

FORM NO. 21

(See rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, Lucknow BENCH

OA/TA/RA/CP/MA/PT 152/90 of 20.....

Kans Sec/Chs Applicant(S)

Versus

C. C. I. Bar. Respondent(S)

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Certified that the file is complete in all respects.

Signature of S.O.

Signature of Deal. Hand

CIRCULAR JUDICIAL

LUCKNOW

(1) O.A. No. 152/90

Ram Sukla & others

Applicants

versus

Union of India & others

Respondents.

(2) O.A. No. 79/91

R.P. Upadhyaya & 14 others

Applicants

versus

Union of India & others

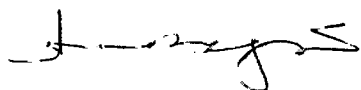
Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. A.B. Gorthi, Adm. Member.

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

The above two Original Applications are dealt with in this single judgment, as the facts related in both the applications are similar and the issues raised therein are common. The relief sought by the applicants is that they be granted the higher grade of Rs 550-750 (R.S.)/ Rs 1600-2660 (R.P.) specified in Railway Board letter No. L NO/II/84/RC III/15 (ARRI) dated 15.5.87 from the date of their completion of training as Traffic/Commercial Apprentice or from 15.5.87, without, however being called upon to take retention test as laid down in para 2(xv) of the aforesaid letter.

2. The facts in both the cases are not much in dispute. The applicants are those who having been selected as Traffic/Commercial Apprentice, were put through the



required training in all spheres of transportation and commercial duties. On successful completion of training they were given the grade of Rs 455-700(RS). Subsequently the scheme of recruitment of apprentices was modified and spruced up vide Railway Board letter mentioned in para 1 above. While offering Traffic/Commercial apprentice the new higher grade of Rs 550-750/1600-2660, certain changes have been introduced in the period of training and the contents of syllabus. While the period of training was reduced from 3 to 2 years, the syllabus has been made more broad based. Para 2(xv) of the letter which has given rise to these Applications reads as under:

"Traffic/Commercial apprentices working in the lower scale of Rs 455-700(RS)/1400-2300 (RP) and 470-750(RS)/1400-2600(RP) on getting selected for recruitment in the higher scale of Rs 550-750(RS)/1600-2660 (RP) as per the above provisions, will not be required to be sent for training again. They will, however, have to appear for and qualify the final retention test alongwith their batchmates and their seniority will be regularised as per normal rules alongwith other candidates in that batch."

3. Aggrieved by the condition laying down that the apprentices drawing the lower scale of pay will be entitled to the newly introduced higher grade only after qualifying the final retention test, some similarly affected apprentices approached the Madras Bench of this Tribunal which decided the case (C.A. Nos. 322/88 and 488/87) with the following order:

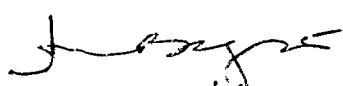
J. S. Srinivas

He accordingly direct that the office of Division of pay and fitment on absorption vide Railway Board's letter No. E(HR)11/84/AC/3/15/(1-2) dated 15.5.1987 should be given to the applicant in both the JAs from 15.5.1987, with consequent monetary benefits. This shall be done without putting them through any final retention test. He also direct that this should be done and arrears disbursed within a period of 90 days from the date of receipt of this order."

4. The Revision petition (No. 31/90) filed in the above J.A. 322/88 was also the Special Leave Petition before the Supreme Court were both rejected. Despite this certainty of judicial view, the Railway Board has taken a very narrow view of the matter as is apparent from its decision contained in its letter No. E(HR) 11/88/R.C.3/39 dated 11.9.90 which reads as follows:

"Pursuant to dismissal of SLP Nos. 7552 and 7573/90 in the case of Michael Dr. Peters Bright Samuel by the Supreme Court on 23.7.90, the question of implementing the judgment dated 4.12.1989 of C.A./H.S Bench in favour of the petitioners was being considered by the the Railway Board. After taking into account the relevant factors including the fact that similar matters are pending before C.A./Bench and C.A./Principal Bench, New Delhi pertaining to Central & North Eastern Railways, Railway Board have decided that for the present the above judgment of the C.A./H.S Bench may be implemented only in favour of the petitioners covered therein."

