

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,BENCH

OA/TA/RA/CP/MA/PT OA 48/198 of 20.....

Y. K. YadavApplicant(S)

Versus

U.O.-9.Respondent(S)

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Certified that the file is complete in all respects.

B.C. file needed to destroy

Signature of S.O. *[Signature]*

Signature of Deal. Hand *[Signature]* 26/6/12

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

LUCKNOW CIRCUIT BENCH

Registration O.A. No.43 of 1990.

Y.K.Yadav Applicant

Versus

Union of India & Others Respondents

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

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

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

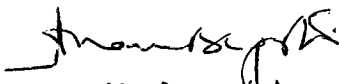
The applicant's grievance in this case is that he after fulfilling the requisite qualifications, appeared in the test for Junior Hindi Translator in the Central Govt. Health Scheme, Lucknow, has not been selected while the respondent No.5 Shri R.D.Sharma who does not have the requisite qualification has been appointed on the said post in the scale of Rs.1400 - 2300. The applicant has mentioned the qualification for the said post and it has been stated that he has passed successfully the examination conducted by the Staff Selection Commission and yet the person who is not qualified has been selected.

2. From the Counter Affidavit it appears that respondent No.5 is qualified and his qualification is B.A., LL.B. He has offered Hindi literature as elective subject in B.A. and he also passed his LL.B. in English medium and thus he is fully qualified and is having the requisite qualification. After scrutiny we have found that this assertion of the respondent is correct. In the meantime, the applicant has been admittedly relieved from the office and has joined his duties in U.P. Govt. Secretariat on the post of U.D.C. The question of appointment of the

(AC)

- 2 -

applicant on the post of Junior Hindi Translator does not call for any interference. Accordingly there is no merit in this application which has also become infructuous and no relief can be given to the applicant at this stage. The application is dismissed. There will be no order as to costs.


Member (A)


Vice Chairman

Dated the 5 July, 1991.

RKM

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Registration no. 62 of 1989

APPLICANT(S) Y. K. Yadav

RESPONDENT(S) Govt.

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

24

Particulars to be Examined

Endorsement as to result of examination

11. Are the application/duplicate copy//same copies signed ?
12. Are extra copies of the application and Annexures filed ?
 - a) Identical with the Original ?
 - b) Defective ?
 - c) Wanting in Annexures

Ans. _____ Yes _____ No _____ ?
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 mentioned 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) Numbered consecutively ?
 - d) Typed in double space on one side of the paper ?
18. Have the particulars for interim order prayed for indicated with reasons ?
19. Whether all the remedies have been exhausted.

Yes

No

Yes

Yes

No

Yes

Yes

ginsah/

(AS)

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
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21.2.90

Hon'ble Justice K. Mah. V.C.
Hon'ble Mr. K. Obayy A.M.

Admit.

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

List for further orders on 11.4.1990.

A.M.

V.C.

rrm/

11/04/90

Hon. Mr. P.S. Habib Mohead, A.M.
Hon. Mr. J.P. Sharma, V.M.

Shri D. Chandra, file case
on behalf of respondents and
request for 4 weeks time to
file counter. Allowed. Rejoinder
if any, within 2 weeks, thereafter.

Put up for order/hearing
on 29/5/90.

J.M.

A.M.

SD

No CA filed
S. P. C.

23/5

Dinesh

(25)

25-7-1990:

Hon'ble Mr. Justice K. Math, VC,
Hon'ble Mr. K. Obayya, AM

Kumari P. Devi for the petitioner and Dr. Dinesh Chandra for the opposite parties are present. Sri Chandra requests for and is allowed two weeks time to file CA; RA within one week. Applicant files RA against the CA of other respondents. Listed for final hearing on 16th August, 1990.

[Signature]
(A.M.)

[Signature]
(V.C.)

SC

16.8.90

Hon'ble P. Gopinathan AM
J.P. Sharma JM

CA & RA have been
exchanged on behalf
of 1 & 4.
S. P. H. 1/10

Mr. P. Devi for the applicant Dr. Dinesh Chandra files reply and moreover a copy of the same to Mr. P. Devi who prays for two weeks time to file R.A. Prayer is granted. Post this case for hearing on 20.9.90.

[Signature]
Member (J)

16/8
Member (A.)

20.9.90

Hon. Mr. Justice K. Math, VC.
Hon Mr K. Obayya, AM

RA has not been
filed on behalf of
O.P. No 5
S. P. H. 26/9

Learned counsel for the applicant requests for and is allowed 2 weeks time to file rejoinder to the counter filed by respondent No. 5. The case be listed for final hearing on 5-11-90.

[Signature]
AM.

[Signature]
V.C.

(127)

6-2-90

In the Central Administrative Tribunal, Lucknow Bench.

Application No. 43 of 1990 (L)

Yogesh Kumar Yadav ... Respondents.

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3. Annexure no.2 Photostatic copy of the marksheet of B... -27-
4. Annexure no.3 Photostatic copy of the B.A. Degree -28-
5. Annexure no.4 Photostatic copy of the Medium Certificate. -29-
6. Annexure no.5 Photostatic copy of the Proficiency Certificate -30-
7. Annexure no.6 True copy of the representation letter dated 20.8.86. 31-32
8. Annexure no.7 True copy of the representation letter dated 15.1.88. 33-34
9. Annexure no.8 True copy of the representation letter dated 14.2.89. 35-37
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11. Annexure no.10 True copy of the representation letter dated 12.6.89 40-41
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13. Annexure no.12 True copy of the representation letter dated 22.9.89. 45-46
14. Annexure no.13 True copy of the representation letter dated 22.9.89. 47-
15. Annexure no.14 Photostatic copy of the judgment and order dated 5.12.89. 48-50
16. Annexure no.15 True copy of the representation letter dated 18.10.89. 51-53

Applicant

D/H

5 enclosures in 12 sheets

Noted for 21-2-90 Pratima Devi (Advocate)

FT. L 6/2

Signature

Pratima Devi (Advocate)

(147)

6-2-90

In the Court of Commissioner of Probation,
Lucknow Circuit Bench.

Application No. 43 of 1990 (L)

Yogesh Kumar Yadav ... Applicant
Versus

Union of India and Others ... Respondents.

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16. annexure no.15 True copy of the representation dt.18.10.89. 51-53

Appointee
2/4

5-enclosure
with steps

Noted for 21-2-90
Pratima Devi
(Advocate)
6-2-90

FT.
L
6/2

Pratima Devi

Pratima Devi
(Advocate)

(A3)

2.

17. Annexure no.16. True copy of the representation dated 5.12.89. 54-56
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26. Crossed Postal Order. -69-

Lucknow dated:

5-2-1990
6

Pratima Devi
(Pratima Devi)
Advocate

Counsel for the applicant

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(81)

6-2-90

In the Central Administrative Tribunal, constituted
Lucknow Circuit, Benega

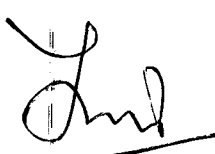
application No. 43 of 1990 (4)

Yogesh Kumar Yadav, aged about 40 years son of
Sr. M. J. Yadav, Resident of 44/7, Ashimnaga,
Old Labour Colony, Lucknow. At present working
on the post of I.D.C. at C.G.H.S. Dispensary
No. 3, 21 P. J. Marg, Ashimnaga, Lucknow.

... Applicant

Versus

1. Union of India, through its Secretary,
Govt. of India, Ministry of Health & Family
Welfare, Nirman Bhawan, New Delhi.
2. Director, Central Govt. Health Scheme,
D.G.H.S. Nirman Bhawan, New Delhi.
3. Deputy Director (Administration), Central Govt.
Health Scheme, D.G.H.S., Nirman Bhawan, New Delhi.
4. Deputy Director, Central Govt. Health Scheme
9... K. P. Marg, Lucknow.



2.

5. R.D.Sharma, I.D.C., Office of Deputy Director
Central Govt. Health Scheme, 9- Bara Panchayat
Marg, Lucknow.

Respondents.

Details of application

1. Particulars of the applicant:-

(i) Name of the applicant:- Yogesh Kumar Yadav

(ii) Name of Father:- Shri N.Y. Yadav

(iii) Designation and

office in which employed:- Lower Division Clerk

at Central Govt. Health

Scheme Dispensary No. 3

21 Bara Panchayat Marg, Lucknow.

(iv) office address:-

Lower Division Clerk

Central Govt. Health

Scheme Dispensary No. 3,

21 Bara Panchayat Marg, Lucknow.

(v) address for service
of all notices.

44/7, Ashok Marg, Bara
Panchayat, Lucknow.

2. Particulars of the respondents.

Respondent no.1

(i) Name and/or designation of the respondent:-

General Secretary, Union of India through its
secretary.

(ii) office address of the respondent:- Govt. of India

no. 1

Ministry of Health and

Family Welfare, New Delhi.

Bara Panchayat, Lucknow.

(iii) address for service of
notices.

Union of India through

3.

10's Secretary Govt. of
India, Ministry of
Health and Family
Welfare, 11th Bldg
New-Delhi.

Respondent no.2.

(i) Name and/or Designation of the
respondent no.2

Director Central Govt.
Health Scheme, D.G.H.S.

(ii) Office address of the - Central Govt. Health
Scheme Director Central
Govt. Health Scheme
D.G.H.S. 11th Bldg
New-Delhi.

(iii) Address for service of
all notices. same.

Respondent no.3.

(i) Name and/or designation of the
respondent no.3.

Deputy Director (Administration)
Central Govt. Health
Scheme.

(ii) Office address of the - Central Govt. Health
Scheme Deputy Director
- or, C.G.H.S., 9th Bldg
Pratap Marg, New-Delhi.

(iii) Address for service
of all notices - same

Respondent no.4.

(i) Name and/or designation of the
respondent no.4.

Deputy Director
Central Govt. Health
Scheme, 9th Bldg
Pratap Marg, New-Delhi.

(ii) Office address of the Central Govt. Health
Scheme Deputy Director
- or C.G.H.S. 9th Bldg
Pratap Marg New-Delhi.

(A12)

4.

(iii) Address for service of notices.

See.

Respondent no.5.

(i) Name and/or designation of the respondent no.5 - Mr. R.D. Sharma, Member

Govt. Health Scheme
I.D.O. office of C.G.H.S.
Jko.

(ii) Office address of the Member Govt. Health Scheme I.D.O. office of C.G.H.S. 9, New Park Road, Jk.

(iii) Address for service of notices. See.

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

- The application is made on the following order:-

- (i) Order Nos. (a) .15019/2/86-(C.G.H.S.)-2
- (b) 3-119/88-(C.G.H.S.)/jko/172/76

(ii) Date 19.1.1980 to 22.1.1980

(iii) Passed By (a) Director, Govt. Health Scheme I.D.O. Jk. (Respondent no.2)

(b) Deputy Director, Govt. Health Scheme, I.D.O. Jk. (Respondent no.4).

(iv) Subject in brief:- Mr. R.D. Sharma (Respondent no.5)

who is a teacher and requires the educational qualifications has been appointed on the post of Junior Hindi Master by transfer on

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Sept 01st of the year of
B.1400-2300 w.e.f. date of
joining.

4. Jurisdiction of the Tribunal

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

5. Limitation

The applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the Case:-

The facts of the case are given below:-

(i) That the applicant is an Ex-XX clerk of the Army (Corps of Signals) and has worked as clerk (G.D.) w.e.f. 8.11.1975 to 23.2.1983.

(ii) That after the release from the Indian Army, the applicant was re-employed as 'Lower Division clerk' under Central Govt. Merit Scheme (C.G.H.S.), through staff selection Commission w.e.f. 26.6.1985 and since then he has been working as 'T.T.O.' under Central Govt. Merit Scheme, in the office of Deputy Director C.G.H.S., under w.

(iii) That the applicant was appointed on the post of 'Lower Division clerk' w.e.f. 26.6.1987

(iv) That there is one higher post of 'Junior Hindi Translator' which existed vacant in the office of Deputy Director

(AMU)

Central Govt. Health Scheme, such and (hereafter words will be referred as ^Nrespondent ^N to 0.4) which is to be filled in accordance with the provisions of ^Nthe Central Govt. Health Scheme (Junior Hindi Translator) Recruitment, Rules 1987, (hereafterwards will be referred as ~~app~~ Rules) from the eligible candidates who fulfills the Education and other qualifications laid down in the Rules. The first copy of the Central Govt. Health Scheme (Junior Hindi Translator) Recruitment Rules, 1987 is annexed herewith as annexure no.1 to this application.

(v) ^Nthat column-8 of the condensed ^N annexed to the Rules, contains the details of educational and other qualifications required for direct recruits. There are four categories of educational qualifications specified in column-8, the first of these categories which are relevant for the present case are

^Nquoted as follows:-

"Bachelor's degree of a recognised university with Hindi and English as compulsory /elective subjects or either of the two as medium of examination and the other as compulsory /elective subject, plus a recognised Diploma /certificate course in translation from Hindi to English and vice versa or two years experience of official work from Hindi to English and vice versa in Central/State Govt. Offices, including Government of India undertakings."

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(vi) That the applicant has passed B.A. Examination from Lucknow University in the year 1973. He has obtained the Bachelor's degree of recognised University with English as his elective subject and medium of examination of other subjects was Hindi plus 7 years 4 months practical experience of translation work from Hindi to English and Vice versa in the Army (corps of Signals) the Photostatic copies of the Marksheet of B.A. (Part -II) Examination of 1973 dated 31.11.1973 B.A. Degree dated 31.5.1974, Medium Certificate dated 12.8.1988 issued by Registrar Lucknow University and Trade Proficiency certificate showing 7 years of practical experience of translation from Hindi to English and Vice versa of the applicant are annexed herewith as Annexure Nos. 2, 3, 4 and 5 respectively to this ~~application~~ application.

(vii) That the applicant preferred a representation to the Chief Medical Officer C.G.H.S., Lucknow on 20.8.1986 to work on the vacant post of Junior Medical Officer. The true copy of this representation dated 20.8.1986 preferred by the applicant to the ~~Chief~~ Chief Medical Officer, C.G.H.S., Lucknow is annexed herewith as Annexure No. 6 to this application.

(viii) That the applicant has also preferred his representation to the Director C.G.H.S., D.G.H.S., Nirmal Bhawan, New Delhi

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8.

(hereinafterwards referred as Respondent no.2) on 15.1.1988 to consider his case for the appointment on a ~~next~~ higher post of 'Junior Hindi Instructor'. The said representation was forwarded by the C.M.O. C.C.H.S., Ludhiana vide his letter No.2.119/88-C.C.H.S. Lko/2188-89 dated 15.1.1988 to the Respondent no.2, for necessary action. The true copy of this representation dated 15.1.1988 preferred by the applicant to the Respondent no.2 is annexed herewith as Annexure No.7 to this application.

(ix) That the applicant had applied and appeared in the examination conducted by the Selection Commission, 8 Bero Road, New Delhi 110002 for the post of 'Junior Hindi Instructor' and he was selected for the said post and appointment letter dated 22.8.1989, was issued by the Under Secretary (Inv) Election Commission of India, New Chandra Bazar, Connaught Place, New Delhi. The ~~present~~ ^{True} copy of the said appointment letter dated 22.8.1989 issued by the Under Secretary (Inv) Election Commission of India, New Chandra Bazar, Connaught Place, New Delhi is annexed herewith as Annexure No.8 to this application.

(x) That the copy of form for the application of appointment for the post of 'Junior Hindi Instructor' of the Respondent Director (C.R.) Staff Selection Commission, 8 Bero Road, New Delhi, the Deputy Director General Govt. of India Scheme, Ludhiana (hereinafter

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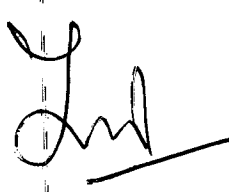
9.

Words referred as respondent no.4) write a letter to the Registrar Director (C.R.) Staff Selection Commission, 8 Beta Road, ... that if the applicant is selected to the post applied for he will be relieved from his office and may also be adjusted against the vacant post of 'Junior Hindi Translator' in his office. The true copy of the Respondent no.4 is annexed herewith as annexure no.9 to this application.

(xi) That after the selection of the applicant, for the said post of 'Junior Hindi Translator' by the Staff Selection Commission the respondent no.4 has written letter to the Registrar Director (C.R.), staff selection commission, 8 Beta Road, ... 12.6.1989 requesting him to adjust the name of the applicant on the vacant post of 'Junior Hindi Translator'. The true copy of this letter dated 12.6.1989 of the respondent no.4 is annexed herewith as annexure no.10 to this application.

(xii) That thereafter the applicant sent ~~the~~ representation to the respondent no.4 on 22.6.1989 to appoint him on the vacant post of junior Hindi translator in his office. The true copy of this representation dated 22.6.1989 preferred by the applicant to the respondent no.4 is annexed herewith as annexure no.11 to this application.

(xiii) That the applicant has also sent an



(MS)

10.

Application to the Secretary Govt. of India,
Sole Language Department, 1st floor, Lok
Nayak, Barwan, Khar Market, New-Delhi
3 on 22.9.1989 to nominate and adjust him on
the vacant post of Junior Hindi Translator
at Lucknow. The true copy of the said
application was forwarded by the respondent
no.4, vide his letter no.4-160/89-C.G.H.S
/Lucknow/1802-3 dated 22.9.1989 for necessary
action. The true copies of the application dated
22.9.1989 preferred by the applicant to the
Secretary Govt. of India, Sole Language
Department, 1st floor, Lok Nayak Barwan
Khar Market, New-Delhi -3 and the forwarding
letter dated 22.9.1989 of the respondent no.4
are annexed herewith as Annexure Nos. 12 and 13
to this application.

(xiv) That no action has been taken ~~fix~~ on
the aforesaid representations of the applicant to
adjust him on the vacant post of 'Junior Hindi
Translator' in the office of the respondent no.4.

(xv) That the applications have been
invited to fill up the aforesaid vacant post of
'Junior Hindi Translator' by ^{Selection} ~~advertisement~~. Twelve
persons including the applicant applied for the
said post. The applications of five persons
including the applicant have been rejected
on the ground that they do not fulfill the
required qualifications for the said post as ^{is} ~~are~~
laid down in the rules and regulations of only
seven persons remain in the Zone of consideration.

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11.

(xvi) In the Sri Ram Babu, whose application has been submitted, filed an application before the Sri Ram Babu for a direction to fill the vacant post of 'Junior Medical Assistant' in the office of the respondent no.4 by promotion after considering the candidates of that office, who are qualified for that post, which has been Registered as O.A.No.170 of 1989 (Sri Ram Babu Versus Union of India and others).

(xvii) In the Sri Ram Babu Tribunal vide its judgment and order dated 5th December, 1989 dismissed the aforesaid application upon the observations on the opposite parties, the authorities concerned, who ensure that only such persons are selected who possess the requisite educational qualifications which are set out as conditions of eligibility in column-8 of the schedule of the Recruitment Rules. The annexed copy of the judgment and order dated 5th December, 1989 passed by the Sri Ram Babu Tribunal in O.A.No.170 of 1989 is annexed herewith as Annexure No.14.

[Handwritten signature]

(xviii) In the application is also preferred by the representative of the Respondent no.2 of 18.10.1989, clearly stating therein that except the applicant, none of the applicants who have applied for the said post of 'Junior Medical Assistant' fulfill the requisite educational qualifications as laid

(A20)

column 8 of the schedule of the Recruitment Rules and prayed that any such persons may be allowed to appear in the examination to be conducted for the said post, who fulfill the requisite educational qualifications as laid down in the Rules. The applicant further prayed that he may kindly be appointed on the said post. The copies of the said representations were also sent by the applicant to the respondent no. 4 and Asstt. Director, J.P. New Delhi for necessary actions. The true copy of this representation dated 18.10.1989 preferred by the applicant to the Respondent no. 2 is annexed herewith as Annexure no. 15 to this application.

(xix) In spite of the directions of this Hon'ble Tribunal and the representations made by the applicant the unqualified candidates have been permitted to appear in the examination on 26.10.1989 conducted for the said post. of Junior Hindi Translator with deliberate mal-fide, intention, ignoring the qualifications laid down in the Rules.

