In reply to the para 4.3 of O.A. it is submitted
that the contention of the applicant that he was selected
against one of the five vacancies of 1984 is incorrect.
As stated in the Annexure A2 of the C.A. in the para 3
of the Office Order No.321 of 1985 of G.O. & L, New Delhi

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seniority of the Junior Hydrogeologist as on 1978 and 1985 circulated by the Department is still under dispute vide my O.A. No. 202/87 in the Central Administrative Tribunal, Hyderabad Bench, Hyderabad and the Applicant is respondent No. 10 in my O.A. As such his claim that he was senior to me in the grade of Junior Hydrogeologist is not valid ~~with~~ until final disposal of the same.

7. In reply to the paras 4.9 and 4.10 it is submitted that the seniority of Junior Hydrogeologist prepared under the instructions of Punjab and Haryana High Court and it is valid. Department is right in following the same in deciding Departmental Promotions. It is also submitted that this revised seniority of Junior Hydrogeologist which could not consider the principles of reservations for Scheduled Caste and Scheduled Tribes was questioned in my O.A. 336 of O.A. 202/87. As per the judgment delivered by the Hon'ble Hyderabad Bench of Central Administrative Tribunal dated 14-9-87 "the seniority list will be subject to the final disposal of O.A. No. 202/87".

8. The averments in paragraphs 4.11 to 4.26 do not pertain to me, therefore no reply is required as Respondent No. 15.

9. In reply to the para 4.27 of O.A. it is submitted that there is no scope of my name coming up in the zone of consideration standing at Sl. No. 15 of the seniority list, since the Officers to be considered are only upto Sl. No. 12 (Mr S.M. Dulloo) three times ~~of~~ the four vacancies.

During Feb 1985 there was no scope for the O.A. in the year 1985 to

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assess my work alongwith all the 12 Officers including Sri B.K.Singh (the applicant). The review D.F.C. has rightly assessed my performance based on seniority as on 1-4-1985 and placed me not only above Sri B.K.Singh and also selected me against the 1985 vacancies in preference to Sri B.K.Singh (applicant).

10. In reply to the paragraphs from 4.28 to 4.30, it is submitted that the constitution of review D.F.C. became essential to "rectify certain unintentional mistakes" and also because the original D.F.C. "has not taken all material facts". In the Annexure A8 of C.M. it is clarified that at paragraph (2) "each D.F.C. should decide its own method and procedure for objective assessment of the suitability of candidates and is entirely left to the D.F.C. to make its own classification of the officers being considered by them for the selection posts" and at para (3) "for rectifying the unintentional mistakes which might have taken place earlier" and the grading earlier fixed be changed only by recording the valid reasons to do justice undone hitherto.

11. In reply to the paragraph 4.31 of the C.M. it is submitted that it has been requested to the higher authorities to effect my promotion to the post of Senior Hydrogeologist from a date earlier to my juniors to do justice.

12. In reply to the paragraph 4.32 of C.M. it is submitted that the very criteria followed by the original D.F.C. was not appropriate and the seniority to be followed by review D.F.C. as per the Punjab and Haryana High Court judgment. Under the changed seniority and circumstances

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ADMINISTRATIVE TRIBUNAL, LUCKNOW REGION,
LUCKNOW.

O.A. No. 41 of 1990

Between:

M. Singh .. Applicant

Vs.

Union of India and others .. Respondents

Counter affidavit filed by M. Veeranna, Respondent No. 15

I, M. Veeranna s/o M. Onnureppa, aged 47 years,
Scientist - C (Senior Hydrogeologist), Office of the
Central Ground Water Board, Southern Region, Hyderabad,
do hereby solemnly and sincerely affirm and state on
oath as follows:

1. I am the Respondent No. 15 in the O.A. No. 1 of 90
herein and hence fully acquainted with all the facts of
the case. The facts stated and averments made in the O.A.
are not correct and I deny all of them except those that
are specifically admitted hereunder. The O.A. does not
contain merits for granting relief as prayed therein.

2. The para 4.1 and 4.2 contain formal information
that does not require reply.

3. In reply to the para 4.3 of O.A. it is submitted
that the contention of the applicant that he was selected
against one of the five vacancies of 1984 is incorrect.
As stated in the Annexure A2 of the O.A. in the para 3
of the Office Order No. 321 of 1985 of C.G.W.B., at Delhi

M. Veeranna

dated 27-2-1985 "one regular vacancy has been kept vacant from among the Departmental Promotions to the grade of Senior Hydrogeologist for Sri Siraj Lalaviya, Sr. Hydrogeologist, CCMB as per the directions of High Court of Judicature at Allahabad, Lucknow Bench, Lucknow in the writ Petition filed by Sri Siraj Lalaviya". Therefore under instructions of the said order D.P.C. has decided promotions for only four of the five vacancies available during the year.