5. There can be no doubt that Artificial Division of Traffic/Commercial operations into two groups, viz. those who qualified prior to 15.5.87 and those who qualified thereafter, cannot form the basis of granting



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-2-

favour of a higher grade of pay to the latter while denying the same to the former. We, therefore, in agreement with the decision of the Labour Bench of this Tribunal in O.A. No. 322/88 and 488/87 direct that the benefit of the higher grade of Rs 550-750/1600-2660 be granted to the applicants with effect from 15.5.87 or the date of completion of their training, whichever is later, with all other consequential and related benefits. We direct the respondents to comply with these directions within 3 months from the date of receipt of a copy of this judgment.

6. Before parting with this case, we must observe that by denying its employees other than the applicants their dues flowing from the judgments of this Tribunal and forcing them, batch after batch, to seek remedy from this Tribunal, the Railway Administration is acting in a manner that can only be said to be counter productive. Such attitude merely helps disciplined workers turning into fighting litigants. It is suggested that the Railway Board examines the entire case at macro level and take a positive and pragmatic decision with a view to put an end to further litigation on this subject.

7. The remaining applications are disposed of with the above directions and observations. Parties to bear their own costs.

Jan Singh
J.S.

Shakeel/

Lucknow Dated: 10.5.1991.

CE. THE ADMINISTRATIVE TRIBUNAL
CHARTER BENCH, LUCKNOW

D
D

50/1/90

(Deputy Registrar)

Application No. 182 of 1989

APPLICANT(S) Shri. S. K. Singh

RESP. PART(S) S. K. Singh

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent ? Yes
2. a) Is the application in the prescribed form ? Yes
 b) Is the application in paper book form ?
 c) Have six complete sets of the application been filed ?
3. a) Is it filed in time ? Yes
 b) If not, by how many days it is beyond time ?
 c) Has sufficient cause for not taking the application in time, been filed ?
4. Was the document of authorisation/acknowledgement filed ? Yes
5. Is the application accompanied by 1. Demand Order for Rs. 50/- Yes
6. Has the certified copy/copies of the order(s) against which the application is made been filed ? Yes
7. a) Have the copies of the documents/referred upon by the applicant and mentioned in the application, been filed ? Yes
 b) Have the documents referred to in (a) above only attested by a Gazetted Officer and submitted accordingly ? Yes
 c) Are the documents referred to in (a) above properly typed in duplicate ? Yes
8. Has the index of documents been filed and being used properly ? Yes
 Have the chronological details of representation made and the nature of such representation been stated in the application ? Yes
10. Is the matter raised in the application pending before any court of law or any other Bench of Tribunal ? No

Particulars to be Examined

Endorsement as to result of examination

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

✓

✓

NO

✓

NA

✓

NO

✓

dictated/

3.5/1990

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

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

The applicant were permitted to file this application jointly.

Admit.

Issue notice, to the respondents to file counter affidavit, here of to which the applicant may file, if any, rejoinder affidavit within 2 weeks, thereafter.

List it for orders on 9.7.1990.

Sd/-

A.M.

Sd/-

V.C.

rrm/

notices

10.5.90

(2)

9-7-90.

No sitting Adj't. 5-9-90

(3)

5.9.90

- No sitting Adj't to 31.10.90

(4)

(4) 31.10.90

Due to Holiday Case is Adjourned to 18.12.90.

(5)

18.12.90

No sitting Adj't to 12.2.91

(6)

12.2.91 -

No sitting Adj't to 27.2.91

(7)

27.2.91 -

No sitting Adj't to 7.3.91.

Notices were issued

on 10.5.90

Notice reply was any
unreplied to 20.9.90, but
then when case

SFO

CA 224/90
disposing

L.
5/3/91

ORDER SHEET

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD/C.B. LUCKNOW

MP 456-91 L.

MT No. 152 OF 19 92

Vs.