(xx) That Shri A.D. Sharma, Joint Secretary to Govt. of India, under C.G.D.S. Rules, (hereinafter referred to as Respondent no. 5) who is unqualified for the post of 'Junior Hindi Translator' in view of the facts that he does not fulfill the requisite qualifications as laid down under Recruitment

[Handwritten signature]

A21

13.

Rules, has also been permitted to appear in the examination, conducted for the post of 'Junior Hindi Translator'. The ~~Ex~~ education qualification of respondent no.5 is B. A. B. He has passed B. A. examination with Hindi as a main subject in Hindi Medium. He has further passed B. A. examination with English as a main subject in English Medium. He is also having 2 years experience in translation work.

(xxi) That the opposite party no.5 has been placed in serial no.1, whereas the opposite party no.4 has been placed in serial no.2

(xxii) That being relieved by the actions of the D.P.C. in selecting unqualified persons, for the post of 'Junior Hindi Translator' the applicant again preferred his representation to the opposite party no.4 requesting him to appoint only eligible candidates possessing qualifications laid down in column-8 of the Recruitment Rules, for the post of 'Junior Hindi Translator' amongst the candidates allowed to appear in written examination by D.P.C. The true copy of this representation dated 5.12.1984 preferred by the opposite party no.4 is annexed herewith as Annexure-16 to this application.

(xxiii) That in spite of the request of the opposite party no.4 to appoint qualified and eligible

14.

(A22)

candidate on the post of 'Junior Hindi Translator' in the Respondent no.4 vide order no.3-119/89 C.G.H.S. /TPO/2390 -93, dated 14.12.1989 appointed the opposite party no.5 on the post of 'Junior Hindi Translator' in the scale of Rs.1400-2300, for probation period of two years and the formal appointment order has been issued to the opposite party no.5 vide order no.3-119/89-C.G.H.S. /TPO/2299 2303 dated 15.12.1989 of the opposite party no.4. Enclosed copies of these appointment orders dated 14.12.1989 and 15.12.1989 of the opposite party no.5, issued by the opposite party no.5xxx4 are annexed herewith as Annexure No.17 and 18 respectively to this application.

(xxiv) That being aggrieved by the appointment of the opposite party no.5, the applicant preferred his representations to the Deputy Director (Administration), C.G.H.S., Firman Bhowan, New-Delhi, (herein afterwards referred as respondent no.3) and the respondent no.4 on 23.12.1989 praying to accord sanction for his appointment on the post of 'Junior Hindi Translator'. Enclosed copy of this representation dated 23.12.1989 preferred by the applicant to the respondent no.3xxx3 and 4 is annexed herewith as Annexure No.19 to this application.

(xxv) That the Respondent no.2 vide his letter no.1-15019/2/86 C.G.H.S. -II dated 18.12.1989, cancelled the appointment of the

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respondent no.5.

(xxvi) In the thereafter the applicant has sent letter to the Respondent no.2 on 12.1.1990 through his counsel Mr. Pravin Devji to the High Court, with a view to appoint him for the post of 'Junior Hindustani' under C.S.H.S. which has been received by the Respondent no.2 but no action has been taken on the same. No notice or anything has been communicated to him till this date.

(xxvii) In the present grievance of the applicant on the basis of the letter no. 15019/2/86 C.S.H.S. -2, New Delhi, dated 19.1.1990 of the Respondent no.2, communicated by the Respondent no.3, the respondent no.5 has been appointed for the post of 'Junior Hindustani' vide order no.3-119/89 C.S.H.S. which is dated 22.1.1990 of the Respondent no.4. The true copies of the letter dated 19.1.1990 of the Respondent no.2, communicated by the Respondent no.3, and the order dated 22.1.1990 appointing the respondent no.5 for the post of 'Junior Hindustani' are annexed herewith as Annexure 1 and 2 respectively for your perusal.

Inf

(xxviii) In the present grievance of the applicant on the basis of the letter no. 15019/2/86 C.S.H.S. -2, New Delhi, dated 19.1.1990 of the Respondent no.2, communicated by the Respondent no.3, and the order dated 22.1.1990 of the Respondent no.4, the respondent no.5 has been appointed for the post of 'Junior Hindustani' vide order no.3-119/89 C.S.H.S. which is dated 22.1.1990 of the Respondent no.4. The true copies of the letter dated 19.1.1990 of the Respondent no.2, communicated by the Respondent no.3, and the order dated 22.1.1990 appointing the respondent no.5 for the post of 'Junior Hindustani' are annexed herewith as Annexure 1 and 2 respectively for your perusal.

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Annexure nos. 20 and 21) would go to show that the Respondent no.5 has been appointed to the post of 'Junior Land Transport Officer' by transfer on deputation from his period of deputation which will be one year.

(xxix) In the appointment of the Respondent no.5 to the post of 'Junior Land Transport Officer' by transfer on deputation is in the view of the facts and circumstances faced for the said post.

(xxx) In view of filling up the posts by transfer on deputation from the Administrative Ministry's Departments are required to circulate the vacancies to the various organizations/Departments mentioned in the Recruitment Rules and the circular letter O.M.No.14017/17/83-Lstt(R.R.) dated 11.7.1985 issued by the Department of Personnel and Training but in the present case the vacancy for the post of 'Junior Land Transport Officer' was not circulated to the various organizations/Departments mentioned in the Recruitment Rules and the aforesaid letter dated 11.7.1985 issued by the Department of Personnel and Training as such the appointment of the Respondent no.5 is illegal. The true copy of the letter dated 11.7.1985 issued by the Department of Personnel and Training is annexed herewith as Annexure No.2 to this application.

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(xxx1) In respect of his ~~xxx1~~ and ~~xxx1~~ written requests to relieve him to join the post of 'Junior Hindi Translator' on which he has been selected by Staff Selection Commission and appointment order (communicated in Annexure no. 8 to this application) has been issued he has not been relieved to join the said post of 'Junior Hindi Translator' to New Delhi. The true ~~xxx1~~ copy of the application dated 8.12.1989 preferred by the petitioner to the respondent no. 4 requesting to relieve him to join duty at Director Commission Office, New Delhi is annexed herewith as Annexure no. 23 to this application.

7. Relief sought

In view of the facts mentioned in para-6 above, the petitioner prays for the following reliefs:-

(-)
That the impugned ~~xxx1~~ letter dated 19.1.1990 issued by the respondent no. 2, communicated by the respondent no. 3 and the order dated 21.1.1990 passed by the Respondent no. 4, appointing the respondent no. 5 on the post of 'Junior Hindi Translator' by transfer in department, communicated in Annexure no. 20 and 21 to the petitioner may kindly be quashed. After returning their original files from the offices of the Respondent nos. 2 and 4 and the Respondents nos. 1 to 4 may kindly be directed to appoint the petitioner on the post of 'Junior Hindi Translator' v.e.f. the date

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18.

When the respondent no.5 has been appointed to
he may also kindly be given all the subsequent
benefits of the appointment and of the
pay and seniority etc.

Grands ~~fixing~~ [✓] for 62 1985 1986 1987 1988 1989 1990

(i) Because the appointment of respondent
no.5 on the post of Junior Assistant Engineer
by transfer on deputation was proper in view
of the facts that he is qualified for the
said post.

(ii) Because for filling of the post by
transfer on deputation the instructions of
Ministries/Departments are required to
circulate the vacancies and the various
Ministries/Departments are required to
~~fixing~~ [✓] recruitment rules and the order
dated 11.7.1985 issued by the Department
of Personnel and Training but in the present
case the vacancy for the post of Junior Assistant
Engineer was not circulated to the various
Ministries/Departments ~~as~~ [✓] in accordance
with the Recruitment Rules and the order dated
11.7.1985 issued by the Department of
Personnel and Training as such the appointment
of respondent no.5 is proper and is not to
be quashed.

[Handwritten signature]

(iii) Because in spite of the clear directions
of this Hon'ble Tribunal ~~in~~ [✓] in judgment and
order dated 5.12.1988 passed in O.P. No. 170 of 1988

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(R v Bhu Versus Union of India & others),
the undersigned persons who have possessed the
 requisite qualifications as mentioned in
 in column 18 of the Schedule of the Recruitment
 Rules (contained in Annexure-1 to this order) and
 have been permitted to appear in the examination held
 on 26.10.1989 conducted for the post of Junior
 Hindi Translator with declaration that
 intention regarding the qualifications mentioned
 in the rules and the respondent no.5 in this case
 does not fulfill the requisite qualifications
 mentioned in the Recruitment Rules has been
 placed at serial no.1 and the applicant no.2 has been
 placed at serial no.2.

(iv) Because ^{except} the applicant none of the
 candidates who applied and appeared in the
 examination for the post of Junior Hindi Translator
 fulfills the requisite qualifications mentioned
 down in the Recruitment Rules. As such, the
 applicant no.2 is eligible and he can be appointed
 on the said post of Junior Hindi Translator.

(v) Because no action has been taken by
 the Representatives preferred by the applicant
 to appoint him on the post of Junior Hindi
 Translator although he is the only eligible
 candidate for the post of Junior Hindi Translator.

(vi) Because in spite of his being selected

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20.

On the post of Junior Hindi Translator is set over by the Staff Selection Commission the applicant has been selected in the vacancy of Junior Hindi Translator in the office of respondent no.4 and he has also been permitted to join the post of Junior Hindi Translator in New-Delhi.

(v i) Because the impugned orders of appointment of the respondent no.5 who is unqualified for the post of Junior Hindi Translator are illegal and are null and void in the eyes of law and are liable to be quashed.

(b) Such other directions or orders as may be issued by the Tribunal seem fit, just and proper may be used.

(c) Cost of the application may kindly be ordered to the applicant against the respondents.

8. Interim Order. [✓] is passed for:-

^{the applicant} Pending for a decision on the application, [✓] seeks issue of the following interim order:-

(i) In view of the impugned order dated 19.1.1990 issued by respondent no.2 and the order dated by respondent no.3 and the order dated 22.1.1990 passed by respondent no.2 & 4 appointing the respondent no.5 in the post of Junior Hindi Translator by order of the deputy commissioner and respondent no.2 may kindly be stayed and the respondent no.5 may kindly be restrained from working in the post of Junior Hindi Translator in the office of Respondent no.4 with the perforce of the

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21.

presented before the Tribunal

9. Details of the Remedies applied.

The applicant declares that he has availed of the remedies available to him under the relevant service rules etc.

10. Matter not pending before any court etc.

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

11. Particulars of Bank Draft/Post Office order in respect of the application fee:-

1. Number of ~~Trial~~ Post Office order — 02 409850
2. Name of the issuing post office — High Court Branch Lucknow.
3. Date of issue of post office order — 2-2-90
4. Post office at which payable.

12. Details of Index

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

13. List of Enclosures:-

- (1) Annexure - 23
- (ii) Post Office order

Sub

In Verification

I, Yogesh Kumar Yadav, son of Sri M. S. Yadav
age 40 years, working as Junior Division Clerk

A20

General Govt. Election Scheme, Inderjit resident of
44/7, Ashbham, Old Tihar Colony, Indraprastha, New
Delhi hereby verify that the contents of para-
graphs 1 to 13 are true to my personal knowledge and
belief and that I have not suppressed any
material facts.

Place:- Lucknow

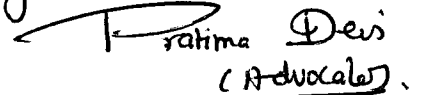
Date: JMMX

February 5, 1990
6



Signature of the
applicant.

Through-

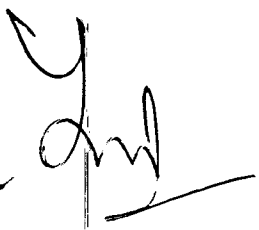

Pratima Devi
(Advocate).

(Counsel for the Applicant)

To

The Registrar

General Administrative Tribunal
Lucknow Circuit Bench.



In The Central Administrative Tribunal, Allahabad, Lucknow Circuit Bench,

Application No.

of 1990

Yogesh Kumar Yadav

Applicant

Union of India and others

vs.

Respondents.

Annexure No. - ①

Copy of O.M.No. CD-14017/6/83-ESTT.(RR) dated 23rd August, 1987
from the Department of Personnel and Training, New Delhi.

Subject:- Model Recruitment Rules for the post of Senior and Junior Hindi Translator - Circulation of-

....

The undersigned is directed to refer to this Department's OM of even number dated 21st July, 1983 (copy enclosed) wherein the Model Recruitment Rules for the post of Senior and Junior Hindi Translators in the scale of Rs.550-800/900, and Rs.425-700/ Rs.330-560 were circulated for the use in the subordinate offices of the Government of India and Union Territories.

2. Recently the Staff Selection Commission have brought to the notice of this Department that many subordinate offices have not yet adopted the Model Recruitment Rules circulated by this Department. With the result, there is no uniformity in the provisions of the recruitment rules of various subordinate offices regarding maximum age limit, educational qualifications etc. This is necessary to enable the Staff Selection Commission to hold a common examination for recruitment to the above mentioned posts in all the offices.

3. In order to bring uniformity in the recruitment rules for the post of Senior Hindi Translators and Junior Hindi Translators existing in the subordinate offices of the Government of India, it is requested that all the Ministries/Departments should impress upon their subordinate offices to revise the recruitment rules keeping in line with the Model rules circulated already. Minor corrections such as insertion of the revised pay scales, etc. may also be carried out while adopting the model rules.

Copy of DP&AR OM No. CD-14017/6/83-ESTT(RR), dt. 21.7.83.

Subject:- Model recruitment rules for the post of Senior and Junior Hindi Translator in the scale of Rs.330-560, Rs.425-700 and Rs.550-800/900 in the Subordinate Offices of the Government of India and Union Territories.

..

The undersigned is directed to forward herewith a copy of the model recruitment rules for the posts of Senior and Junior Hindi Translators in the scales of Rs.330-560, Rs.425-700 and Rs.550-800/900 in the Subordinate offices of the Government of India and UTs prepared in the prescribed proforma in consultation with the Department of Official Language. The Min. of Agriculture etc. are requested to adopt these rules with such minor modifications as may be considered unavoidable taking into account all the peculiar requirements of a particular office, if any (Ministry of Home Affairs are also requested to forward the model recruitment rules to the Union Territories for adoption).

Attested
True copy
Prattina Sen
Secretary

8.	9.	10.	11.
Additional and other qualifications required for direct recruitment.	Educationally quali- fications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion and % of vacan- cies to be filled by various methods.

8. Master's degree of a recognised University in Hindi/English, with English/Hindi as a compulsory elective subject or as a medium of examination at degree level. Not applicable 2 years By transfer on deputation/transfer or by direct recruitment.

OR
Master's degree of a recognised university in any subject other than Hindi/English, with Hindi/English medium and English/Hindi as a compulsory elective subject or as medium of examination at degree level.

OR
Master's degree of a recognised University in any subject other than Hindi/English, with Hindi/English medium and English/Hindi as a compulsory elective subject or as medium of examination at degree level.

OR
Bachelor's degree of a recognised University, with Hindi and English as compulsory/elective subjects or either of the two as medium of examination and the other as a compulsory/elective subject, plus a recognised Diploma/Certificate Course in translation from Hindi to English and vice-versa or two years' experience of translation work from Hindi to English and vice-versa in Central/State Government offices, including Government of India Undertakings.

Attested
True copy
Prabhu Singh
(Secretary)

Recruitment from which promotion/deputation/transfer to promotion/deputation/transfer to be made.	
12.	13.
If a UPC exists, what is its composition?	
13.	14.
Circumstances in which UPSC is to be consulted in making recruitment.	

Transfer on deputation/transfer:
From amongst Central Government
Officers holding:-

- (a) (i) holding analogous posts;
or
- (ii) posts in the pay scale of Rs.330-560 or equivalent with 3 years' regular service in the grade, or
- (iii) posts in the pay scale of Rs.260-400 or equivalent with five years' regular service in the grade, and
- (iv) possessing education and other qualifications laid down in Col.8 for direct recruits.

.....

23/9
Attested
True copy
Sahima Devi
(Secretary)

(26)

RECRUITMENT RULES FOR JUNIOR TRANSLATOR

Classifica- tion.	Scale of Pay	Whether selection post or non-selec- tion post.	Whether benefit of added years of service admissible under CSS (Pension Rules)	Age limit for direct recruit- ment.
----------------------	-----------------	---	---	---

1	2	3	4	5	6	7
Junior Translator	1	General Central Service Group 'C' Non-Gazetted Non-Ministrial.	Rs.425- 700	Not applicable.		28 years (relaxable for Government servants upto 35 yrs. In accord- ance with the instructions or orders issued by the Central Govt.)

Note: The crucial date for determining the age limit mentioned in col.7 of the recruitment rules will in each case be the closing date for the receipt of applications from candidates in India (other than Andaman & Nicobar Islands and Lakshadweep)

In respect of posts, the appointments to which are made through the employment exchanges the crucial date for determining the age limit, in each case, be the last date upto which the Employ-ment Exchange are asked to submit the names.

Attested
True Copy

Private Secy
(Adm. Secy)

In The Central Administrative Tribunal, Allahabad, Lucknow - Circuit Bench. Application No. 27 of 1990

Yogesh Kumar Yadav

V.B.

Applicant

Union of India & others

Respondents

UNDER CERTIFICATE OF POSTING

UNIVERSITY OF LUCKNOW

Roll No. 11428

Annexure No. - (2)

MEMORANDUM

LUCKNOW

Date 3.11.1973

4529



is informed that he/she has secured the following marks in each Paper/Subject at the last B. A. (Part II) Examination of 1973:-

Subjects	Eng		Pot. Sc.		Sec.		Education		Psychology or Anthropology or Geography			Mathematical Statistics			Military Science			
	1st Paper	2nd Paper	1st Paper	2nd Paper	1st Paper	2nd Paper	1st Paper	2nd Paper	1st Paper	2nd Paper	Practical	1st Paper	2nd Paper	Practical	1st Paper	2nd Paper	3rd Paper	Total
Papers	50	50	50	50	50	50	50	50	35	35	70	30	100	33	33	66	34	100
Maximum Marks	50	50	100	100	100	100	100	100	35	70	30	100	33	33	66	34	100	100
Minimum Marks		33			33			33		23	10	33		22	11	33		25
Aggregate	25	133	23	28	51	26	15	41										33
Subjects	Astronomy		Aggregate including General English		General Hindi		General Sanskrit		General Bengali		General Marathi		General Urdu		General Tamil			
Papers	1st Paper	Total	Practical	Total	Special Paper for Honors	300	Aggregate obtained in B. A. Part I	300	Count including rate of B. A. Parts I and II for purposes of Division	300	General English	100	General Hindi	100	General Sanskrit	100	General Bengali	100
Maximum Marks	50	50	50	100	100	300	300	300	216	33	33	33	33	33	33	33	33	33
Minimum Marks	17	17	17	33	48	108			216	33	33	33	33	33	33	33	33	33
Obtained Marks						130	139		169									

For exempted or teacher candidates

1

Prepared by:

III

Division

Passed in:

Filed in:

Compartmental

Not Eligible for Degree

Filed in:

Special Paper for (Honours)

Office of the Registrar

Lucknow

11/11/73

11/11/73

11/11/73

In The Central Administrative Tribunal, Allahabad, Lucknow Circuit Bench,

Application No.

08/1990

* Yogesh Kumar Yadav

Union of India & others

vs.

Applicant

Respondents

Annexure No.

(3)

योगेश कुमार यादव विरुद्ध भारत सरकार



श्रीमान: योगेश कुमार यादव ने इस विश्वविद्यालय के कला संकाय में बैचलर ऑफ आर्ट्स की उपाधि हेतु निर्धारित पाठ्यक्रम का अध्ययन किया और निम्नलिखित विषयों की अपेक्षित परीक्षा में सन् १९७३ में तृतीय श्रेणी में उत्तीर्ण हुए/हुई।

1. स्पेशल इंग्लिश
2. सौशियाँ लॉजी
3. पोलिटिकल साइंस

तथा जनरल इंग्लिश, जनरल हिन्दी, जनरल संस्कृत, जनरल मराठी, जनरल प्रगाली, जनरल उर्दू, जनरल तमिल

श्रीमान: प्रमाणित किया जाता है कि इस विश्वविद्यालय द्वारा इन्हें बैचलर ऑफ आर्ट्स की उपाधि प्रदान की गई।

(च० मुस्तकी)
वाइस-चांसलर

Attended
True-copy
Pratima Devi
(Advocate)

दिनांक

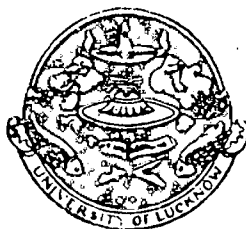
३१ मई १९९४

In The Central Administrative Tribunal, Allahabad,
Lucknow - Circuit Bench.