4. In reply to the para 4.4 of C.A. it is submitted that the applicant has amply stated and agreed therein that promotions were given to four officers in the first instance. Sri ...Dulloo who was one place below the applicant was also promoted as a result of the same D.P.C. and he assumed the charge on 11-3-1985 as Senior Hydrogeologist. Thus, it is evident that the candidate for the fifth vacancy was taken from the same D.P.C. panel ~~was~~ decided on 27-2-1985 for the four vacancies. The offer of the appointment was subsequently given within a period of 10 days.

5. In reply to the paras 4.5, 4.6 and 4.7, I am to clarify that the seniority of Junior Hydrogeologist as on 1-1-1978 as released on 2-12-1980 was not final and was withdrawn by the Department under instructions of the Court judgment.

6. In reply to the para 4.8 I am to submit that the contention of the applicant that my name was also considered for the promotion of Senior Hydrogeologist against 1984 vacancies is entirely incorrect. The

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seniority of the Junior Hydrogeologist as on 1978 and 1985 circulated by the Department is still under dispute vide my O.A.No.202/87 in the Central Administrative Tribunal, Hyderabad Bench, Hyderabad and the Applicant is respondent No.10 in my O.A. As such his claim that he was senior to me in the grade of Junior Hydrogeologist is not valid ~~xxx~~ until final disposal of the same.

7. In reply to the paras 4.9 and 4.10 it is submitted that the seniority of Junior Hydrogeologist prepared under the instructions of Punjab and Haryana High Court and it is valid. Department is right in following the same in deciding Departmental Promotions. It is also submitted that this revised seniority of Junior Hydrogeologist which could not consider the principles of reservations for Scheduled Caste and Scheduled Tribes was questioned in my M.A.336 of O.A.202/87. As per the judgment delivered by the Hon'ble Hyderabad Bench of Central Administrative Tribunal dated 14-9-87 "the seniority list will be subject to the final disposal of O.A.No.202/87".

8. The averments in paragraphs 4.11 to 4.26 do not pertain to me, therefore no reply is required as Respondent No.15.

9. In reply to the para 4.27 of O.A. it is submitted that there is no scope of my name coming up in the zone of consideration standing at Sl.No.15 of the seniority list, since the Officers to be considered were only upto Sl.No.12 (Sri S.N.Dulloo) three times of the four vacancies.

During Feb 1985 There was no scope for the D.F.C. in the year 1985 to

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... my time along with all the 12 officers for the last
... (the ...). The review ... has
... my performance ... of ... and ...
... on 1-4-1985 and placed me not only above ...
and also selected me against the 1985 vacancies in preference
to ... (...).

10. In reply to the paragraphs from 4.28 to 4.30,
it is submitted that the constitution of ...
became essential to "rectify certain unintentional mistakes"
and also because the original ... has not taken all
material facts. In the Appendix A8 of ... it is clarified
that at paragraph (2) "each D.O. should decide its own
method and procedure for objective assessment of the
suitability of candidates and is entirely left to the ...
to make its own classification of the officers being
considered by them for the selection posts ... (3)
"for rectifying the unintentional mistakes which might have
taken place earlier" and the ... earlier should be
charged only by recording the valid reasons to do
justice as has hitherto.

11. In reply to the paragraph 4.31 of the ... it is
submitted that it has been requested to the higher
authorities to effect my promotion to the post of Senior
Hydrogeologist from ... to ... to ... to do
justice.

12. In reply to the paragraph 4.32 of ... it is
submitted that the very criteria followed by the original
D.O. was not appropriate and the seniority ... followed
by review ... as per the Punjab and Haryana High Court
judgment. Under the changed seniority and circumstances

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I was considered superior to the applicant for 1985 vacancies and his promotion against the 1984 vacancies thus becomes invalid.

12. In reply to the paragraphs from 4.33 to 4.36 of O.A. it is submitted that, since my name did not come up for consideration of P.C. during 1984 I was deprived of my promotion due to me. Had I been considered at that point of time for 1984 vacancies I would have been promoted to the post of Senior Hydrogeologist in preference to Sri L. S. Singh and I accrued all the financial benefits and also attained the eligibility for promotion to the next higher grade of Scientist 'D'.

13. In view of the above submission it is clear that the applicant has not made out any case and there is no merit in the Original Application. For the reasons stated above the Hon'ble Tribunal may be pleased to dismiss the O.A. and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Deponent *[Signature]*
13/6/90

Solemnly affirmed before me
on this 13th day of June, 1990
and signed his name in my
presence.

Before me,

Attested
[Signature]
13-6-90
(G. SURIYANARAYANA)
Scientist 'D' (S.R.)
Central Ground Water Board, (S.R.)
HYDERABAD-500 029.

Advocate, Hyderabad