Sl.No.	Date	Office Report	Orders
		MP 456/91 L. Filed by 4c for the reports for extensions of time. S. Ro <i>[Signature]</i> 10/9/91 Received <i>[Signature]</i> 20/8/91	12.8.91 Hon Mr Justice K. Math, J.C. Hon Mr A. S. Ray, A.M. Learned Counsel for both the parties, are present, Shri K. P. Srinivasa Rao for applicant says that the applicant has been given grat. but not arrears and consequential benefits. The respondents have requested for three months time to implement the judgment fully. In the interest of justice, the respondents are given time upto 23.9.91 for necessary action. <i>[Signature]</i> A.M. <i>[Signature]</i> V.C.
	23.9.91		No Siling order 18.12.91
	18.12.91		No Siling order 15.3.92
	17.3.92		No Siling order 15.5.92
	8.5.92		No Siling order 14.7.92

Submitted for
Recd
S.M.
10/9

30/4/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.
CIRCUIT LUCKNOW.

Registration No.

152/90(L)

APPLICATION UNDER SECTION 19 of the Administrative
Tribunals Act 1985.

Rank Sukh & others Vs. Union of India and others.

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Compilation No.1.

Sl.NO:	Description of documents relied upon.	Page No
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2.	<u>Annexure No: A-5.</u> Order of the Railway Board No.E (NG) II/84/RC3/15(AIRF) dt. 15.5.87.	16 to 18
3.	Vakalatnama .	19

Signature of the Applicant.

Ram Sukh

For use in Tribunal's Office.

Date of filing.

Registration No.

Signature
For Registrar.

Noted
for 31/5/90
Kam

Delivered
30/4

30/4/92

W

X/10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

CIRCUIT LUCKNOW.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNALS ACT 1985.

Ram Sukh and others Vs. Union of India and others.

I, Ram Sukh, son of Sri Ramadhar, aged about 33 years, Assistant Station Master under Station Superintendent, Northern Railway, Sultanpur, do hereby depose that the applicant is fully conversant with the facts of the case and the applicant has been authorised by applicants No.2 to & to sign and produce the documents and other relevant records. Accordingly the applicant has deposed the facts of the case in the accompanying application.

LUCKNOW.

DATED:

Ram Sukh
SIGNATURE OF THE APPLICANT.

Ram Sukh

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
CIRCUIT LOCATION.

Registration No. 152 of 90 (2)

BETWEEN

Ram Sukh & others Applicants.

AND

Union of India and others. Respondents.

DETAILS OF APPLICATION

1. Particulars of the
Applicants.

1. Ram Sukh son of Sri Ramadhar, aged about 33 years, Assistant Station Master, under Station Superintendent, Northern Railway, Sultanpur under Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
2. Iqtdar Ahmad Faruqi son of Sri I.A. Faruqi, aged about 38 years, Assistant Station Master, N. Railway, Railway Bakkas under Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
3. Shri R.P. Srivastava, son of Sri R.D. Srivastava, aged about 33 years, Section Controller under Chief Controller, N. Railway, D.R.M. Office, Lucknow.
4. Shri S.K. Srivastava, son of Shri K.P. Srivastava, aged about 38 years, Assistant Station Master, under Station Superintendent, N. Railway, Lucknow, under Divisional Railway Manager, N. Rly., Lucknow.
5. Shri N.C. Srivastava, son of Shri Baldeo Prasad Lucknow, aged about 32 years, Yard Master, under Divisional Railway Manager, N. Rly., Lucknow.
6. Shri ~~Parveen~~ ^{Praveen} Kumar son of Shri B.N. Srivastava, aged about 37 years, Asstt. Station Master, under Station Superintendent, N. Rly., Prayag,

Contd....

Ram Sukh

under Divisional Railway Manager, Northern Railway, Lucknow.

7. Shri Jagdamba son of Sri Ram Jas, aged about 33 years, Yard Master, Varanasi under Divisional Railway Manager, N.Rly., Lucknow.

8. *Shri Mahmood Ali S/o Shri Mohd. Ali aged about 37 years ASM. working as Sec. Controller under Divisional Railway Manager. N.Rly. Lucknow.*

2. Particulars of the respondents:

1. Union of India through Chairman, Secretary Ministry of Railways, Rail Bhawan, New Delhi.
2. Secretary, Railway Board, Rail Bhawan, New Delhi.
3. Deputy Director/Establishment, (N), Railway Board, Rail Bhawan, New Delhi.
4. General Manager, Northern Railway, Baroda House, NEW DELHI.