Application No. 1990
Yogesh Kumar Yadav Applicant
Vs.
Union of India and others. Respondents
Annexure No. 4
Lucknow University

Serial No. A

236



Roll No. 11428

MEDIUM CERTIFICATE

Certified that Shri Yogesh Kumar Yadav
son/daughter of Shri R. L. Yadav
Roll No. 11428 passed the B.A.
Examination of 1973 in Division Third
His medium was English-Hindi

Lucknow
Dated. 2.8.1984

Kumar
For Registrar,
Lucknow University

Attested
True copy.

For Registrar
(Periodically)

Application No. 1990Yogesh Kumar Yadav

Applicant

Union of India & others

Vs.

Respondents

Annexure No. - (5)

No. 14224597

A37



TRADE PROFICIENCY CERTIFICATE

(Trades authorised in Defence Services Regulations Qualifications for Soldiers 1958)

This is to certify that Number 14224597 Rank Lance Naik

Name YOGESH KUMAR YADAV has achieved technical qualification as

CLERK GENERAL DUTIES

CLASS III

ACHIEVEMENT OF PROFICIENCY

He is capable of typing legible manuscript of 150 words in 10 minutes. He can draft and type routine memoranda and is capable of using a duplicator. He possesses fair knowledge of accounting duties and can carry out accurate translation from Hindi to English and vice versa.

PRACTICAL EXPERIENCE

He has 07 years of practical experience in this Trade.
& 04 Months

SUITABILITY FOR EMPLOYMENT

The individual is suitable and recommended for employment in following Trades as indicated at Serial No B-3 of "GUIDE TO OCCUPATIONAL CLASSIFICATIONS" issued by the Director General of Employment and Training, Ministry of Labour, Employment and Rehabilitation vide Code Nos :-

CODE No.

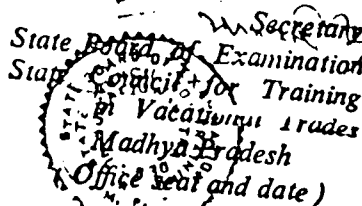
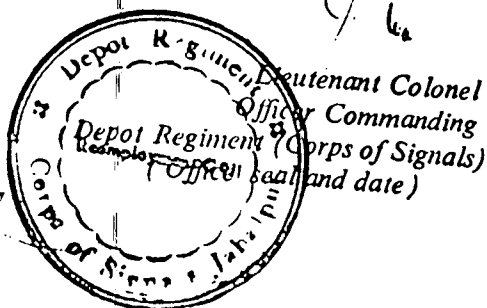
1. 230.30
2. 211.10
3. 280.30
4. 280.30
5. 280.30

TRADES

- Clerk General
- Typist
- Diarist
- Enquiry Clerk
- Record Clerk

ISSUING AUTHORITY

ENDORSEMENT



Attested
True copy
Pratima Devi
(Advocate)

(31)

A30

इन दी सेंट्रल एडमिनिस्ट्रेटिव ट्रीब्युनल इलाहाबाद
लखनऊ सर्किट लखनऊ सेव

अप्लीकेशन नं०-----1990

योगेश कुमार यादव

पीटीशनर

बनाम

यूनिफा आफ इंडिया तथा अन्य---

रेस्पान्डेंट

अनेग्जर सं०-6

सेवा में

मुख्य चिकित्सा अधिकारी
केन्द्रीय केन्द्रीय सरकार स्वास्थ्य योजना
लखनऊ

महोदय

प्राथी का श्रीमान जी की सेवा में सविनय निम्नलिखित
-त निवेदन उचित कार्यवाही तथा विचार हेतु प्रस्तुत है।

1-श्रीमान जी को विदित है कि केन्द्रीय सरकार स्वास्थ्य
योजना लखनऊ में आपके अधीनस्था कनिष्ठ हिन्दी अनुवादक
का एक स्थान रिक्त है जो प्रतिनियुक्ति/स्थानान्तरण/केन्द्र
-य सरकार स्वास्थ्य योजना लखनऊ के अंतर्गत कार्यरत उन
कर्मचारियों द्वारा भरा जाना है जो अनिवार्य तथा वांछनी
-य शैक्षिक एवं व्यवसायिक योग्यता धारण करता है।

2-यह निवेदित है कि प्राथी "कनिष्ठ हिन्दी अनुवादक"
पद हेतु वांछित शैक्षिक तथा वांछनीय अर्हताओं को धारण
करता है व तथा उपरोक्त पद हेतु भारती नियोक्तों की
अर्हताओं को भी पूरा करता है।

3-इसके साथ ही प्राथी ने भारतीय थल सेना ४ कोर
आफ सिगनल्स ४ में लिपिक पद पर कार्य करते हुए अनुवाद
कार्य का व्यवहारिक कार्य किया है और आवश्यक प्रमाण

Handwritten
True copy
Pratima Devi
(Petitioner)

पत्र भी हासिल किया है।

4-वर्तमान में श्री भी श्रीमान जी ने प्रार्थी को प्रशासन में लिपिकीय सेवा का अवसर देकर प्रशासन के सामान्यतः अंग्रेजी भाषा से हिन्दी भाषा और हिन्दी का अंग्रेजी में कार्य करने का सुवसर दिया है।

5- यह कि श्रीमान जी से विनम्र निवेदन है कि जब तक के०स०स्वा० यो० लखानऊ के कितागीय चयन समिति के द्वारा कनिष्ठ हिन्दी अनुवादक पद के पद पर किसी योग्य अभ्यर्थी का चयन नहीं कर लेती तब तक प्रार्थी अपने वर्तमान पद व वेतन पर अपने कार्य के साथ ही साथ कनिष्ठ हिन्दी अनुवादक पद का समस्त सब कार्य करने की प्रार्थना करता है इसके लिये प्रार्थी चयन समिति के निर्णय तक किसी भी प्रकार के अतिरिक्त वेतन की मांग सरकार से नहीं करेगा।

अतएव श्रीमान जी से प्रार्थना है कि उपरोक्त तथ्यों को ध्यान में रखाते हुए प्रार्थी को कनिष्ठ हिन्दी अनुवादक पद पर कार्य करने का उचित आदेश देने की कृपा करें ताकि प्रार्थी अपनी मेहनत व योग्यता से आपको संतुष्ट कर सके तथा अपनी सक्षमता साकार कर सके।

सलामत -।

दिनांक 20-8-1986

प्रार्थी

ह० योगेश कुमार यादव

अवर श्रेणी लिपिक के०स०स्वा०यो०

लखानऊ

प्रतिलिपि- सचिव अ०जा०के०स०स्वा०यो०के०स०मा०प्र०शासन

लखानऊ

सत्य प्रतिलिपि

Attested
True Copy
Pratima Devi
(Advocate)

Ans

33

In the Central Administrative Tribunal, established

Lucknow Circuit Bench

Application No.

of 1990

Yogesh Kumar Yadav ...

Applicant

Versus

Union of India and others ...

Respondents.

Annexure no.7

Through proper channel

To

The Director
C.G.H.S., D.G.H.S.,
Vidyan Bhawan New Delhi

Subject:-Request for appointment to the post of
Junior Hindi Translator under CMO CGHS. Iko

Respected Sir,

Most respectfully I am, my Clerk
presently serving under kind control of CMO CGHS
Iko ~~at~~ w.e.f. 26.6.85 as B.L.D.C., beg to state the
following for your kind consideration and
favourable orders please.

The post of Junior Hindi Translator
is still lying vacant under CMO C.G.H.S. Iko, as per
provisions laid down ~~xxam~~ in Recruitment Rules to the
post of Jr. Hindi Translator, I am in possession of
my Bachelor's degree with English as a main subject
and Hindi as a medium of Examination plus 7 years
and 4 months practical experience of translation work
from Hindi to English and Vice versa of Army
and obtained proficiency certificate to this
effect (photo copy enclosed).

Being eligible and possessing requisite
basic qualifications as per rules of Jr. Hindi
Translator, I had submitted my application on
dated 20.8.86 (copy enclosed) to CMO CGHS, Iko.

Attested True copy
Fatima Devi
(Advocate)

AWI

34

2.

In view of the above, May I seek an opportunity to request in your kind honour to consider my case for the post of Jr. Hindi Translator Under kind control of CMO, C.G.H.S. Jko as due to certain domestic problems I am unable to serve anywhere in India.

I will remain ever grateful for this act of your kindness, Sir,

Yours faithfully
Sd. Yogesh Kumar Yadav
L.D.C.

15.1.88

Encs:- as above.

Copy to

CMO, C.G.H.S. Jko for kind information information please.

True copy

Attested

True - copy -

Fatima Devi
(Advocate)

35

442

इन दी सेन्ट्रल एडमिनिस्ट्रेटिव दीबुनल इलाहाबाद

लघानऊ सर्किट बेंच

अप्लीकेशन नं०-----1990

योगेश कुमार यादव---

पीटीशनर

बनाम

यूनियन आफ इंडिया तथा अन्य---

अपोजीट

अनेजर सं०-8

भारत निर्वाचन आयोग

निर्वाचन निबन्धन सदन

अशोक रोड नई दिल्ली 110001

तारीख 22 अगस्त 1989

स०ए-20/जी०सी/179/

सेवा में

श्री योगेश कुमार यादव

निदेशक केन्द्रीय सरकार स्वास्थ्य योजना कार्यालय

9-ए राणा प्रताप मार्ग लघानऊ ४३० ५०४

विषय:- भारत निर्वाचन आयोग सचिवालय में हिन्दी अनुवादक

४ कनिष्ठ के रूप में नियुक्ति फर्मवारी केन्द्र आयोग

द्वारा आयोजित केन्द्रीय सचिवालय राजभाषा

४ कनिष्ठ/वरिष्ठ अनुवादक परीक्षा 1988 से रैंक नं०

23

महोदय

श्री राजभाषा विभाग के तारीख 13-४-89

के काका सं० 3-3-89 -ओ०एल०एस० के अंतर्गत प्राप्त नाम

निर्देशन के प्रसंग में आपको भारत निर्वाचन आयोग

सचिवालय में हिन्दी अनुवादक ४ कनिष्ठ के एक अस्थाई

पद का प्रस्ताव भेजने का निर्देश हुआ है। इस पद का वेतन

मान 1400-40-1600-50-2300-द०र०-60-2600-र०

है और आपका वेतन ----- वृद्धियों इस समय प्रवृत्त

Attested

True copy

Pratima Devi
(Secretary)

-2-

मूल नियमों के अनुसार विनियमित होगी। आप ग्राह्य दरों पर महंगाई भात्ता तथा अन्य भात्ते पानेकभी हकदार होंगे जो समय समय पर लागू ऐसे भात्तों की सूची को अनुशासित करने वाले नियमों और आदेशों में निहित शर्तों के अधीन होंगे।

2-नियुक्ति की शर्तें -यथा निम्नलिखित है:-

॥१॥ नियुक्ति पूर्णतः अस्थायी है और इससे स्थायी नौकरी का हक प्राप्त नहीं होगा।

॥११॥ नियुक्ति किसी भी समय किसी भी और से अर्थात् नियुक्ति अथवा नियुक्ता द्वारा एक महीने की सूचना पर बिना कोई कारण बताए समाप्त की जा सकती है तथापि नियुक्ता के पास यह अधिकार सुरक्षित है कि वह नियुक्ति की सेवाएँ तत्क्षण या सूचना की उक्त अवधि बीतने से पूर्व ही समाप्त कर सकता है और वह ऐसी सूचना की अवधि अथवा उसके किसी अनुवृत्ति-भाग के लिए वेतन और भात्तों के बराबर रकम का भुगतान करते हुए करेगा।

॥१११॥ आपको स्थानान्तरण या प्रतिनियुक्ति पर किसी भी राज्य अथवा संघ राज्य-क्षेत्रों नौकरी करनी होगी जब कभी ऐसी करान आवश्यक होगा।

॥१११॥ सेवा की शर्तें समय समय पर पूर्वतन सुसंगत नियमों और आदेशों द्वारा अनुशासित होंगी।

3-नियुक्ति निम्नलिखित मूल प्रमाण पत्र प्रस्तुत करने के अधीन भी होगी।

॥१११॥ शैक्षणिक अर्हताओं के प्रमाण पत्र

॥१११॥ आयु का प्रमाण पत्र

॥१११॥ पूर्व के नियुक्ता से प्राप्त नौकरी को छोड़ने का प्रमाण पत्र

पत्र

4-यदि आपके द्वारा की गई कोई गलती या दोष

Harshad
True-copy
Rahim Durrani
(Secretary)

गई कोई सूचना झूठी सिद्ध हो जाती है अथावा यह पाया जाता है कि आपने कोई सारवान सूचना जान बूझकर छिपाई है तो आप नौकरी से हटा दिये जाने या ऐसी कार्रवाई किए जाने का दावा होगा जिसे सरकार उचित समझे।

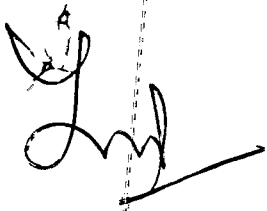
5- यदि आप उपर्युक्त स्कून्त शर्तों पर इस न्युक्ति के प्रस्ताव को स्वीकार करते हैं तो आप अपनी स्वीकृति आगेहस्ताक्षरी को तत्काल भेज दें और 8-9-89 को अथावा इसके पूर्व झूटी के लिए रिपोर्ट करें। यदि विहित तारीख तक कोई उत्तर प्राप्त नहीं हुआ तो आपको किया गया न्युक्ति का यह प्रस्ताव रद्द समझा जायेगा।

6- आपको झूटी पर आने के लिए कोई यात्रा भत्ता नहीं दिया जायेगा।

भावदीय

ह0 सुरेन्द्र मैदीरत्ता
अवर सचिव विधिक

सत्य प्रतिलिपि



Attested
true copy
Pratima Devi
(Heavily)

445

38

In the Central Administrative Tribunal Allahabad
Lucknow circuit Bench

Application No.

of 1990

Yogesh Kumar Yadav ...

Applicant

Versus

Union of India and others

Respondents.

Annexure no.9

No.-4 -160/88-CGHS/lko/2533-34

Govt. of India

Central Govt. Health Scheme,

9-A, Rana Pratap Marg, Lucknow.

Dated 14.12.89

To

Regional Director (CR)

Staff Selection Commission

8, Bero Road, Allahabad-211002

Subject:- Forwarding of application in r/o Sh Y.K.Yadav
J.D.C. to the post of Jr. Hindi Translators
Exam 1989 Through SSC, Allahabad

Sir,

Please find enclosed herewith an application
in r/o Sh Y.K.Yadav J.D.C. of this office for the post
of Jr. Hindi Translators through examination being
conducted by you for necessary action at your end
please.

In case Sh Yadav is selected to the post
applied for he will be relieved from this office and pay
also be adjusted against the vacant post of Jr. Hindi
Translators in this office. so you ~~xxx~~ are requested
to sponser his name to this office in case he is

Attested True copy
Pratima Devi
(Advocate)

Amo

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selected so that departmental candidate may be
adjusted against the post to be filled by
departmental candidates.

Yours faithfully

(Dr. R. P. Pande)

Dy. Director Central Govt. Health
Scheme Iko.

Enclosed as above.

Copy to

Sh. Y. K. Vayda ID C.G.H.S. Iko

Sd. Integible

Dy. Director

Central Govt. Health Scheme Iko

True copy

Attested
True copy.

P. Atina Devi
(Advocate)

447

40

In the Central Administrative Tribunal Allahabad
Lucknow Circuit Bench.

Application No. of 1990

Yogesh Kumar Yadav .. Applicant

Versus

Union of India and others ... Opp-Parties.

Annexure no.10

Immediate/Registered

No.3-119/88-CGHS/Iko/721

Govt. of India

Central Govt. Health Scheme

9-a Rana Pratap Marg, Lucknow.

Dated 12.6.89

To

Regional Director (C.R.)
Staff Section Commission
8 Bati Road, Allahabad

Subject:- Examination of Hindi Translator (Jr) under
Central Govt. Health Scheme regarding of
Sir,

In pursuance of this office letter No.
4-160/88-CGHS/Iko/1081-82 dated 12.8.88 (copy enclosed)
I am to state that Shri Y.K.Yadav J.D.C. CGHS Iko of
this office whose name already has been recommended
to S.S.C. for appearing in the examination for the
post of Jr.Hindi Translator copy enclosed for ready
reference.

Further I am to inform that as declared
result list of Hindi Translator Shri Yadav whose
Roll No. is 2410169 also has qualified this
examination as above in the annex attached list of
result. I, therefore, request that by treating
this a special case and I already have performed

Attested
True Copy
Pragna Devi
(Address)

2.

(41)

pus

in my previous letter name of Shri Y.K. Yadav who is already working in this office may be adjusted on the post of Jr. Hindi Translator against the vacant post of Jr. Hindi Translators which is urgently required to be filled up in this organisation in public interest. A requisition for the said post is also enclosed for kind consideration and early action please.

This may please be treated on the top priority basis. I shall be very grateful for this co-operation please.

Yours faithfully

Sd.

(Dr. R.P. Pande)

Dr. Director Central Govt.
Health Scheme Jko.

Encs: - as above.

True copy

Handwritten signature
Attested
True copy.
Fatima Devi
(Advocate)

(42)

In the Central Administrative Tribunal at Lucknow
Lucknow Circuit, Lucknow.

Application No. _____ of 1990
Yogesh Kumar Yadav ... Applicant
Versus
Union of India and others ... Respondents.

Annexure no. 11

To

The Dy. Director
Central Govt. Health Scheme
9.A. Barn Pura Marg, JKO

Subject: Request for appointment to the post of Jr.
Hindi Translator vacant from 3 consecutive
year under CGHS, JKO for passing the Exam
of the post from SSC.

Respected Sir,

Most respectfully I am an Ex-army clerk
working as J.D. under CGHS JKO her to state following
few lines for kind consideration and favourable
action please.

2. Being eligible and in possession of requisite
qualifications of above quoted post I had submitted
an application dt. 20.8.86 to the then C.O. and
Secretary, CGHS Employees Association JKO Branch for
necessary action (copy enclosed) .

3. Consequent upon no response of the above
application I had submitted an application to
Director CGHS, New Delhi through proper channel on
15.1.88 and the same was forwarded vide no.2-119/
88-CGHS/JKO/2188 -89 dt.15.1.89 (copy enclosed
but no reply received till date.

4. Meanwhile I have submitted an application
to the Dy. Director (CGHS) JKO to the post of Jr. Hindi
Translator through G SSC which was forwarded

Attested
True copy.

Pratima Devi
(Attorney)

ASO

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2.

by the office for appearing in the examination for the above post.

5. I, bearing Roll No. 2410169 have declared qualified to the post by SSC. Being eligible and claimant of the post since long under CGHS Iko and presently approved by the valid recruiting agency of the said post I may be appointed on the said post through SSC without any hinderance being a departmentary candidate.

6. Recently It has been seen that some JDC's of this office having prejudice and jealousy to me known to all of this office now making representation to the authorities of Employees union and Dy. Director CGHS Iko and claiming himself eligible to the post at this stage and misleading the union authorities to represent his case by pressure to appointing authority. He has also seen showing recruitment rules for the above post to other employees and discussing on the matter, where only intention to create hinderance and forbid the authority to appoint a departmentary candidate who have now been declared by SSC under this organization at any cost.

7. In view of the above submitted facts and keeping in view of my domestic problems may I kindly request in your honour to appoint me to the post of Jr. Hindi Translator which is lying vacant since 3 consecutive years in this office for suitable candidate through SSC and adjust me on the said post to enable us to manage my domestic problems on compassionate grounds. I will remain ever grateful for this act of your

Attested
True copy.
Pratima Devi
(Advocate)

951

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Kindness & str.