3. Particulars of the Order against which application is made:

The application against the following order:

i) Order No: with reference to annexure:

No: E (NG) II/84/RC3/15 (AIRF) New Delhi
(Annexure A-5).

ii) Date: 15.5.1987.

iii) Passed by : Issued by Deputy Director/
Establishment (N), Railway Board, New Delhi.

iv) Subjects in Brief:

1. That the applicants were selected as Railway Traffic Apprentices by the Railway Service Commission, Allahabad in 1982 on the basis of vacancies accrued in 1979 in grade Rs.455-700 after being declared successful at the

Ram Sukh

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examination conducted by Railway Service Commission, Allahabad, separately for this post. The examination was not conducted combined with any other category.

2. That the applicants were sent to Zonal Training School Chandausi for 3 years training in all spheres of Transportation and Commercial fields.

3. That the applicants after completion of 3 years training were posted in all categories of the Transportation Department over Lucknow Division in grade Rs.455-700 (RS) in the year 1986.

4. That the Railway Board have issued order on 15.5.1987 as per Annexure A-5 of this application in which the period of training has been reduced from 3 years to 2 years for new recruits to be recruited after 15.5.87 and they are to be fitted in grade Rs.550-750 (RS) (1600-2660 RP) on the plea that they will be trained in new Syllabus.

5. That the applicants have been exempted from the new syllabus which will be ^{tough} given to the new entrants.

6. That the applicants have been exempted from the new syllabus to be ^{tough} given to the new entrants in grade Rs.550-750 (RS) but they will have to appear at the examination conducted by the recruitment board and after passing the same they will not be sent for training but they will have to appear along with new batch mates in final ~~written~~ retention test.

7. That the applicants were not selected at the combined examination along with other

Ram Suresh

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categories but the applicants were selected after passing the examination conducted by the Railway Service Commission, Allahabad particularly for this category. The question of appearing of the applicants at the Traffic Apprentices' Examination conducted by the Railway Service Commission again does not arise.

8. That the applicants are not supposed to sit at the retention test along with new batchmen when they have already been exempted from the training and the syllabus is the same and not new one.

9. That ~~the applicants~~ when the re-structuring of the cadre of Assistant Station Masters, Station Masters, Section Controllers, Assistant Yard Masters etc. ^{was done} on 1.8.83, there was no corresponding upgradation to the Traffic Apprentices and thus the applicants had adversely been affected.

10. That the applicants when sent for training for 3 years, the grade of Rs.455-700 (RS) allotted to Traffic Apprentices were already filled during the training on account of re-structuring with effect from 1.8.83.

11. That the letter of the Railway Board as stated above, attracts the Articles 14 and 16 ^{and} 39(a) of the Constitution of India and has also adversely affected the rights of the applicants and in view of the above, the applicants are entitled for the benefits of grades of Rs.550-750 with effect from 1.8.83 because Station Masters, Section Controllers and Assistant Yard Masters etc. in grade Rs.455-700 (RS) have been promoted in grade Rs.550-750 (RS)

Ram Sush

Rs.700-900(RS) with effect from 1.8.1983 on account of re-structuring.

4. JURISDICTION OF THE TRIBUNAL:

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

5. LIMITATION:

The applicants further declare that the application is within the limitation prescribed in Section 21 of the Administrative Tribunal's Act 1985 on the following grounds:-

1. That the Railway Board issued letter No.E(NG) II/84/RC3/15(AIRF) New Delhi dated 15.5.87 addressed to General Managers All Indian Railways.

2. That the General Manager docketed the above letter to all Divisional Railway Managers including Lucknow vide his letter No.220-E/172 - XVIII(Rectt.) dated 27/31-8-1987.

3. That the Divisional Railway Manager, N.Railway, Lucknow, has not issued the above letter of the Railway Board till date.

4. That the applicants could know and procure the ~~Ref~~ letter of the Railway Board as stated above when they came to know about the judgement of Central Administrative Tribunal ~~Madras~~ on 12.12.1989.

6. FACTS OF THE CASE:

That the Railway Service Commission,

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ANNEXURE NO. A-1
NEWSPAPER.

Allahabad advertised the post of Traffic Apprentice on 8.3.1980 vide employment notice no.2/79-80 Category No.11 which appeared in the Daily Newspaper the Pioneer dated 8.3.1980. Photostat copy of the Newspaper is annexed as Annexure No.A-1.