Yours faithfully

So. Y. K. Yadav

LDC, CGHS, Iko

Dated: 22.6.1989

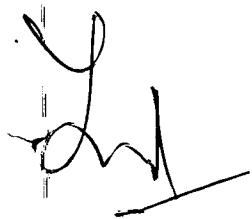
Copy to:-

1. The President of India (GHS Employees Association) Iko Branch for necessary action.
2. Secretary, ICGHS Employees Association Iko Branch for similar action.

(U. K. Yadav)

LDC, CGHS Iko

Free copy



Attested

True copy

Pratima Devi
(Advocate)

(45)

112

इन दी सेन्ट्रल एडमिनिस्ट्रेटिव दी बुनल इलाहाबाद
लजानउ सर्किट बैच

अपलीकेशन नं०-----1990

योगेश कुमार यादव

अप्लीकेंट

बनाम

यूनियन आफ इडिया तथा अन्य ---

रेस्पाण्डेंट-रेस्प
रेस्पान्डेंट

अनेग्जर सं०- 12

सेवा में

सचिव भारत सरकार

राजभाषा विभाग प्रथम तल

लोकनायक भवन ज्ञान मार्केट

नई दिल्ली-3

विषय:- केन्द्रीय सचिवालय राजभाषा सेवा द्वारि००/

कनिष्ठ अनुवादक परीक्षा 1988 के आधार पर

विरोध परिस्थितियों के कारण लजानउ में नियुक्ति

हेतु में प्रार्थना पत्र

संदर्भ:- भारत निर्वाचन आयोग सचिवालय नियुक्ति प्रस्ताव

पत्र सं०ए-20/जी०सी०/179 दिनांक 22-8-89

महोदय

संदर्भ में अंकित नियुक्ति प्रस्ताव पत्र की ओर ध्यान

आकर्षित करते हुए निवेदन है कि प्रार्थी ने अपना

स्वीकृति दिनांक 31-8-89 को वर्तमान कार्यालय में आयोग

को अग्रसारित करने हेतु भेजा था जिसकी प्रतिलिपि आपके

कार्यालय को भी आवश्यक कार्यवाही हेतु भेजी गयी थी

और पुनः संलग्न की जा रही है।

आपसे सानुरोध है कि प्रार्थी जो कि एक

भूतपूर्व सैनिक है नि परिस्थितियों तथा उपरोक्त

Attested
True - (copy)
Pratima Devi
(Advocate)

453

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-2-

पत्र में निहित तथ्यों को ध्यान में रखा कर प्रार्थी को नानाकन
किसी भी लहानऊ लिखात कार्यालय में करने की कृपा करें।

आभार सहित

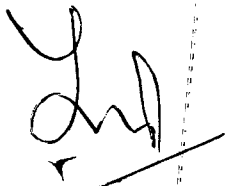
भावदीय

ह0 योगेश कुमार यादव

22-9 -89

अवर श्रेणी लिपिक
केन्द्रीय सरकार स्वास्थ्य योजना
लहानऊ

सत्य प्रतिलिपि



* Attested
True copy
Pratima Das
(Advocate)

(47)

AS4

हून
इन दी सैन्ट्रल एडमिनिस्ट्रेटिव ट्रीबुनल इलाहाबाद
लखनऊ सर्किट बेंच

अप्लीकेशन नं०-----1990

योगेश कुमार यादव ---

पीटीशानर

बनाम

यूनियन आफ इडिया तथा अन्य---

अपोजाटोज

अनेग्जर सं०-13

सं०४-160/89-के०स०-स्व०यो०/लखनऊ/1802-3

भारत सरकार
केन्द्रीय सरकार स्वास्थ्य योजना
9-ए राणा प्रताप मार्ग लखनऊ ।

दिनांक 22-9-89

सेवा में

सचिव

भारत सरकार

राजभाषा विभाग

प्रथम तल लोक नायक भवन

छान मार्केट नई दिल्ली-3

विषय:- श्री योगेश कुमार यादव, अवर श्रेणी लिपिक
द्वारा प्रस्तुत पत्र को अग्रसारित करने बाबत

महोदय

इस कार्यालय में कार्यरत श्री योगेश कुमार यादव ने अपने
दिनांक 31-8-89 के पत्र के क्रम में जिसकी प्रतिलिपि आपके
कार्यालय को सर्वेक्ष की एक पत्र दिनांक 22-9-89 को अपनी नि
क्रिया दारेल समस्याओं को दशाति हुए दिया है जो
अधोवस्तानारकर्ता की भी जानकारी में है और सत्य है

इसलिए उन्होंने आपके लखनऊ के किसी भी कार्यालय
में नामांकन हेतु निवेदन किया है जिसे उचित कार्यवाही
हेतु संस्तुति के साथ अग्रसारित किया जा रहा है।

सलमक

भावदीय

ह०डा०एस०सी०दस्ता उन निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना लखनऊ
प्रतिलिपि-श्री योगेश कुमार यादव अ०श्रे०लि०

उप निदेशक के०स०स्वा०यो०

सत्य प्रतिलिपि

लखनऊ

Attested True copy.
Pratima Devi
(Advocate)

ASS (48)

In The Central Administrative Tribunal, Allahabad, Lucknow.. Circuit - Bench.

Yogesh Kumar Yadav Application No. of 1990
Union of India and others. vs. Applicant
Annexure No. 14 Respondents

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
LUCKNOW CIRCUIT BENCH.

Registration O.A. No. 170 of 1989

Ram Babu Applicant

Versus

Union of India & Others Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.
Hon. K.J. Raman, A.M.

(By Hon. Justice K. Nath, V.C.)

This application under Section 19 of the Administrative Tribunals Act XIII of 1985 is for a direction to fill the post of Junior Hindi Translator in the office of Deputy Director, Central Government Health Scheme, Lucknow by promotion after considering the candidates of that office who are qualified for that post including the applicant.

2. It is not necessary to go into various details of the allegations and counter allegations because it seems that the very basic requirements of eligibility qualifications are not satisfied by the applicant.

3. The recruitment is to be made under the Central Government Health Scheme (Junior Hindi Translator) Recruitment Rules, 1982 as amended in 1987 and contained in Annexure-CA.1. Column 8 of the Schedule annexed to the rules contains the details of educational and other qualifications required for direct recruits. There are four alternatives of educational qualifications specified in Column 8. The learned counsel for the applicant has

Attested
True copy.
Pratima Devi
Advocate

- 2 -

relied upon the last of those alternatives which runs as follows :-

" Bachelor's degree of a recognised University, with Hindi and English as compulsory/elective subjects, or either of the two as medium of examination and the other as a compulsory/elective subject, plus a recognised diploma/certificate course in translation from Hindi/English and vice versa or two years experience of translation work from Hindi to English and vice versa in Central/State Government offices, including Government of India Undertakings."

4. Admittedly, the applicant did not have both Hindi and English as compulsory/elective subjects in the Bachelor's degree. The question is whether the applicant had either English or Hindi as the medium of examination and at the same time had correspondingly the other language namely English or Hindi as the compulsory/elective subjects with requisite experience in translation work. According to the statement of the application's qualifications contained in Annexures- 6, 7 & 9, the applicant was a Graduate in Hindi and Postgraduate in Political Science but only Hindi as the medium of both the examinations. In this manner the applicant lacked the qualification of having English as his medium of examination.

5. The learned counsel for the applicant, however, has a grievance that admittedly 12 applications have been invited of which five have been eliminated including the applicant and leaving only seven other persons in the zone of consideration. The learned

Attested
True copy.
Pratima Devi
(Hindi)

- 3 -

counsel for the applicant says that none of these seven persons also satisfied the eligibility qualification requirements. He says that this Tribunal may call for those applications and satisfy itself about their qualifications. We do not think it necessary to do so because we believe that the opposite parties, are the authorities concerned, will ensure that only such persons are selected who possess the requisite educational qualifications which are set out as conditions of eligibility in Column 8 of the Schedule of the Recruitment Rules.

6. With these observations, this application is dismissed. Parties shall bear their costs.

Member (A)

Vice Chairman

Dated the 5th December, 1989.

RKM

Attested

[Signature]
2/12/89

Deputy Registrar

of Central Adm. Serv. Bd.

Lucknow B

Lucknow

[Signature]

Attested
True copy.
Prithvi Desai
(Advocate)

ASD

51

इन दी सेन्दल एडमिनिस्ट्रेटिव स्ट्रिक्चर ट्रीबुनल इलाहाबाद
लुगान उ सर्किट बैच

अप्रीमे अप्लीकेशन नं०-----1990

योगेश कुमार यादव ----- अप्लीकेंट

बनाम

यूनिफ़ॉर्म आफ़ इड्रिया तथा अन्य--- अपोपार्टीज

अनेग्जर सं०-15

सेवा में

निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना

स्वास्थ्य सेवा महा निदेशालय

निर्माण भावन नई दिल्ली ।

विषय:- के०स०स्वा०योजना में रिक्त हिन्दी अनुवादक
कनिष्ठ पद पर सुयोग्य विभागीय उम्मीदवार
की नियुक्ति वाबत

महोदय

आपका ध्यान उपर्युक्त विषयक संदर्भ और
निम्नलिखित तथ्यों पर निष्पक्ष कार्यवाही हेतु आकर्षित
करते हुए निवेदन है:-

1-यह कि के०स०स्वा०योजना लुगानउ में वर्ग 1986 से रिक्त
हिन्दी अनुवादक कनिष्ठ के पद पर भार्ती नियम के
अनुसार आवश्यक शैक्षिक तथा अन्य योग्यता धारक
विभागीय उम्मीदवार की नियुक्ति भी आपेक्षित है।

2-यह कि प्राप्ति ने भूतपूर्व सैनिक है जो कि भारतीय
सेना की लिपिकीय सेवा से मुक्त होने के पश्चात के०स०स्वा०
योजना लुगानउ में कर्मचारी क्चन आयोग के माध्यम के अवर
श्रेणी लिपिक पद पर दिनांक 26-6-1985 से कार्यरत
स्थायी कर्मचारी है। सिविलियन पदों पर सेशन सेवा
कार्मिकों को प्राप्ति के प्रवेश संबंधित विषय पर
का० और प्र० विभाग पत्र सं० ए०सी० -11017/15/
/85-स्वा०/आर०आर०31 मार्च 85 का उल्लेखनीय है।

AHeshtal
True-copy.
Pratima Devi
(Advocate)

3- यह कि प्राथी हिन्दी अनुवादक कनिष्ठ पर पर
भारती नियम के अनुसार "अर बी० ए०" स्तर पर अंग्रेजी
एक मुख्य विभाग के रूप में तथा अन्य विभागों के
परीक्षा माध्यम हिन्दी और आवश्यकता से अधिक
अनुवाद कार्य कर अनुभाव धारणा करने पर दिनांक 20-8-86
को एक पत्र आवश्यक कार्यवाही हेतु तत्कालीन मुख्य अधिकारी
मि. कि. स्. अ. अधिकारी को दिया था। संदर्भित विभाग पर
कार्यवाही न होने के कारण दिनांक 15-1-88 को आपसे
आवश्यक कार्यवाही हेतु निवेदन करते हुए एक पत्र प्रस्तुत
किया जिसे इस कार्यलय में पत्र सं० 3-119/87 के 0 स० स्वा० यो०
ल० न० 2188/89 दिनांक 15-1-88 द्वारा अग्रसारित
किया प्रतियाँ संलग्न

4- यह कि प्राथी को कर्मचारी क्लब द्वारा आयोजित
केन्द्रीय सचिवालय राज भागा वरिष्ठ/कनिष्ठ अनुवादक
परीक्षा 1988 के परिणाम के आधार भारत निर्वाचन
आयोग सचिवालय में दिनांक 29-8-89 को हिन्दी अनुवादक
कनिष्ठ के रूप में नियुक्ति हेतु प्रस्ताव प्राप्त हुआ। धनसेनी
धारेलू परिस्थिति तथा पत्नी की बीमारी की वजह से
झूटी जवाइन करने की अस्थिरता के कारण प्राथी ने राज
भागा विभाग से ल० न० लिखा कि किसी भी कार्यलय
में नियुक्ति हेतु आवेदन किया है।

5- यह कि प्राथी की पत्नी की बीमारी का इलाज
चल रहा है और प्राथी के अतिरिक्त परिवार को अन्य कोई
सदस्य देना भाग करने वाला नहीं है इसलिए अपने ही
विभाग में कनिष्ठ वेतनमान में हिन्दी अनुवादक को पद पर
धारेलू समस्याओं की वजह से योग्य अभ्यर्थियों ने पुनः परीक्षा
के आधार पर भी नियुक्ति हेतु यह प्रार्थना पत्र प्रस्तुत है।

6- यह कि के० स० स्वा० यो० ल० न० में कार्यरत विभागीय

Attested
True copy
Pratima Devi
(Advocate)

ALC

उम्मीदवारों से पैरा एक में वर्णित रिक्त पद पर नियुक्ति हेतु प्रार्थना पत्र मांगे गये थे जिस पर प्रार्थी ने भी अपना आवेदन पत्र प्रस्तुत किया है। जिसने 12 विभागीय उम्मीदवारों ने आवेदन किया है जिनसे प्रार्थी के अतिरिक्त कोई भी उम्मीदवार भागी नियम में निर्धारित शैक्षिक योग्यता नहीं धारण करता है।

7- यह कि निर्धारित तिथि के अनुसार दिनांक 28-8-89 को परीक्षा होनी थी जो अभी तक सम्पन्न नहीं हो सकी है कुछ नए लोग यद्यपि निर्धारित योग्यता पूरी नहीं करते हैं तथापि विभिन्न तरीकों से योग्य उम्मीदवारों के चयन में बाधा डालने में प्रयत्नशील हैं।

अतएव श्रीमान जी से निवेदन है कि उपरोक्त वर्णित तथ्यों को ध्यान में रखकर के०स०स्वा०यो०ल०न०में रिक्त हिन्दू अनुवादक कनिष्ठ पद को निष्पक्ष रूप से भरने हेतु आयोजित परीक्षा से पूर्व उम्मीदवारों द्वारा प्रस्तुत सभी आवेदन पत्रों की जाँच स्वास्थ्य सेवा महा निदेशालय द्वारा कराने की कृपा करें ताकि निर्धारित योग्यता धारक उम्मीदवार ही परीक्षा देने के पात्र हों और यदि प्रार्थी की योग्यता प्रमाणित हो तो दारेख समस्याओं को हल करने हेतु उपरोक्त पद पर नियुक्ति हेतु उचित आदेश देने की कृपा करें।

प्रार्थी सदैव आभारी रहेगा।

भावदीय

ह०योगेश कुमार यादव
18-10-89

संलग्नक - चार

अवर श्रेणी लिपिक

केन्द्रीय सरकार स्वास्थ्य योजना ल०न०

प्रतिलिपि-1-सहायक निदेशक राजभाषा विभाग के०स०स्वा०
यो०स्वा०स्वा० सेवा महानिदेशालय निर्माणा भवन
नई दिल्ली।

सत्य प्रतिलिपि

Attested
True Copy
Pratima Devi
(Medical)

AGI

54

In the Central Administrative Tribunal Bench
Lucknow Circuit, Bench

Application No. of 1990

Yogesh Kumar Yadav .. Respondent
Versus

Union of India and others ... Respondents

Annexure no.16

For attention of Chairman and D.P.C. members
through proper channel.

To

The Deputy Director
Central Govt. Health Scheme Lucknow.

Subject:- Request ~~for~~ to appoint only eligible
candidate - possession qualification laid
down in column no.8 of Recruitment Rules
to the post of Jr. Hindi Translator amongst
the candidate appeared in written examination
by DPC to be ~~held~~ held for the purpose.

Sir,

In continuation to my earlier request
letter dt.18.10.89 addressed to Director CHS
New Delhi and copies to you and Asstt. Director
~~for~~ O.T. New Delhi. With humble submission I am
again submitting following facts for necessary
action at your end and regret to state that despite
of request to scrutinise the applications of
candidates under provisions of rules the
candidates who does not possess a requisite
qualifications as laid down in column no.8 of Rules
have been permitted to appear in the examination
with deliberately mala fide intention.

As per recruitment rules of the post
the candidate should be B.A. in Hindi/English as a
subject and in B.A. English/Hindi subject or B.A.
with Hindi/English as main subject and other as a

[Handwritten signature]

Attested
True copy.
Pratima Devi
(Advocate)

AG2

55

2.

medium of examination or subject plus two years experience of translator (applicant possession) but the concerned authority has permitted the candidate ignoring all facts and deliberately violated the rules with wrong interpretation by treating B.A. degree into account which cannot be taken in to consideration as the same is not existing in rules.

It is also learnt that in collusion with the same authority a candidate who has been permitted to appear in the examination in possession of B.A. Degree and B.A. degree and so not fulfilled the requisite qualification has managed a foul game and malpractices played an active role so he has obtained first place among the candidate. Although result has not been declared officially but rumours are spreading that by former DPC recommendation, he will be appointed to the post of Jr. Hindi Translator for which no candidate except myself eligible neither on the basis of the requisite qualification or on the basis of examination if examination conducted fairly.

In addition I am qualified candidate of SSC, the component examination body for the purpose in a higher scale of Jr. Hindi Translator but due to certain domestic problems and fitness of family I am seeking an opportunity to serve on the above vacant post being eligible in my department under your kind control.

May I once again request you for providing justice at your end being a member of DPC and from the members of DPC to follow the provisions of Recruitment Rules of the post as the post required to be filled from

Attested
True copy,
Pratima Devi
(Official)

3.

the candidate fulfilling qualification and if myself is not in first place as rumours are spreading a chance of written examination in front of you may be given to prove the reality.

Again and again requesting to follow the provisions of recruitment rules and appoint myself to the post of Jr. Hindi Translator before eligible candidate amongst the candidates appeared in the said examination if the same was conducted fairly failing which being no option left to me except to take the shelter of court of law for justice I may also be permitted for the same at earliest.

Yours faithfully

Dated 2.12.89

Sd.V.K.Yadav 5.12.89

L.D.C.(GHS, Iko

Copy to:- DPC Members for appraisal and necessary action.

True copy

[Handwritten signature]

Attested
True copy
Pratima Devi
(Advocate)

ABY
57

In the Central Administrative Tribunal New Delhi Bench

Lucknow Circuit Bench

Application No. of 1990

Yogesh Kumar Yadav ... Applicant

Versus

Union of India and others ... Respondents.

Annexure no.17

No.3-119/89-C.G.H.S./Lko/2390-93

Govt of India

Central Govt. Health Scheme

9-A Rana Pratap Marg, Lucknow.

Date-14.12.89

Office Order

Consequent upon decision taken by D.P.C. held on 22.12.89 Shri R.D.Sharma, is hereby appointed as a Joint Hindi Translator in the office of Deputy Director C.G.H.S. Lucknow in the pay scale of Rs.1400-40-1800 E.B.-50-2200 His appointment will take effect from the date of his joining on the post Shri R.D.Sharma will be on probation period of two years.

(Dr.S.C.Dutta)
Deputy Director
C.G.H.S.Lucknow.

1. Tol. Shri R.D.Sharma L.D.C. Disp.no.1.

2. M.O. of C.G.H.S. Disp.no.1 is asked to relieve Shri R.D.Sharma immediately with inspection to report to the office of undersigned.

3. Account section C.G.H.S. Lucknow.

4. P.O.O. JMC New Delhi

True copy

Attested
True copy.
Pratima Devi
(Advisory)

A65

58

In the Central Administrative Tribunal Enclined
Lucknow Circuit Bench

Application No.

of 1990

Yogesh Kumar Yadav

...

Petitioner

Versus

Union of India and others

...

Respondents.

Annexure no.18

No.3-119/89-CGHs/420/2299-2303 dated 15.12.1989

Office Order

Shri Rishi Dev Sharma is hereby appointed
on the post of Junior Hindi Translator under Central
Government Health Scheme, Lucknow on a pay of Rs.1400/-
in the pay scale of Rs.1400-40-1800- E.B.-50-2300
with effect 15.12.89 (fix).

(Dr.S.C.Dutt)

Dy. Director C.G.H.S. Lucknow.

To

1. Shri R.D.Sharma Joint Hindi Translator
C.G.H.S. Lucknow.
2. The Assistant Director Raj Bhasa
Birman Bhavan New-Delhi
3. Pay and Accounts officer.
4. The Director C.G.H.S.

True copy

Attested
True copy.

Pratima Devi
(Advocate)

Page

59

In the Central Administrative Tribunal, Allahabad

Judicial Circuit, Bench

Application No.

of 1990

Yogesh Kumar Yadav ...

Petitioner

Versus

Union of India and Others

Respondents.

Annexure no.19

To

The Deputy Director (Admin)
C.G.H.S. Nirman Bhawan

New Delhi

Through proper channel.

Sub:- Request for appointment to the post of Jr.
Hindi Translator under C.G.H.S. Lucknow.

Sir,

Most respectfully I am to state the following facts for your kind consideration and necessary ~~xxxx~~ orders in continuation to my application dated 18.10.1989 on the above subject alongwith photocopies of certificates in support of my eligibility to the post of Jr. Hindi Translator under C.G.H.S., Lucknow.

Although the applicant was only eligible candidates in accordance with provisions of Educational and other qualifications of recruitment rules to the subject ~~xxx~~ post. But due to the deliberate intention of concerned authorities unqualified candidates were allowed to appear in the said examination on 26.10.1989, consequent

Attested
True copy.

Pratima Devi
(Attorney)

2.

60

upon unfair written examination on 26.10.1989 Sh. R.D.Sharma, TIL was placed first and the applicant in second position in the results. So I again requested Deputy Director, CGHS, Lucknow to appoint only eligible candidate fulfilling the requisite educational qualifications. In spite of the facts of not fulfilling the requisite qualifications Sh. R.D.Sharma was appointed to the said post on 15.12.1989 which is not correct and requires to be treated as null and void in view of the aforesaid facts. As per your justified instructions probably it has been cancelled.

I have served in the Army (Corps of Signals) as clerk G.D.w.e.f. 8th Nov. 1975 to 23rd March, 1983 and re-employed as TIL under CGHS Lucknow on 26.6.1985. In view of the seniority of service there is no any other scope for promotion and the subject post is higher for which I am the only eligible candidate of ex-servicement category and the other candidates even not possessing the requisite qualifications. So the applicant's prayer for appointment on the subject post is justified.

In view of the above facts your are kindly requested to accord sanction for my appointment on the subject post.

Thanking you

Yours faithfully

Lucknow dated; 23.12.1989. V.K. Yadava 23.12.89

TIL, CGHS Disp. No. 111

Lucknow

copy to: 1- The Deputy Director CGHS for similar action.

True copy

Attested
True copy.
Pratima Devi
(Advocate)

AGG

61

इन की सेन्दल एडमिनिस्ट्रीटिव ट्रीबुनल इलाहाबाद लखनऊ किट
बैंच

अप्लीकेशन नं०-----1990

योगेश कुमार यादव

पीटीशनर

बनाम

यूनिफ़ा आफ़ इंडिया तथा अन्य---

अपी०पार्टीज

अनेग्ज स०- 20

संख्या-ए- 15019 /2/86=के०स०स्वा०यो०-2

स्वास्थ्य सेवा महानिदेशालय

नई दिल्ली दिनांक 19-1-90

सेवा में

उप निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना

9-ए राणा प्रताप मार्ग

लखनऊ

विषय- कनिष्ठ हिन्दी अनुवादक के पद को भरा जाना

महोदय

उपर्युक्त विषय पर आपके दिनांक 22-12-89

के पत्र सं० 3-119-/89 -के०स०स्वा०यो०/एल०के० ओ०/2347 के

संदर्भ में भूले श्री श्रीजिदेव शर्मा अपर क्रेणी लिपिक को केन्द्रीय

सरकार स्वास्थ्य योजना लखनऊ में कनिष्ठ हिन्दी

अनुवादक के पद पर स्थानान्तरण द्वारा प्रतिनियुक्ति आधार

पर नियुक्त करने की निदेशक के०स०स्वा०यो० की मजूरी

सूचित करने का निदेश हुआ है। श्री शर्मा की नियुक्ति

कनिष्ठ हिन्दी अनुवादक के पद पर उनके कार्य ग्रहण करने

की कि तारीख से प्रभावी होगी। प्रतिनियुक्ति की अवधि

फिलहाल एक वर्ष की होगी। वैसे श्री शर्मा की नियुक्ति इस संख्या

में जारी की गई अन्य शर्तों और समय समय जारी किए गए

आदेशों के अधीन होगी।

भवद्वि

.....भावदीय

ह०अप०जीय १टी०एस०राव१

उप निदेशक प्रशासन१

Attested
True Copy.
Pratima Devi
(Prolocator)

(62) (1869)

इन दी सेन्दल एडमिनिस्ट्रेटिव ट्रिब्यूनल इलाहाबाद
लखानऊ सर्किट बेंच
अप्लीकेशन नं०-----1990

योगेश कुमार यादव

पीटीशनर

बनाम

यूनिफ़ॉर्म आप ईडिया तथा अन्य-55-

रेस्पॉण्डेंट

अनेगजर सं०-2।

सं०-3-119 /89 -के०स०स्वा०यो०/लखानऊ/172-75 76

भारत सरकार

केन्द्रीय सरकार स्वास्थ्य योजना

9-ए राणा प्रताप मार्ग लखानऊ

दिनांक 22-1-90

कार्यालय आदेश

महा निदेशक के पत्र सं०-ए-15019/2/86-के०स०स्वा०यो०-2
दिनांक 19-1-90 के अनुसार श्री आर०डी०शर्मा अवर श्रेणी
लिपिक को केन्द्रीय सरकार स्वास्थ्य योजना लखानऊ में कनिष्ठ
हिन्दी अनुवादक के पद पर स्थानान्तरण द्वारा
प्रतिनियुक्त के आधार पर नियुक्ति किया जाता है। श्री
शर्मा की नियुक्ति कनिष्ठ हिन्दी अनुवादक के पद पर उनके
कार्य ग्रहण करने की संस्कार तारखा से प्रभावी होगी।
प्रतिनियुक्ति की अवधि फिलहाल एक वर्ष की होगी। वैसे
श्री शर्मा की नियुक्ति इस संज्ञा में जारी की गई अन्य शर्तों
और समय समय पर किये गये आदेशों के अधीन होगी।

॥ड०ए०सी०दत्ता॥

उप निदेशक

के०स०स्वा०यो० लखानऊ

प्रतिलिपि

श्री आर०डी०शर्मा अ० श्रे० लि० के०स०स्वा०यो०लखानऊ

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Attested
True - Copy.

Pratima Devi
(Advocate)

-2-

2-उप निदेशक प्रशासनिक सरकार स्वास्थ्य योजना
निर्माण भवन नई दिल्ली।

3-लेखा अनुभाग के० सरकार स्वास्थ्य योजना लेखाने

4-वेतन एवं लेखा अधिकारी ते०ह०मे० कालेज नई दिल्ली।

सत्य प्रतिलिपि



Attested
True-copy.
Pratima Devi
(Admission)

APN

64

In the Central Administrative Tribunal at New Delhi
Lucknow Circuit, Bench

Application No.

of 1990.

Yogesh Kumar Yadav ...

.. Applicant

Versus

Union of India and others

... Respondents.

Annexure no.22

Copy of Department of Personnel and Training
O.P.No.14017/83-Estt.(RPF) dated 11.7.85
.....

Sub:- Filling of the posts by transfer on deputation
regarding .

The undersigned is directed to say that according to the procedure laid down for filling up the posts by transfer on deputation, the Administrative Ministries/Departments ~~xxxxxxxxxxxxxxxx~~ are required to circulate the vacancies to the various organisations/Departments mentioned in the recruitment Rules. In ~~xxxxxx~~ regard to the filling up of some of the posts in Group 'A' by transfer on deputation, where some consultation is necessary bio-data of the applicants alongwith their C.R. Dossiers, are sent by the Ministries/Departments to the Union Public Service Commission for making a selection of suitable persons from amongst the applicants. In this connection, the commission have observed that in some cases the applicants available for selection have been found to be rather too few, rendering it ^{difficult} ~~xxxxxxxx~~ for the commission to recommend suitable candidates. In several cases the commission had to advise re-circulation of the vacancies.

2. It has been observed that following are

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+ Retains Secy
(Advocate)

2.

the main reasons for poor response for transfer or deputation vacancies:-

- i) Ministries/Departments do not issue vacancy circulars in time, so as to leave sufficient time for response.
- ii) Circulars are not given the widest possible coverage by the Administration sections.
- iii) Uniform time limits are not followed for promotions of suitable candidates by different agencies.

3. With a view to avoiding the shortcomings identified above, and also to ensure that the selecting authorities have sufficiently wide choice for the Ministries/Departments of the Govt of India are requested to observe the following steps in filling up vacancies by transfer or deputation (including short term contract)/or transfer.

i) An accurate assessment of the vacancies to be filled by the above method should be made sufficiently in advance to enable them to follow the prescribed procedures properly.

ii) Wherever the recruitment rules prescribe different sources and where various categories of officers are eligible for being considered, the commission have been holding that it can be considered as proper circulation of the vacancies only where the Ministry concerned ensures that all such sources/categories are tapped simultaneously

Attested
True copy.
Prime Minister
(Advocate)

A93

3.

66

In other words, the Departments should not confine circulation of the vacancies to only one or two sources mentioned in the recruitment rules.

iii) A minimum period of at least two months should as far as possible, be given for receiving nominations.

iv) As a corollary to item i) mentioned above, wherever employees of the public sector undertakings/autonomous bodies and non-Sectt. officers are also eligible under the recruitment rules, the administrative Ministry concerned should specifically request ~~xxx~~ the Departments to re-circulate the vacancy to all such organisations with which they are concerned so that the requirements of the recruitment rules are duly met.

In this connection, the I.P.S.C. have

recommended that all vacancies to be filled by transfer on reputation (including short term contract) or transfer should appear in the "Employment News" so that wide publicity is given. This has been considered to be a desirable step and the Ministries/Departments are requested to take action accordingly.

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True copy.

Pratima Devi
(Advocate)

A7W
(67)

In the Central Administrative Tribunal Allahabad

Lucknow Circuit Bench

Application no. of 1990

Yogesh Kumar Yadav ... Petitioner

Versus

Union of India and others Opp-Parties.

Annexure no.23

To

The Deputy Director
Central Govt. Health Scheme
9.4. Rana Pratap Marg, Lucknow.

Subject:- Request for relieving to join duty at
Election commission New Delhi on their
office.

Reference:- Your memo no.4-160/89-C943/Iko/77-78
dated 15.11.1989

Sir

Most respectfully I am to state
that as per my verbal requests ^{immediate} necessary
action may please be taken so that I may join duty
in due date on relieving /clearance certificate
on the ~~supp~~ subject matter.

Yours faithfully


Dated:- 8.12.1989

Sd. Y.K. Yadav

L.D.C. (Ctts. Iko)

True copy

Attested
True copy.
Pratima Devi
(Advocate)

य अदालत धीमान्
[अपीकान्ट]
प्रतिवादी [रेस्पॉण्डेंट]

Central Administrative Tribunal, Allahabad,
Lucknow - Circuit Bench.

(68)

1475

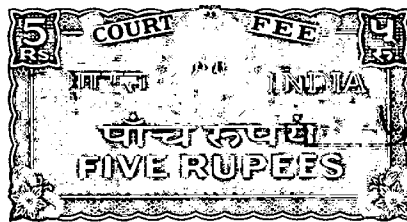
Yogesh Kumar Yadav

का

वकालतनामा

Application No.

1990



घादी (अपीकान्ट)

Yogesh Kumar Yadav

Applicant

Union of India and others

वनाम

प्रतिवादी (रेस्पॉण्डेंट)

Respondents

न० मुकद्दमा

सन्

पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Km. Pratima Devi - Advocate

Rajesh Kumar Tripathi - Advocate

वकील

महोदय

एडवोकेट

नाम अदालत
मुकद्दमा न०
नाम फरीकन

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 व जवाब देही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावे और रुपया वसूल करें या सुलहनामा व एकवाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करे या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि मैं हर पेशी पर स्वयं या किसी अपने पैरोकर को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी ज़िम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

Accepted -

Pratima Devi
(Advocate)
Rajesh Kumar Tripathi
Advocate

हस्ताक्षर

साक्षी (गवाह) साक्षी (गवाह)

दिनांक 5 महीना 2 सन् १९९० ई०

स्वीकृत

(69)

In The Central Administrative Tribunal, Allahabad
Lucknow - Circuit - Bench.

Application No. of 1990

Yogesh Kumar Yadav Applicant.
versus.

Union of India and others. Respondents.
Crossed Postal-order.

22/

A76

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

M. P. No. 441/90 (C,
Misc. Application No. _____ of 1990.

Union of India & Others Applicant/ Respondent.

In

Case No. 43 of 1990.

Yogesh Kumar Yadav Applicant.

Respondent.

Union of India and others Respondent.

To,

The Hon'ble Vice Chairman & His Companion
Members of the aforesaid Tribunal.

The application of the humble applicant was respectfully submitted.

1. That full facts have been given in the accompanying Counter reply.
2. That for the facts and circumstances stated in the accompanying Counter reply it is expedient in the interest of justice that the Counter reply may be taken on record and the petition be dismissed with cost.

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to admit the accompanying Counter reply and to dismiss the petition with costs.

Lucknow ;

Dated : 20/7/90

(Dr. Dinanath Chandra) ;
Advocate,
Civil, District Court,
Lucknow.

Filed today
20/7/90

(A77)

Before the Hon'ble Central Administrative Tribunal at Allahabad,
Circuit Bench, Lucknow.

COUNTER REPLY ON BEHALF OF RESPONDENT No. 4.

In

Case No. 43 of 1990

Yogesh Kumar Yadav Applicant.
Versus.
Union of India & Others Respondents.

I, Dr. S. C. Dutta, Dy. Director, Central Govt. Health Scheme,
Rana Pratap Marg, Lucknow, do hereby state as under :-

1. That the officer above named has read the application filed by Shri Yogesh Kumar Yadav, and has understood the contents thereof. He is well conversant with the facts of the case deposed hereinafter.
2. That the contents of paras 1 to 5 of the application need no comments.
3. That the contents of paras 6 (i) to 6 (iii) of the application need no comments.
4. That in reply to para 6 (iv) it is submitted that the post of Junior Hindi Translator has already been filled w.e.f. 23.1.1990 in accordance with the Recruitment Rules for Junior Translator. Rest of the contents are not denied.

-: 2 :-

5. That the contents of para 6 (v) of the application need no comments.
6. That the contents of para 6 (vi) of the application are admitted to the extent that applicant had English as main elective subject and his medium of examination was Hindi, but the applicant has filed Trade Proficiency Certificate of General Clerk duties which does not ^{indicate} ~~certify~~ that the ~~applicant~~ ^{applicant} was deployed for translator work from English to Hindi & vice-versa, ~~from same years~~. He was accordingly recommended for employment as a General Clerk, Typist etc. and not as a Hindi Translator.
7. That the contents of paras 6 (vii) to 6 (ix) of the application need no comments.
8. That the contents of para 6 (x) are admitted but it is submitted that the Respondent No. 4 wrote the letter dated 12.6.1989 referred to in this para, and filed as Annexure No. 9 to the application, under the mis-conception that the petitioner who was selected by the Staff Selection Commission for the post of Hindi Translator could be ~~admitted~~ ^{admitted} adjusted against the then existing vacancy of Junior Hindi Translator in his own office. But later on it was ~~known~~ ^{known} ~~classified~~ ^{classified} under Director's letter No. ~~there was no provision in the recruitment rules~~ ^{there was no provision in the recruitment rules} dated ~~(Annexure 2-1)~~ ^(Annexure 2-1), that the said post of Junior Hindi Translator shall be filled only by ~~departmental candidates on deputation and not by the candidates~~ recommended by the Staff Selection Commission. Accordingly

ATP

-: 3 :-

the said letter of 12.6.1989 was cancelled vide letter
No. 3-119/89-CLIC/LKO/939 dated 29.6.89 (Annexure A- 2).

9. That in reply to para 5 (xi) it is stated that the letter dated 12.6.89 referred to in this para was later on withdrawn vide letter No. 3-119/9-CGPE/LKO/939 dated 29.6.1989.
10. That the contents of para 6 (xii) of the application are admitted.
11. That in reply to para 6 (xiii) & 6(xiv) it is submitted that the applicant had requested in his representation dated 22.9.89 (Annexure A- 12) address^{ed} to Secretary Rajya Bhasha Vibhag, New Delhi that he might be adjusted as a Junior Hindi Translator at Lucknow in any department of the Govt.. His request for adjustment was not specifically for the Central Govt. Health Scheme Department. The petitioner ~~was~~ ^{was} willing to be posted at Lucknow in any Central Government Department.
12. That the contents of para 6 (xv) of the application are admitted.
13. That in reply to para 6 (xvi) it is submitted that the petition~~er~~ filed by ~~xxx~~ Ex Chri Ram Babu with Registration No. 170 of 1989 has been dismissed by this Hon'ble Tribunal on 5.12.1989.
14. That the contents of para 6 (xvii) of the application

Q. No.

are admitted.

15. That in reply to para 6 (xviii) it is stated that the representation dated 16.10.89 made by the applicant was addressed to the Director, Central Govt. Health Scheme, New Delhi. Hence no comments are offered.
16. That in reply to para 6 (xix) it is submitted that the directions of the Hon'ble Tribunal ^{was given on 5.12.89} given in Case No. 172 of 1989 (L) Ram Babu Vs. Union of India & Others ~~dated 5.12.1989~~ while the examination for the post of Junior Hindi Translator was held on 26.10.1989 and the selection was made by the Departmental Promotion Committee which was constituted for the purpose. Consequent upon the decision taken by the DPC held on 14.12.1989, Shri R. D. Sharma, Respondent No. 5 was appointed on the post of Junior Hindi Translator on 14.12.1989.
17. That in reply to para 6 (xx) of the application it is stated that the examination for the post of Junior Hindi Translator was conducted by the Assistant Director, Rajya Shusha, New Delhi who was deputed by the Director, Central Govt. Health Scheme, New Delhi for the purposes. The Respondent No. 4 got the highest marks in the written test and was selected by the Departmental Promotion Committee for the post of Junior Hindi Translator. The Respondent No. 5

AS1

-: 5 :-

fulfilled the requisite qualifications for the post - both in academic and experience in translation work. The Respondent No. 4 had Hindi literature and General English in his B.A. and in the LL.B. Examination his medium was English (Annexure S- 3 & R- 4 respectively). Thus in the Bachelor of Arts degree the Respondent No. 5 had Hindi Literature as elective subject with General English and in the Bachelor of Law degree his medium was English. Thus the Respondent had Hindi literature as elective subject and English medium in the ~~Bachelor's degree~~ ^{in B.A} *L.L.B examination in which is equivalent to master's degree*.

18. That the contents of paras xxxi and xxxii are admitted.
19. That in reply to para 6 (xxiii) it is stated that the letter of appointment vide letter No. 3-119/89 CCHS/LKS/2209-2303 dated 15.12.1989 was cancelled vide letter No. 3-119/89/CCHS/LKS2321-25 dated 20.12.1989 ^{Annexure R-5} on the direction of the Dy. Director, CCHS, New Delhi contained in his letter No. 3-15019/2/P6-CCHS-II dated 18.12.89 (Annexure - S).

Accordingly appointment letter No. 3-119/89-CCHS/LKS/32-36 dated 22.1.1990 ^(Annexure R-7) was issued in the name of Respondent No. 5 in compliance of the Dy. Director, CCHS New Delhi letter No. 3-15019/2/P6-CCHS-II dated 18.12.1989 (Annexure No. R 8 ~~and R~~).

contd..... 5.....

20. That the contents of paras 5 (xxiv) to 6(xxviii) needs no comments.
21. That in reply to para 5 (xxix) it is stated that the respondent No. 5 was eligible for the post and he possessed the required educational qualifications.
22. That in reply to contents of para 6 (xxx) it is stated that as sufficient number of candidates eligible for the post of Junior Hindi Translator were available in the office of the deponent, it was not considered worthwhile to circulate the vacancies to other department.
23. That the contents of para 5 (xxxi) are denied. No application was received from the petitioner wherein a request was made by him to relieve him from the deponent's office so that he might join his new place of appointment in the Election Commission Office, New Delhi. As a matter of fact the petitioner never wanted to move out of Lucknow and he had made a request to adjust him at Lucknow in any office of the Central Govt. In this connection, Hon'ble Tribunal's attention is invited to Annexure No. 12 of the application.
24. That the grounds on the basis of which the applicant has based his claim for relief have adequately been dealt with in the above paragraphs. It is also submitted that all the candidates who had appeared in the examination for the post of Junior Hindi Translator fulfilled the requisite qualifications for the said post. It is further reiterated that

-: 7 :-

the applicant^{was} selected for regular appointment as Junior Hindi Translator in the Election Commission, New Delhi and his ~~request for adjustment in any other office at Lucknow was not accepted to by the Rajya Shesha Vibhag, New Delhi (Annexure to 12 of application).~~

It is also pertinent to indicate that the post of Junior Hindi Translator ~~xxx~~ under COPS Lucknow was required to be filled on deputation basis only and could not be filled by the applicant as he was appointed as a Hindi Junior translator in the Election Office, New Delhi by Staff Selection Commission on regular basis.

25. That in view of the submissions made in the above paragraphs, the relief sought for in para 7 and interim relief prayed for in para 8 of the application are not tenable,. The application lacks merit and is liable to be dismissed with costs.
26. That the contents of paras 9 to 12 of this application needs no comments.

Lucknow ;

Dated :

x 
Respondent.

Contd. 8....

A84

-: 6 :-

VERIFICATION

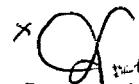
I, the above named Respondent do hereby verify that the contents of paras () of this Counter Reply are true to the best of my personal knowledge and those of paras 2 & 26

are believed by me to be true based on records and as per legal advice of my counsel. That nothing material facts has been concealed and no part of it is false.

Signed and verified this the 16th day of July, 1950 at Lucknow.

Lucknow :

Dated : 16-7-50

X 
Respondent.

ASS

Banner - R-2

IMMEDIATE/REGISTERED

No. 3-119/89-CGHS/LKO/ 939
Govt. of India
Central Govt. Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated: 27-6-89

To,

The Regional Director
(C.R.)
Staff Selection Commission,
8, Beli Road, Allahabad.

Subject:- Cancellation of Nomination of Junior Hindi
Translator under Central Govt. Health Scheme
Lucknow.

Sir,

With reference to this office letter No. 3-119/88
CGHS/LKO/ 721 dated 12.6.89 under which a requisition
for the post of Junior Hindi Translator was forwarded to
you for subject post, may please be treated as cancelled due
to some administrative reasons.

Yours faithfully,

(Dr. R.P. Pande)

Dy. Director

Central Govt. Health Scheme
Lucknow.

C/c *[Signature]*
29/6/89

A27

Answer - R-4

Lucknow University

Serial No. A

88



Roll No. 12974

MEDIUM CERTIFICATE

Certified that Sri Rishi Dev Sharma

son/daughter of Sri Milan Lal Sharma

Roll No. 12974 passed the LL.B.

Examination of 1981 in Division Second

His medium was English.

Lucknow

Dated 15.11.1989

For Registrar,

Lucknow University

Attended
for
15/11/89
Dy. Director
CGHS, Lko.

ASB

Answer - P-3

1977

रुहेलखण्ड विश्वविद्यालय

ग्रंथ सूची

(पञ्चमसक तथा षष्ठो के अतिरिक्त सभी प्रविष्टियाँ परीक्षाधीन हों)

टिप्पणी :—प्रश्न पत्र जिस पर ग्रंथ सूची मंगाना चाहें, पीछे लिखें।

परीक्षा का नाम - B.A. Final (II) 1977

परीक्षार्थी का नाम... Rishi Dev Sharma अनुक्रमिक

9817

वर्ग/विषय/प्रश्नपत्र	प्राप्तांक					कुल योग
	प्रश्नपत्र 1	प्रश्नपत्र 2	प्रश्नपत्र 3	योग	प्रयोगात्मक परीक्षा	
1. Hindi Lit.	26	19				45
2. Gen. English.	23	17				40
3. Pol. Science.	18	19				37
4. Economics.	20	15				35
मौखिक परीक्षा [Viva Voce]						
प्रयोगात्मक परीक्षा [Practical]						

बी० ए० बी० एच० की परीक्षा में प्रारम्भिक हिन्दी/अन्य भाषा के अंक 50/100

बी० एच० की परीक्षा में स्नेह प्रश्नपत्र के अंक 36/100

सही पत्र

योग

157

प्रश्न पत्र प्रश्न पत्र प्रश्न पत्र के अंक

166

संग्रह योग

323

- नोट—1. प्रारम्भिक हिन्दी/अन्य भाषा तथा बी० एच० के स्नेह प्रश्नपत्र के अंक योग में नहीं जोड़े जाते हैं।
2. अंक तालिका में किसी भी प्रकार की त्रुटि होने पर विषयविज्ञान कार्यालय को सूचित करें।
- यदि इस अंक तालिका में दिये गये अंक विषयविज्ञान के रजिस्टर के अंक से भिन्न हों तो, रजिस्टर के अंक ही सर्वमान्य होंगे।

परीक्षा का नाम

बेकर का नाम

दिनांक 1/10/77

Assistant Registrar
Rohilkhand University, Bareilly.

डा० चणू नारायण सिंह
कुलसचिव
रुहेलखण्ड विश्वविद्यालय, बरेली।

ASB

IMMEDIATE

Annexure - R5

No. 3-119/89/CMS/LKO/ 2321-21
Govt. of India
Central Govt. Health Scheme,
9-A, Bana Pratap Marg, Lucknow.

Dated: 20/12/89

Office Order

Reference to instruction of Director C.G.H.S. Dated 18/12/89
New Delhi vide No. A. 15019/2/86 CMS-I Dated 18/12/89
Appointment on the Post of Junior Hindi Translator of
Shri Bichi Dev Sharma vide order No 3-119/89/CMS/LKO/
2292-2303 dated 15.12.89 is now treated as cancelled.

Deputy Director
C.G.H.S., Lucknow.

To,

1. Shri A D Sharma, L.D.C, CMS, Lucknow.
2. Director, CMS, Nirmal Sharma, New Delhi for information under reference to their letter vide No. A. 15019/2/86 CMS II Dated 18/12/89.
3. Pay & Account Officer, Lady Harding Medical College, New Delhi.
4. Accounts Section, CMS, Lucknow.
5. P.F. of Shri A D Sharma.


Deputy Director
C.G.H.S., Lucknow.

AS9

Ammanz - R-6

No.A-15019/2/86-CGHS.II
Dte.General of Health Services

New Delhi dt 18-12-89

TO

Deputy Director,
C.G.H.S.,
9A, Rana Pratap Road,
L U C K N O W.

Sub: Filling up of the post of Junior Hindi Translator.

Sir,

I am to refer to your Office order No.3-119/89-CGHS/LKO/2299-2303 dt.15-12-89 on the above ~~by~~ subject and to say that according to Recruitment Rules the method of recruitment to the post of Junior Hindi Translator is as under:

- ° By transfer on deputation/or transfer failing which by direct recruitment.°

Since Deputy Director is not competent to make appointment on deputation basis, you were requested to send the D.P.C. minutes to this directorate for approval vide our letter No.A-15019/2/86-CGHS.II dt.1-8-89 but instead of doing so you have straightway appointed Shri Rishi Dev Sharma to the post of junior Hindi Translator which is not in order. You are therefore requested to cancel the order dt.15-12-89 referred to above and send the D.P.C. minutes to this directorate for approval explaining the reasons for violation of our instructions.

Yours faithfully,

(T.S.-RAO)

Deputy Director Admn.II (CGHS)

20-12-89
538

Amesbury-

27

डॉ 30119/89-के.स.स्वा.यो.लज्जत / 32-36

भारत सरकार

केन्द्रीय सरकार स्वास्थ्य योजना,

9-ए, राणा प्रताप मार्ग, लज्जत ।

दिनांक : 22-1-90

आवृत्ति आदेश

आवृत्ति आदेश के पत्र क्र० ए० 15019/2/86-के.स.स्वा.यो.-2 दिनांक

19.1.90 के अनुसार श्री श्री देव शर्मा, एवर प्रेमी लिपिक को केन्द्रीय सरकार स्वास्थ्य योजना लज्जत में निम्नलिखित हिन्दी अनुवाद के पद पर स्थानान्तरण द्वारा प्रति निम्नलिखित आधार पर नियुक्त किया जाता है ।

श्री शर्मा को निम्नलिखित निम्नलिखित हिन्दी अनुवाद के पद पर उनके कार्यक्षेत्र करने की तारीख से प्रभावी होगी । प्रतिनिम्नलिखित की अवधि सित्तल एक वर्ष की होगी । ऐसे श्री शर्मा को निम्नलिखित इस सम्बन्ध में जारी की गई अन्य शर्तों और समय समय पर जारी किए गये आदेशों के अधीन होगी ।

डॉ० एम० सी० दत्त

॥ डा० एस० सी० दत्त॥

उप निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना,

लज्जत ।

सेवा में,

1. श्री श्री देव शर्मा, के.स.स्वा.यो., लज्जत ।
2. लेखानुभाग के.स.स्वा.यो., लज्जत । ॥ 2 प्रति॥
3. श्री टी एस० राव उन निदेशक, प्रसासन के.स.स्वा.यो., नई दिल्ली ।
4. केतन एवं लेखाधिकारी, मेडिकलिंग मोडकल कालेज एंड हस्पताल, नई दिल्ली ।
5. व्यक्तिगत पंजीकृत एवं सेवा पंजीकृत ।

उप निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना,

लज्जत ।

संख्या-ए. 15019/2/86-के. स. स्वा. यो. - 28
स्वास्थ्य सेवा महानिदेशालय

नई दिल्ली, दिनांक

सेवा में

उपनिदेशक,

केन्द्रीय सरकार स्वास्थ्य योजना,

9-ए, राणा प्रताप मार्ग,

लखनऊ ।

विषय : कनिष्ठ हिन्दी अनुवादक के पद को भरा जाना ।

महोदय,

उपर्युक्त विषय पर आपके दिनांक 22.12.89 के पत्र सं० 3-119/89-के. स. स्वा. यो. /सल. के. ओ. /2347 के संदर्भ में मुझे श्री अक्षिदेव शर्मा, अवर प्रेणी लिपिक को केन्द्रीय सरकार स्वास्थ्य योजना लखनऊ में कनिष्ठ हिन्दी अनुवादक के पद पर स्थानान्तरण द्वारा प्रतिनियुक्ति आधार पर नियुक्त करने की निदेशक के. स. स्वा. यो. की मंजूरी सूचित करने का निदेश हुआ है । श्री शर्मा की नियुक्ति कनिष्ठ हिन्दी अनुवादक के पद पर उनके कार्य ग्रहण करने की तारीख से प्रभावी होगी । प्रतिनियुक्ति की अवधि फिलहाल एक वर्ष की होगी । धेरे, श्री शर्मा की नियुक्ति इस संबंध में जारी की गई अन्य शर्तों और समय समय जारी किए गए आदेशों के अधीन होगी ।

भवदीय

॥ ए. एस. राव ॥

उपनिदेशक प्रशासन के. स. स्वा. यो.

Circuit Bench, Lucknow.

Section 10.5 of the Indian Contract Act, 1872.

In

Section 10.5 of 1872

Shri Yash Kumar Yadav

.....

Applicant.

Various

Union of India & Others

.....

Respondents.

I, A.D. Sharma a retired 30 years son of Late Shri M.L. Sharma, Junior Hindi Translator in the Office of the Deputy Director, Central Government Health Scheme, 9-A, Rana Pratap Marg, Lucknow hereby respectfully state as under:-

1. That the deponent is respondent 10.5 in the present case and is well conversant with the facts of the case. He has read the application filed by Shri Yashesh Kumar Yadav and has understood the contents thereof.
2. That the paras 1 and 2 need no comments.
3. That the contents of para 3 (i) to 3 (iii) need no comments. In reply to para 3 (iv) it is denied that the deponent does not possess the requisite educational qualification. The deponent possesses the basic educational qualification as well as more than five years experience of translation work from Hindi to English and vice versa. (Annexure 1, 2 and 3)
4. That the contents of para 4 and 5 need no comments.
5. That the contents of paras 6 (i) to 6 (iii) are not in the knowledge of the deponent; hence no comments are made.
6. That the contents of para 6 (iv) and 6 (v) are not in the knowledge of the deponent.
7. That in reply to para 6 (vi) it is stated that the deponent is a holder of certificate of the corps of signals filed by the deponent. The deponent No.5 is with regard to Clerk General Office Class-III. With regard to "Achievement of Proficiency" it is mentioned in the said certificate that "he can carry out accurate translation from Hindi to English & vice versa. But it does not include his experience of translation work from Hindi to English & vice versa. The deponent's

Shri Sharma

This certificate has been recommended for the following posts:-

- Clerk General
- Typist
- Diaryist
- Inquiry Clerk
- Record Clerk.

The applicant has not been recommended for the post of "Hindi Translator" simply because the applicant did not possess sufficient experience of translation work from Hindi to English and vice versa.

8. That the contents of paras 5 (vii), and 5 (viii) related to respondents No. 4 and 2 respectively who may make necessary submission in this regard.

9. That the contents paras 5 (ix) to 5 (xiv) are not in the knowledge of the deponent, hence no comments are made in this regard.

10. That the contents of para 5 (xv) are admitted to the extent that applications were invited to fill up the post of "Junior Hindi Translator" in the Office of the Deputy Director, Central Govt. Health Scheme, Lucknow. None of the contents are not in the knowledge of the deponent; hence no further comments are made.

11. That the contents of paras 5 (xvi) to 5 (xviii) are not in the knowledge of the deponent; hence no comments are offered.

12. That in reply to para 5 (xix) it is submitted that the deponent was qualified to appear in the examination for the post of "Junior Hindi Translator" which was held on 26-10-49 and the applicant had also appeared in the same examination but as he was at a lower level in the merit, he was not selected for the said post. There could have been no malafide intention in making the selection at the examination held on 26-10-49, was conducted by the Joint Director Rajya Shasha, New Delhi who was an independent authority and the selection was made by the Departmental Promotion Committee constituted for the purpose. He was a responsible officer of the Ministry. No extraneous consideration can be imputed against the said selection on the members of the D.P.C. The selection made by the D.P.C. was fair and just. The deponent got the highest marks in the said exam and was declared elected.

Rishi Sharma

895

-33-

13. That the comments made in para 6 (xx) are vehemently denied. The deponent was qualified for the post of "Junior Hindi Translator" as he possessed the basic educational qualification plus more than five years experience in translation from Hindi to English & Vice versa. The deponent possessed the Bachelor of Arts examination with Hindi Lit. ^{along with General English} as one of the elective subject and in the Bachelor of Laws examination his medium of examination was English. Thus in the Bachelor degrees (B.A. & LL.B.) he had Hindi as an elective subject and the ^{medium R-4/R-5/R-6} medium of examination was English. He has also experience of translation work from Hindi to English and vice versa for more than five years. (Annexure R-1, R-2 and R-3)
14. That the content of para 6 (xxi) are admitted.
15. That the deponent has no knowledge of the contents of para 6 (xxii) to 6 (xxiv); no comments are offered. However it is submitted that the deponent possessed all the requisite qualification for the post of Junior Hindi Translator.
16. That the para 6 (xxv) are admitted.
17. That the contents of para 6 (xxvi) are not in the knowledge of the deponent; hence no comments are offered.
18. That the content of para 6 (xxvii) need no comments.
19. That in reply to para 6 (xxviii) it is stated that the appointment of the deponent on the post of Junior Hindi Translator is for a period of one year only.
20. That the comments made in para 6 (xxix) are misconceived. The applicant was qualified for the post of Junior Hindi Translator ^{as} mentioned in para 13 above.
21. That the deponent has no knowledge about the issues raised in para 6 (xxx); hence no comments are offered.
22. That the contents of para 6 (xxxix) are not in the knowledge of the deponent; hence no comments are offered.

P. S. S. S. S.

23. That in view of the submission made in the above paragraphs, the relief sought for in para 7 and interim relief prayed for in para 8 of the petition are not admissible. The petition lacks merits and is liable to be dismissed with cost. The "Grounds" mentioned have also been adequately dealt with in above paragraphs.
24. That the contents of paras 9 to 12 need no comments.

Therefore, it is respectfully prayed that for the facts and circumstances mentioned in the above paragraphs, the Honourable Tribunal may be kind enough to dismiss the application filed by Shri Yogesh Kumar Yadav with costs.

Lucknow:

Dated: 16-9-90

Deponent

Respondent No. 5 Rishi Sharma

Thupt. J. (decedent) 16/9/90
Dr. D. D. (decedent)
Counsel for Respondent No. 5

VERIFICATION.

I, the above named Respondent do hereby verify that the contents of
para 11 of this order really are true to the best of my
personal knowledge and those of para 12 are believed by me
to be true based on records and as per legal advice of my counsel. That
nothing material facts has been concealed and no part of it is false.

Signed and verified this the 16th day of August, 1990
at Lucknow.

Lucknow : 16-08-90

Dated:

Respondent No. 5 Rajendra

D. Chandra 14/8/90
Through Dr. Dinesh Chandra,
Advocate
Counsel for Respondent No. 5

O A. No 93 of 1989

Yogesh Kumar Sharma
Govt. of India

Dr. R. D. Verma

Central Government Health Scheme Disp No. I,
372/12 Mewa Nursery, Vishatganj, Lucknow

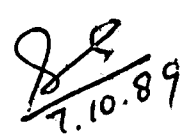
APD

Dated: 07.10.89

To whom it may concern.

Certified that Shri R. D. Sharma has been working under me as lower division clerk from November 1987 to till date. Besides the usual clerical work of the dispensary he has to do translation work from English to Hindi & vice versa. As a Translator.

To,
Shri R. D. Sharma
L.D.C. Disp No. I
CGHS, Lucknow


7.10.89.
(Dr. R. D. Verma)
Medical Officer
Incharge
C.G.H.S. Disp No. I,
Lucknow
Medical Officer Incharge,
CGHS Dispensary No. I
Vishatganj, LUCKNOW

2 A. No. 438/1990

Joseph Kumar Yadav & Co. 6-11-88

Ann-R-2 (222)

No.4-25/90-CGHS/LKO/ 804
Govt of India
Central Govt Health Scheme,
9-A, Rana Pratap Marg, Lucknow,

Dated : 10.8.90

TO WHOM IT MAY CONCERN

It is certified that Shri H.D. Sharma has worked in CGHS Dispensary No.2, Lalbagh, Lucknow for the period 15.6.84 to 28.6.85 on the post of LDC. During this period he has been performing the duties of LDC i.e. Registration, statistical work correspondence and translation work from English to Hindi & vice versa from time to time. In the above period I was Medical Officer Incharge of the dispensary.

(Dr. S C Dutt)
DEPUTY DIRECTOR

To,

Sh. H.D. Sharma, Jr. Hindi Translator, CGHS, Lucknow.

Lucknow University

Serial No. A

88



Roll No 12974

MEDIUM CERTIFICATE

Certified that Sri. Wisnu Dev Sharma

son/daughter of Sri. Milan Lal Sharma

Roll No 12974 passed the L.H.B.

Examination of 1981 in Division Second

His medium was English.

Lucknow

Dated....15.11.1989

For Registrar,

Lucknow University

recd
 (S. M. S. 12)
 Dy. Director
 CGHS, Lko.

Dis

Joseph kann gehen 1/1 v. 10-15 Uhr

TESTAMENT AND CONTINUITY

15

MEMORANDUM

Roll No.

I, UCKNOW

Dated.....50-11-1989

65

Sri Smt./Kmr. Pratibha Devi
Subin of the post II B (2nd year) Examination

marks in each paper/Subject at the last I.L. B. (3rd year) Examination of 198

.is informed that he/she has secured the following



Subjects	I			II			III			IV			V (a)			V (b)			V (c)		
	Civil Procedure Code Pleadings Conveyancing and Limitation	Legal Remedies	Law of Evidence and Criminal Procedure	Land Law in U. p.	Labour Law	Taxation	Administrative Law														
	Civil Procedure Code & Court Rules & Pleadings. Conveyancing and Limitation	Remedies under Private Law & Remedies under Public Law	Evidence-Relevancy & Proof & Evidence Cr. Procedure Production and effect of evidence on Cr. Procedure	Zamindari Abolition & Land Reforms & Land Revenue	Law relating to Labour Management Relation & Social Security Legislations	Sales Tax, Wealth & Gift & Tax on Income	Nature and Managing of Administrative Law & Administrative Adjudication etc.														
	Tutorial Work	Tutorial Work	Tutorial Work	Tutorial Work	Tutorial Work	Tutorial Work	Tutorial Work														
Maximum...	70	70	70	70	70	70	70														
Minimum...	30	30	30	30	30	30	30														
TOTAL	100	100	100	100	100	100	100														
Marks Obtd.	40	27	14	36	38	29	-														

REMARKS

Min. Marks Ist. Div. 330

Min.	Marks for 2nd Div. 250
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166	835
167	840

Min. Pass Marks in each Subject 30%

✓
11/12/23
Archie

V (d)		Private International Law		Domicile & Managing Contracts, Property & Succession		Tutorial Work		TOTAL		Aggregate	
	70	30	100	500	70	30	100	70	30	100	
			30	250							
				288							

Prepared by :

Compared and Checked by :

PASSED

in 1966

Division A

Passed

— in Law of Taxation/Labour

Private International Law

Lacknow University

0 से - 530g 1977
 Jyeshtha Suman 8, G. K. Sharma

R-6

1977

इंदिरा साहू विश्वविद्यालय

चक्र सूची

(उत्तुष्टाक तथा बंकों के प्रतिष्ठित सभी प्रविष्टिपरी परीक्षाएँ करें)

टिप्पणी :—प्रपत्रा पत्रा जिस पर बाव यह बंको सूची संग्राना पाहें, कीछे लिखें।

परीक्षा का नाम B.A. Final (H.) 1977

परीक्षा का नाम Rishu Suman Sharma अनुसूचना

0817

परी/विषय/प्रश्नपत्र	प्राप्तांक					कुल योग
	प्रश्नपत्र 1	प्रश्नपत्र 2	प्रश्नपत्र 3	योग	प्रयोगात्मक परीक्षा	
1. Hindi Lit.	26	19				45
2. Eng. English.	23	17				40
3. P. Science.	18	19				37
4. Economics.	20	15				35
वैयक्तिक परीक्षा (Viva Voce)						
प्रयोगात्मक परीक्षा (Practical)						

टी० ए० पी० एच० सी० की परीक्षा में प्रारम्भिक हिन्दी/पत्ररस एवं विषय

के अंक 50/100

टी० एच० सी० परीक्षा में स्वेच्छक प्रश्न-पत्र

के अंक 36/100

सहायक
 प्रमुख

योग

157

प्रथम वर्षी प्रपत्रा
 पूर्णतः परीक्षा के अंक

166

कुल योग

323

1. प्रारम्भिक हिन्दी/पत्ररस इ प्रश्नपत्र तथा टी० एच० के स्वेच्छक प्रश्न-पत्र के अंक योग में नहीं जोड़े जाते हैं।
2. वरत तासिका में किसी भी प्रकार की गलती पर विस्तारित प्रश्नपत्र जांचिय की सुविधा करें। यदि इस अंक तासिका में दिये गये अंक विपरीतता 3 रजिस्टर के पंजी के विषय हों तो, रजिस्टर के अंक ही सर्वमान्य होंगे।

परीक्षा III and Div

परीक्षा का नाम Rishu Suman

परीक्षा का नाम Rishu Suman

दिनांक 1/10/77

Principal Registrar
 Dr. R. K. Sharma, Corally.

टी० एच० नागराज निरुद्ध

कुलसचिव

इन्दिरा साहू विश्वविद्यालय, बन्नी

1103

Before the Hon'ble Chief Justice of the Madras High Court
at Madras
This day

Before the Hon'ble Chief Justice of the Madras High Court

In re:

No. 43 of 1950

Yogesh Kumar Yadav ... petitioner

Versus

Union of India ... respondents

I, Yogesh Kumar Yadav, aged about 40 years
son of Mr. L. K. Yadav, resident of 4-7, ...
and I bear witness, that ...
on the post of ...
No. 3, 21-1-1951, ...
hereby solemnly affirm to the court that ...

1. In the ...
counter reply filed on behalf of respondents ...
and it is understood that ...
well covers ...
deputed ...

2. In the ...
the counter reply ...

12/10/50

Yadav

Alloy

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3. First with regards to the contents of paragraph 4 of the counter reply, it is stated that the post of 'Junior in of in 1981' has now been filled up in accordance with the recruitment rules. Rest contents of this paragraph are undisputed.

4. In the contents of paragraph 5 of the counter reply need no comments.

5. In view with regards to the contents of paragraph 6 of the counter reply, it is not disputed that the applicant is a single male effective subject to the medium of examination was Hindi. Rest contents of this paragraph is stated referred to those of the contents of paragraph 6(vi) of the applicant is reaffirmed. It is further stated that the applicant is also more than three years experience, in civil work in the office of respondent no.4. The annexure copy of the certificate dated 8.8.1982, issued by the respondent no.4, showing this is enclosed herewith as ~~annexure~~ ~~annexure~~.

6. In the contents of paragraph 7 of the counter reply need no comments.

7. In the contents of paragraph 8 of the counter reply is stated referred to those of the contents of paragraph 8(x) of the

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pp110-111 are reaffirmed. It is further stated that the pressure of departmental duties and the post of 'Junior Director' as such should be lifted up from amongst the departmental candidates, the applications were invited from amongst the departmental candidates.

8. That the contents of paragraph 8 of the counter reply need no comment.

9. That the contents of paragraph 9 of the counter reply are not disputed.

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

11. That the contents of paragraph 11 of the counter reply are not disputed.

12. That the contents of paragraph 12 of the counter reply need no comment.

13. That the contents of paragraph 13 of the counter reply are not disputed.

14. That with regards to the contents of paragraph 14 of the counter reply, it is stated that the copy of the representation dated 18.10.1988 was also sent by the applicant to the respondent no.4.

15. That with regards to the contents of

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paragraph-16 of the counter reply it is stated that the Departmental Promotion Committee, should have considered, the qualifications of the candidates, who have appeared in written examination, held on 26.10.1989. It is further stated that after the written examination the applicant was never given any form to appear before the Departmental Promotion Committee. He was only asked to appear in written examination.

16. That the contents of paragraph-17 of the counter reply is stated to be correct. The contents of paragraph-6(xx) of the application are reformed. It is further stated that the Assistant Director, A.Jy. Datta, New Delhi, was only deputed for conducting the written examination. The qualifications of the eligible candidates should have been seen by the respondent no.4. It is further stated that the respondent no.5 does not fulfill the requisite qualifications for the post of 'Junior Assistant' as laid down under Recruitment Rules. Neither he possesses the required educational qualifications nor two years experience in relevant work. The document has been filed in the counter reply. Regarding the experience of respondent no.5 in relevant work, there is no provision under Recruitment Rules for equivalent degree, as such English Medium is D.D. examination.

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can not be considered equivalent to medium degree. The applicant is advised to state on the original application of his choices including the respondent no.5, who appeared the written examination held on 26.10.1988 for the post of 'Junior Hindi Translator' may be summoned for the suitable examination may be perused for the just decision on the case).

17. The contents of paragraph 18 of the counter reply, are not disputed.

18. The contents of paragraph 19 and 20 of the counter reply need no comments.

19. The contents of paragraph 21 of the counter reply are referred to the contents of paragraph C(xxix) of the application are referred. It is further stated that the respondent no.5 is not eligible for the post of junior Hindi Translator in view of the facts that whether he possesses the required educational qualifications for two years experience in translation work is provided under the rules. The educational qualification of respondent no.5 is B.A., B.L. He has passed B.A. and B.L. in Hindi as a main subject and in English as a subsidiary subject. He has passed B.A. and B.L. in English as a main subject for his education is English. It is further stated that there is no provision under recruitment rules for equivalent degree.

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As such English medium in 11.5.22 will be considered equivalent to medium degree.

20. In the contents of paragraph 22 of the counter reply is stated that those of the contents of paragraph 6(xxii) of the application are affirmed. It is further stated that except the application of the respondent no.5 who appeared for the post of 'Junior Hindi Translator' is eligible for the post of 'Junior Hindi Translator' (the applicant is advised to submit the original applications of the candidates who appeared in the examination for the post of 'Junior Hindi Translator' may be summoned in this regard 'be invited' to the same may be perused for the just decision of the case).

21. In the contents of paragraph 23 of the counter reply is stated that those of the contents of paragraph 6(xxii) of the application are affirmed. It is further stated that the application dated 8.12.1988 preferred by the applicant to the respondent no.4, to relieve him to join duty collection commission office New Delhi, has been received by the office of the respondent no.4. The applicant has been relieved to join on the post of Junior Hindi Translator New Delhi due to which the offer given to him vide letter dated

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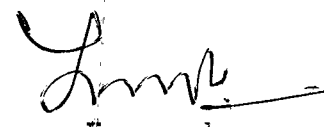
22.8.1989 for the post of Junior Hindi Translator has been cancelled as communicated vide letter dated 20.2.1990 of respondent no.4. The successive copies of the receipts dated 8.12.1989 and the letter dated 20.2.1990 showing this fact are annexed herewith as Annexure No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13.

22. In the contents of paragraph-24 of the counter reply are deleted. It is further submitted on behalf of the applicant regarding the respondent no.5, that the post required for the examination for the post of 'Junior Hindi Translator' fulfilling the requisite qualification for the same as provided under the Rules.

23. In the contents of paragraph-25 of the counter reply are deleted. The contents of this paragraph are arguable.

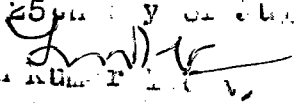
24. In the contents of paragraph-26 of the counter reply are no contents.

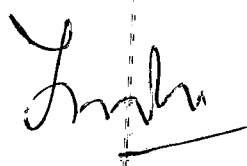
Lucknow dated:
25.7.1990


(Yogesh Kumar) Advocate,
Patna.

I, the ~~applicant~~ ^{above} named applicant do hereby verify that the contents of paras nos. 1 to 22, 24 and 26 are true to my own knowledge and the paras nos. 23 and 25 may or may not be true as per letter advice received. To prove of the said facts, the following documents have been enclosed. So help me God.

Witnessed and verified this the 25th day of July 1990 at Lucknow.
Lucknow dated:
25.7.90


(Yogesh Kumar) Advocate,
Patna.



AWD

8.

I identify the applicant who has signed this
counter reply before me.

Pratima Devi
in voice.

Ind
solemnly affirmed before me on . . .
p.m. by the applicant who is identified by
Mr.
I have satisfied myself by examining the report
on the undersigned and the contents of
which have been read over and explained to me
by me.

Before The Hon'ble Central Administrative Tribunal,
At Allahabad.

Circuit-Bench, Lucknow.

O.A. No. 43 of 1990.

Yogesh Kumar Yadav. Applicant
vs.

Union of India & others Respondents.

Annexure No. - (R-1)

Ins

Annexure No - R-1
No.4-160/88-CGHS/LKO/ 87
Govt. of India
Central Govt. Health Scheme,
9-A, Rana Pratap Marg, Lucknow.

Dated : 8/8/88

C E R T I F I C A T E
(To Whom it May Concern)

Certified that Shri Yogesh Kumar Yadav, Lower
Division Clerk of this organisation has rendered more
than 3 years of regular service with effect from
26.6.85 till date and also attended translation work
from English to Hindi and vice versa during the period.
His work has been found satisfactory.

[Signature]
(Dr. R. P. Pande)
Deputy Director
Central Govt. Health
Scheme, Lucknow.

[Signature]

Before The Hon'ble Central Administrative Tribunal
At Allahabad.

Circuit-Bench, Lucknow.

O. A. No. 43 of 1990

Yogesh Kumar Yadav ————— Applicant
vs.

Union of India & others ————— Respondents

Annexure No. - (R-2)

Int.

To

Annexure No. - (R-2)

AM/4

The Dy. Director
Central Govt. Health Scheme
A, A, Rona Pratap Marg, Lucknow.

Subject: Request for relieving to
Jaund duty at Election
Commission, New Delhi on
their offer.

Reference: Your memo No. 4-160/89-CGHS/
UKO/77-78 dt. 15-11-89.

Sir,
Most respectfully, I am to state
that - as per my verbal requests
immediate necessary action may please
be taken so that I may join duty
in due date on relieving clearance
Certificate on the subject-matter.

Yours faithfully,
Y
(Y. K. Yadav) 8/12/89
L.D.C., CGHS, UKO

Dated: 8/12/89.
Shri T. Singh, Secy
8/12/89

Y
Lmk

ANS

Before The Hon'ble Central Administrative Tribunal,
At Allahabad.

Circuit-Bench, Lucknow.

O. A No. 43 of 1990.

Yogesh Kumar Yadav ————— Applicant

vs.

Union of India & others ————— Respondents

Annexure No. — (R-3)

Imp

सं. 4-160/89-केन्द्रीय स्वास्थ्य योजना, लखनऊ 27-88

भारत सरकार

केन्द्रीय सरकार स्वास्थ्य योजना,

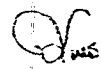
9-ए, राजा प्रताप मार्ग, लखनऊ।

दिनांक: 26.2.89

सापेक्ष

विषय : अनुवादक परीक्षा, 1988 के परिणामानुसार के आधार पर निर्वाचन
आयोग ने हिन्दी अनुवादक परीक्षा के पद पर श्री योगेश कुमार
वादव को नियुक्ति।

भारत निर्वाचन आयोग सचिवालय के पत्र सं. ए-20/जी.सी./179/513
तारीख 3 फरवरी 1990 के अनुसार उपरोक्त सन्दर्भ में इस कार्यालय में कार्यरत
श्री योगेश कुमार वादव को सूचित किया जाता है। श्री योगेश कुमार वादव
ने 01.01.1990 तक ड्यूटी पर रिपोर्ट करने में उनके बतौर रहने के परिणाम-
स्वरूप आयोग के तारीख 22.8.89 के पत्र सं. ए-20/जी.सी./179 द्वारा उन्हें
दिया गया प्रस्ताव तत्काल रद्द किया जाता है। अनुवादक परीक्षा, 1988
के परिणामस्वरूप पर वे किसी अन्य नियुक्ति के लिए पात्र नहीं होंगे।


डा. एस. सी. दास्तगिर
उप निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना,
लखनऊ।

स्वा. में,
श्री योगेश कुमार वादव, जवर क्षेत्री लिपिक, द्वारा विकल्पाधिकारी
के.सी. स्वास्थ्य योजना संख्या 03, लखनऊ।

प्रतिलिपि:-

जवर क्षेत्री लिपिक, भारत निर्वाचन आयोग, निर्वाचन स्थल,
अशोक रोड, नई दिल्ली।

उप निदेशक

केन्द्रीय सरकार स्वास्थ्य योजना,
लखनऊ।

(417)

Before the Hon'ble Central Administrative Tribunal
at Jaipur

Circuit Bench Lucknow.

In re:

O.S. No. 43 of 1990

Yogesh Kumar Yadav

Applicant ~~Petitioner~~

Versus

Union of India and others

... Opp-Parties.

Application for Condonation of delay in filing the
Rejoinder affidavit

The humble applicant named above begs to
state as under:-

1. That full facts have been stated in the
accompanying rejoinder affidavit.
2. That for the facts and circumstances
stated in the accompanying rejoinder affidavit
it is expedient in the interest of justice
that the delay in filing the rejoinder affidavit
may be condoned and the rejoinder affidavit may be
taken on record.

It is therefore most respectfully prayed
that this Hon'ble Tribunal may be pleased to
condone the delay in filing the rejoinder affidavit
and the rejoinder affidavit may kindly be taken
on record.

Lucknow dated:

21-12-1990

Pratima Devi
(Pratima Devi)
Advocate

(Counsel for the Applicant)

Filed today
21/12/90

Recd

20/12/90
Dr

(A18) (A19)

Before the Hon'ble Central Administrative Tribunal,
at Allahabad
Circuit Bench, Lucknow.

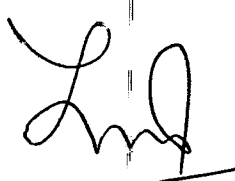
Rejoinder Affidavit on behalf of the applicant^m

In re:

O.S.No.43 of 1990

Yogesh Kumar Yadav Applicant
Versus
Union of India and others ... Respondents.

Rejoinder Affidavit to the Counter Reply is filed on
behalf of Respondent no.5.

 I, Yogesh Kumar Yadav, aged about 40 years son of Sri M.L.Yadav, resident of 44/7 Aishnabagh Old Labour Colony, Lucknow, at present working on the post of L.D.O. at C.G.H.S., Dispensary No.3, 21 Patel Nagar, Alambagh, Lucknow, do hereby solemnly affirm and state on oath as under:-

1. That the deponent is himself the applicant in the above mentioned case and is fully conversant with the facts deposed hereafter.
2. That the applicant has read the counter reply filed on behalf of respondent no.5 and has understood the contents thereof.

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3. That the contents of paragraphⁿ 1 and 2 of the counter reply need no comments.

4. That the contents of paragraph-3 of the counter reply so far as it relates to paras 3(i) to 3(iii) are not disputed and with regard to para 3(iv) are denied and those of the contents of para 3(iv) of the application are reaffirmed. It is further stated that the respondent no.5 does not possess the requisite educational qualifications and experience for the post of Junior Hindi Translator. It is submitted that specified educational qualifications, which are set out as conditions of eligibility in column no.8 of the last alternative of the Rules are in accordance to syllabus of only three existing main compulsory/elective subjects of B.A. As per rules respondent no.5 is unqualified because under first condition of eligibility he possess only Hindi but does not possess English as a main compulsory/elective subject or under second condition he does not possess English as a ~~main~~ medium of Examination of other remaining two subjects, which are political science and Economics in his case in B.A., as such respondent no.5 is unqualified in accordance to Rules. and ~~thinking~~ thinking of medium of any degree other than B.A. or any General subject other than three main compulsory/elective subjects is unjust as no such relaxation exists in the rules. It is further submitted that B.A. degree mark sheet of respondent no.5 (contained in annexure no.R-6 to the counter reply) does not bear the roll no.

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and appropriate column of General English has been left blank which has been included being an exclusive in the total of main subjects inviolation of clear note for the same. He has not qualified in General English as he has not obtained 50/100 qualifying marks, so B.A. degree has not been annexed deliberately. (The deponent is advised to state that in this Hon'ble Tribunal may be pleased to summon the original mark sheet of B.A. and B.A. degree of respondent no.5 and may be pursued).

Regarding experience certificates filed as Annexure no[✓] R-1 to R-3 of counter reply, it is stated that Annexure no.R.1 dated 7.10.1989 has been issued by Dr.R.D.Verma being M.O. Incharge and member of D.P.C., Annexure no.R-2 dated 10.8.90 has been issued by Dr.S.C.Dutta, Deputy Director C.G.H.S. Lucknow-respondent no.4, for the period as M.O. Incharge in the year 1985 being chairman of D.P.C. held on 14.12.1989 and Annexure no.R-3 dated 14.8.90 has been issued by Ex.M.O Incharge disp. no.1 Dr.S.Chakrabarty from Delhi during proceeding of this case in this Hon'ble Tribunal. These certificates have been issued by the concerned authorities of D.P.C. to justify the wrong selection with mala fide intention in order to favour the respondent no.5. It is submitted that translation work was neither to be carried out nor it has been done in any dispensary as per instructions of Memorandum no.3-57/85-C.G.H.S./Lko/3495-500 dated 7.2.1985. The true copy of the memorandum dated 7.2.1985 showing this fact is annexed herewith as Annexure no.R.1.

The subject matter was again discussed

(A2)

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in the 'official language Hindi Implementation committee Meeting' on 11.12.1985 and it's decision was sent vide letter no.3-57/85-C.G.H.S. /lko/4605-9 dated 3.2.1986 .The true copy of the letter dated 3.2.86 is annexed herewith as Annexure no.R-2.

The respondent no.4 , Dr.S.C.Dutta being Deputy Director, who have issued the experience certificate contained in Annexure no.R-2 to the counter reply, again issued an instruction vide Memorandum no,3-57/89-C.G.H.S. /lko/196 -8 dated 17.10.1989 asking M.O.Incharge's and other concerned supervisory staff under his administrative control for sending material if any to his office for translation. It is submitted that as no such material exists so far in any dispensary it has not yet been sent by them, Therefore, question of translation work by any L.D.O. of C.G.H.S. Dispensary does not arise. It is further submitted that M.O.Incharge 's of C.G.H.S. Dispensaries being supervisory staff under direct administrative control of Deputy Director are not competent authority to issue any certificate to any employee. The true copy of the memorandum dated 17.10.89, showing this fact is annexed herewith as Annexure no.R-3.

[Handwritten signature]

5. That the contents of paragraphs- 4 and 5 of the counter reply need no comments.

6. That the contents of paragraph-6 of the counter reply are not disputed.

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7. That the contents of paragraph-7 of the counter reply as stated are denied and those of the contents of para-6(vi) of the application are reaffirmed. It is further stated that the applicant has achieved proficiency in accurate translation from Hindi to English and vice versa for the period of 7 years and 3 4 months with practical experience for the same which is clearly indicated in the certificate. As the applicant was ex-combatant clerk G.D. of Army, recommendations, of the specified posts has ~~been~~ been made in similar cadre of analogous posts. The post of 'Junior Hindi Translator' is an ex-cadre post as per rules so he has not been recommended for that post.

8. That the contents of paragraphs-8 and 9 of the counter reply do not require any specific reply.

9. That the contents of paragraph-~~10~~ 10 of the counter reply do not require any specific reply.

10. That the contents of paragraph-11 of the counter reply do not require any specific reply.

11. That the contents of paragraph 12 of the counterreply are denied and those of the contents of paragraph 6(xix) of the application are reaffirmed. It is further stated that the respondent no.5 does not

A23

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fulfil the requisite qualifications for the post of 'Junior Hindi Translator' as laid down under rules. The D.P.C. was unfair and unjust as it has ignored requisite qualifications fact^{or} and not considered the candidates in accordance ~~with~~ to merit of service, seniority, annual character roll and experience etc. with mala fide intention for which they are issuing experience certificate after selection in August, 1990 to justify the selection.

12. That the contents of para-13 of the counter reply are denied and those of the contents of paragraph-6(xx) of the application are reaffirmed. It is further stated that the respondent no.5 was unqualified for the post of 'Junior Hindi Translator' in view of the facts that he does not possess requisite educational qualifications plus experience of translation work. He neither possess B.A. degree with English as a compulsory /elective subject nor English as a medium of examination of other two subjects in B.A. There are neither any provision made in the recruitment rules to relate or link the medium of any degree other than B.A. or any of a common General subject, which is exclusive in B.A./B.Sc. both as per syllabous other than main compulsory /elective subjects which are as Hindi, Political science and Economics in the case of respondent no.5, so the question of relating or linking LL.B. degree as a medium other than B.A. or

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General English being an exclusive subject common in B.A./B.Sc. both other than his above mentioned three subjects as a main compulsory/elective subjects in B.A. does not arise. The experience certificates filed by the respondent no.5 is annexure no[✓]R-1 to R-3 of counter reply as stated above in para-4 are false. The respondent no.5 possesses B.A. degree with Hindi as a compulsory /elective subject with Hindi Medium only and he does not possess English as a main compulsory /elective subject or English as a medium of examination of other two subjects with no experience[✓].

13. That the contents of para-14 of the counter reply are not disputed.

14. That ~~the~~[✓] with regards to the contents of para-15 of the counter reply it is emphatically denied that the respondent no.5 fulfils the prescribed requisite qualification and experience for the post of 'Junior Hindi Translator'. Rest contents of this paragraph do not require any specific reply.

15. That the contents of para-16 of the counter reply are not disputed.

16. That the contents of para[✓]17 to 19 of the counter ~~affida~~ reply need no comments.

17. That the contents of para-20 of the

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counter reply are deried and those of the contents of para-6(xxix) of the application are reaffirmed. It is further stated that as stated above in paras 4 and 12 of this rejoinder affidavit the respondent no.5 was unqualified for the post of junior Hindi Translator in view of the facts that he does not possess the requisite qualifications and experience as laid down in rules.

18. That the contents of para²¹ 21 and 22 of the counter reply need no comments.

19. That the contents of para-23 of the counter reply are denied. The contents of this paragraph are argumentative.

20. That the contents of para-24 of the counter reply need no comments.

21. That the applicant could not file the rejoinder affidavit earlier in view of the facts that he could not collect the necessary materials for filing the same.

22. That the delay in filing the rejoinder affidavit is not deliberate and is liable to be condoned.

23. That the ends of justice require that the delay in filing the rejoinder affidavit may be condoned and the rejoinder affidavit

Handwritten signature

9.

may be taken on record.

Lucknow dated:

21-12-1990

[Signature]
Deponent

(Respondent no.5)

Verification

I, the deponent named above do hereby verify that the contents of paras nos. 1 to 18, 20, 21 and 22 are true to my own knowledge while paras nos. 19 and 23 are true to my belief as per legal advice received. No part of it is false and nothing material has been concealed. so help me God.

Lucknow dated:

21-12-1990

Deponent

I identify the deponent who has signed this affidavit before me.

[Signature]
Pratima Devi
Advocate

Solemnly affirmed before me on at a.m/p.m.

by the deponent who is identified by Km. Pratima Devi, Advocate High Court, Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read over and explained to him by me

संस्कृत हाउरेबुल सेन्दल एडमिनिस्ट्रेटिव ट्रीबुनल एट इलाहाबाद
सर्किट बेंच लखनऊ

नो १० नं० -४३-१०

योगेश कुमार यादव

पीटीशानर

बनाम

यूथिन् आफ इंडिया एंड आ अन्य

अपी०पार्टीज

अपेक्षित नं०- आर-①

नं०-३-५७/क०स०स्वा०यो० /लखनऊ/३४९५-५००

भारत सरकार

केन्द्रीय सरकार स्वास्थ्य योजना लखनऊ

दिनांक ७-२-८५

सुप्रीम

विषय:- असाविष्टिक कार्यविधि साहित्य के हिन्दी अनुवाद की व्यवस्था।

राज भाषा विभाग, हिन्दी के कार्य को सरकारी काम में बढ़ावा देने के उद्देश्य से अविष्टिक कार्यविधि साहित्य के हिन्दी अनुवाद की व्यवस्था की है अतः समस्त प्रभारी चिकित्सा अधिकारियों/अभ्यागध्यक्षों को यह सूचित किया जाता है कि असाविष्टिक कार्यविधि साहित्य अर्थात् मैनुअलों, जो जो नियमों विनियमों तथा प्रश्नों का अनुवाद कराने हेतु जो भी सामग्री उचित समझे अथवा अनुवाद करने के लिए सौंपा है उसी एक प्रति तत्काल जहाँही स्टाफरकर्ता के कार्यालय में भेज दें ताकि इसे केन्द्रीय अनुवाद ब्यूरो, राजभाषा विभाग, गृह मंत्रालय, नई दिल्ली को भेजा सके और हिन्दी में सरकारी कार्य करने की बढ़ावा दिया जा सके।

नो १० नं०-१०० दे चौधारी

मुख्य चिकित्साधिकारी क०स०स्वा०

नो० लखनऊ

Attested
by
M. A. M.

प्रतिनिधि

1-प्रभारों विधिकारों के 0 स 0 स्वा 0 यो 0 अं 0 ग 0 द 0 त 0

सं 0 1, 2, 3, 4 हो म्योपे 0 त क इकाई ल 0 त 0

2-भाण्डार लेखा एवं प्रशासन भूभाग के समस्त सहायकों

को सूचार्थ एवं आवश्यक कार्यवाही हेतु

सत्य प्रतिनिधि

Attested
D.C.
M. S. W.

12 Aug

सम्झा हा नरेबुल सेन्दल एडिमिनिस्ट्रेटिव दीबुनल एट इलाहाबाद

सर्किट डेच लाना

ओ० ए० नं० ५ 43-90

योगेश कुमार यादव ---

पीटीशनर

बनाम

युनियन आफ इंडिया तथा अन्य---

अपी० बल्लू पाटील

अपेक्षर सं०- आर-2

सं०-3-57/85-के०स० स्वा०यो०लाना 4605-9

भारत सरकार

केन्द्रीय सरकार स्वास्थ्य योजना लाना

दिनांक 3-2-88

ज्ञापन

दिनांक 11/12/85 को हुयी हिन्दी राजभाषा की कार्यन्वयन समिति की बैठक की कार्यवृत्ति समिति के समस्त सदस्यों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।

संलग्नक-1

ह० डा० फणिभूषण देवौधारी

मुख्य चिकित्सा अधिकारी

केन्द्रीय सरकार स्वा० योजना लाना

प्रतिलिपि

1-डा० आर०पी० पाण्डे सदस्य एवं प्रभारपी चिकित्सा अधिकारी

के० स० स्वा० यो० जौहाटालय सं० 3 ऐराबाग लाना

2-डा० एस०सी० दत्ता सदस्य एवं प्र० चि० अ० के०स० स्वा० यो०

ओ० सं० 2 लाना

3-डा० जे के जेन सदस्य एवं प्र० चि० अ० के स० स्वा० यो०

जौहाटालय सं० 4

4-डा० आदर्श कुमार सदस्य आरा प० चि० अ० के० स० स्वा०

यो० ओ० सं० 1

Attested
Le.
Pr. Adm.

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5-डा० ए०सी०गुप्त सदस्य द्वारा प्र० चि० अ०के०स०स्वा० यो०
अ० सं० ल० न०

6-श्री पी०के०रामा सदस्य एवं लेखाकार के ० स० स्वा०यो०
ल० न०

7-श्री जार०एस०चन्द्र सदस्य एवं का० अ० के० स०
स्वा०यो० ल० न०

8-श्री राम बाबू जल सायब एवं अ०व०लि० के०स० स्वा०यो०
ल० न०

डा० फणि भूषण दे चौधारी

मुख्य चिकित्सा अधिकारी

केन्द्रीय सरकार स्वास्थ्य योजना ल० न०

सत य प्रतिनिधिप

Attested
by
Mr. Adv.

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समदा आरेखन सेन्दन एडिमिनिस्ट्रेटिव ट्रीबुनल एट इलाहाबाद

सर्किट बेंच लखनऊ

ओ० ए०-सं०-43/90

योगेश कुमार यादव ---

पीटीशानर
अनफेथफर्टी

अमान

पुनियुक्त आफ इंटिमा तथा अन्य---

अपो०पार्टी०

अं० नं० सं०-आर०-21

का सलगनक

के०स०स्वा०यो० लखनऊ के अंगरेजी राजभाषा हिन्दी की
कार्यन्वयन समिति की हुई बैठक दिनांक 11/12/1985
की कार्यवृत्ति :-

उपस्थिति :-

----- उक्त बैठक में निम्नांकित सदस्य उपस्थित हुए

- 1-डा० फणि भूषण दे चौधारी अध्यक्ष
- 2 -डा० आर०आर०किशोर डा० आर०पी० पाण्डे सदस्य के
स्थान पर
- 3- डा० आदर्श कुमार सदस्य
- 4-डा० देवेन्द्र सिंह डा० एस०सी०दत्त सदस्य के स्थान पर
- 5-डा० आर०एस०वन्द्य सदस्य
- 6-डा० पी०के०रानी सदस्य
- 7-श्री राम अकूष जल सचिव
- 8- अध्यक्ष महोदय ने समिति के गठन तथा इसकी उपयोगिता
सम्बन्धित सदस्यों को बतायी और उपस्थिति के लिए धान्यवाद
प्रिया तथा कार्यवाही पूर्व निश्चित विषयों के अनुसार क्रमशः
प्रारम्भ हुआ इसके द्वारा

1-बैठक के विषय पढ कर चुनाये गये जो इस प्रकार है:-

1-स्वास्थ्य और परिवार कल्याण मंत्रालय की हिन्दी
सलाहकार समिति के बारे में बात कराया जाता।

Attested
by
Mr. Adm.

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2-नगर राजभाण्डा कार्यन्वयन समिति की बैठकों को कार्यवृत्तियों का पट्टा एवं उन पर विचार।

3-वर्ष 1985-86 हेतु पुरस्कार योजना पर विचार

4-सरकारी कान काज में हिन्दुओं के प्रयोग के बारे में वर्ष 1985-86 का कार्य क्रम सफल बनाने पर विचार।

5-हिन्दुओं के प्रगामी प्रयोग संबंधी त्रैमासिक प्रगति को सफल बनाने पर विचार।

6-राजभाण्डा 1963 की धारा 3838 के अन्तिम हस्तावेजों का डिभाण्टी तैयार करि किए जाने के संबंध में।

7-बैंक के समय उठाने वाले अन्य विषय।

2-विषय सं० एक के अनुसार स्वास्थ्य एवं परिवार कल्याण मंत्रालय की हिन्दी सलाहकार समिति के सदस्यों के गान पठ कर सुनाए गए तथा उक्त समिति की उपेयौगिता के बारे में सदस्यों को अवगत कराया गया। सर्वसम्मति से यह निर्णय लिया गया कि भाविष्य में उक्त समिति द्वारा बतायी गयी समस्यायें/समस्याओं का पालन किये जाने से किया जायेगा।

3-विषय सं०-2 के अनुसार नगर राजभाण्डा कार्यन्वयन समिति जो श्री धारणी द्वार अद्वैता नगराभाण्डा समिति एवं मुख्य जायुक्त प्रशासन 30 90 आधिकार जायुक्त आधिकारिता में दिनांक 26-6-85 को आधिकार में सम्पन्न हुयी आने की कार्यवृत्ति के अनुसार उन समस्यायों पर उनके पालन करने का निर्णय लिया गया था को इस कार्यलय में देखाई में लागू करने का निर्णय लिया गया।

4-विषय:-सं०-3 के अनुसार इस पर विचार लिया गया और यह निर्णय लिया गया कि इस योजना का आरम्भ 1 जनवरी 1986 से किया जाएगा। वर्ष 85 के लिए विचार किया

[Handwritten signature]

Attested
by
Mr. Adv.

AIR 33

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जाया सम्भावित होगा क्योंकि इसका अनुमानित विलम्ब से व्यर्थाति अप्रैल 85 से किया गया है।

अतः पुरस्कार योजना के प्रारम्भ किए जाने संबंधी आवश्यक निर्देश एवं विवरण दिनांक 85 के अन्तर्गत सप्ताह में विस्तारित किया जाएगा।

5-विभाग सं०-4 सरकारी काम काज में हिन्दी को वर्ग 85-86 में सफल बनाये संबंधी योजना पर गहन विचार किया गया कि इस संबंध में समस्त सहायकों/कार्यालय अधीनस्थ/लेखा अधीनस्थ/स्लोर अधीनस्थ तथा प्रभारी विधिकता अधिकारियों को समुचित निर्देश दिये जाएंगे। नि. स्वा. ल. के अन्तर्गत लेखा महानिदेशालय की इस योजना को पूरी तरह से लागू किया जाएगा।

इस संबंध में यह भी तय हुआ कि कार्यालय 100 दिनों 100 से जारो होने वाले तत्काल प्रकार के आदेशों हिन्दीवादी एवं स्थानीय प्रकार के पत्रों को भोजने तत्काल यह ध्यान दिया जायेगा कि "क" "ख" और "ग" शब्दों को भोजे जाने वाले पत्रों को हिन्दी में ही भोजा जाएगा। इस संबंध में प्रतिशत दिन प्रतिदिन बढ़ाने पर विचार किया जाएगा स्थानीय पत्रावलियों पत्रिकाओं के आवरण पर हिन्दी और ऊँची भाषा में उसका नाम तथा संख्या लिखा जाने पर जोर दिया जायेगा। संविप्रकार के दस्तावेज जो ऊँची भाषा में हैं उन्हें अनुवाद करने के लिए अनुवाद ब्यूरो को भोजा जाएगा साथी गन पदक साइन बोर्ड इत्यादि दिखावाती किए जाएंगे सरकारी काम काज में हिन्दी को बढ़ावा देने के उद्देश्य से ही इस इकाई में हिन्दी सहायिकाएँ जारी दी जाएगी। पुस्तकालय में किया जाने वाला व्यय का 50%

Attested
ce
Pr
Adv.

A/35

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समस्त जगत्प्रमुख सेंट्रल दिबुल एडमिनिस्ट्रेटिव ट्रीबुनल

एड इलाहाबाद सर्किट बैच लुआनऊ

ओओ एओ लं०-४३-१०

योगेश कुमार यादव ---

पीपीरानर

बगान

यूनिफा जफ ह्यिया तथा अन्य---

अपोपार्टीज

अने गजर लं०-आर-3

सं० ३-५७/८९ के० सं० स्वा० यो० लुआनऊ १९६-८

भारत सरकार

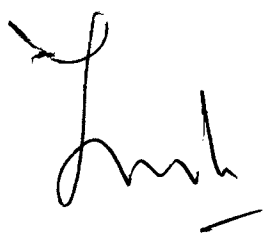
केन्द्रीय सरकार स्वास्थ्य योजना

१-ए राणा प्रताप मार्ग लुआनऊ दिनांक १७-१०-८९

कार्यालयनियम

समी प्रतारोअधिकारियों को एतद्वारा यह सूचित किया जाता है कि राज भाजा कार्यालयन सन्निधि द्वारा लिए गए निर्णय के अनुसार केन्द्रीय सरकार स्वास्थ्य योजना लुआनऊ में हिन्दी के प्रयोग को बढ़ावा देने हेतु कार्यालय एवं चिकित्सालयों के बीच पत्राचार हिन्दी भाजा में किया जाना चाहिए तथा चिकित्सालयों में रोगियों के पर्चे तथा रजिस्टर, पत्रिका हिन्दी भाजा में लिखे जाने तथा बिबि चिकित्सालयों के समी नाम पट मोहर आदि हिन्दी भाजा में अथवा द्विभाजी अथवा ली जाए साथ ही कर्मचारियों से संबंधित समी प्रकार की कार्यवाही हिन्दी भाजा में की जानी चाहिए अंगित है।

साथ कार्यालय के समी अनुभाग अधिकारियों से भी यह अपेक्षा की जाती है कि कि समी पत्राचारों पर नाम विनाय अनुभाग आदि हिन्दी भाजा में



Heard
by
Mr. Adv.

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अवश्य अंकित कर दिया जाय तथा अंग्रेजी एवं हिंदी में संबंधित सभी कार्य हिन्दी भाषा अनिवार्य रूप से करने का प्रयत्न प्रयत्न किया जाय।

साथ ही साथ सभी अधिकारियों को यह भी सूचित किया जाता है कि उपरोक्त कार्य हिन्दी भाषा में सम्पादित करने हेतु आवश्यक प्रोफेसा का यदि हिन्दी भाषा में अनुवाद किया जा अपेक्षित हो तो उसे अधीनस्थ अधिकारियों में भेज सकते हैं जिसे उसे अनुवाद कराया जाय।

४७० एस०सी०दत्त४

उप निर्देशक केन्द्रीय सरकार स्वा०

योजना विभाग

प्रतिलिपि -

प्रतिलिपि वि०सं० १, २, ३, ४, ५, ६ आयुर्वेद यूनिवर्सिटी
होम्योपैथी एवं पैथोलॉजी अनुभाग को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

२-कार्यालय अधीनस्थ लेखाकार सहायक भाण्डार अधीनस्थ

के० सं०स्वा० कार्यालय

३-कार्यालय सूचना पट

Attested
Per
Adv.