2. That in response to the above advertisement the applicants applied for the same.

3. That the Railway Service Commission, Allahabad conducted the examination for the category of Traffic Apprentices separately and the applicants appeared at the said examination on 28.12.80. Photostat copy of the letter of the Railway Service Commission, Allahabad is annexed as Annexure No: A-2.

ANNEXURE A-2.

4. That the applicants were declared successful at the Examination(written) and were placed on the panel of Traffic Apprentices after passing Viva-voce test and the Railway Service Commission, Allahabad communicated the results to the applicants, Photo-stat copy of the result is annexed as Annexure No: A-3, to this writ petition.

Annexure No:A-3.

5. That the applicants joined training School, Chandausi with effect from 13.7.83 and underwent three years training as per Para 123 of the Indian Railway Establishment Manual.

Ran Subh

6. That the applicants' qualifications were Graduates and Post Graduates and they fulfilled the requisite conditions laid down in para 123 of I.R. Establishment Manual.

7. That the applicants after completion

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of training were posted in different posts in grade Rs.455-700 (RS) which was not in existence at the time of their posting because percentage of post in grade Rs.455-700 (RS) were reduced due to 13% out of 45% on account of restructuring with effect from 1.8.1983 and the applicants recruited against 15% quota out of 45% in the grade of Rs.455-700 (RS) were upgraded and the incumbents (Applicants) were not posted in the higher grade of Rs.550-750 (RS) and Above, as is evident from the Order of the Railway Board. The posting of the applicants in grade Rs.455-700 is meaningless and irregular.

8. That in the meantime the restructuring of certain group C and D staff including Transportation Department was issued vide Railway-Board letter No.PC-III/80/UPG/19 dated 29.7.83 to take effect from 1.8.82 for proforma fixation and other benefits from 1.8.83. Photo-stat copy of DPO-II/Lucknow letter No.561-E/E-3/1 (restructuring) dated 9.8.83 is annexed As Annexure No: A-4. to this ~~writ~~ petition.

ANNEXURE A-4.
DPO Letter dt.9.8.83

9. That as a result of restructuring the following is the percentage of each grade on Lucknow Division:-

Category.	Grade.	Sanctioned Strength prior to upgrading.	Sanctioned strength on upgrading with effect from 1.8.83.	No. of posts filled.
S.M.	840-1040	-	7 (10% of 700-900)	-
-do-	700-900	4	64 (43.5%)	64.
-do-	550-750	25	72 (43.5%)	68.
-do-	455-700	62	21 (13%)	-
-do-	425-640	73	Cadre eliminated.	-

Ram Sakh

and thus ~~a~~ the category in scale Rs.455-700, out of 62 posts, 23 persons were upgraded in scale Rs. 550-750 and 39 persons were promoted against upgraded posts in scale Rs.700-900, and none- remained in grade Rs.455-700, the sanctioned strength of the Lucknow Division, Northern Railway and this has adversely affected the Traffic Apprentices. If the above position is taken into account, all the Traffic Apprentices recruited in 1982 should have been in grade Rs.550-750 and Rs.700-900.

10. That the Traffic Apprentices recruited in 1982 are the great loser because the posts prior to the recruitment of the applicants have been upgraded and other Traffic Apprentices recruited after 15.5.87 will be benefitted in the higher grade as per order of the Railway Board as per Annexure No: A-5, to this ~~with~~ petition.

11 . That the creation of distinction between the applicants recruited in 1982 and prior to ¹⁵⁻⁵⁻⁸⁷ ~~1982~~ and after 15.5.87 attracts Article 14 and 16 of the Indian Constitution.

12. That the applica-nts should be in grade Rs.335-425 (AS), 550-750 (RS), 1600-2660 (RP) because the applicants have already undergone the highest course in ~~Traffic~~ Training School equivalent to P-16A, because the 75% staff in Traffic Department after passing P-16 had already been promoted and are working in grade Rs.550-750 (RS) with effect from 1.8.1983 and even from later dates. Photo-stat copy of the DS/LKO

Ram Sush

Annexure A-6.

letter No.752E/1B/5/1 dated 2/73 is annexed as Annexure No: A-6 to this petition.

13. That the Railway Board vide their letter No.E(NG)II/84/RC3/15(AIRF) ^{New Delhi} dated 15.5.1987 have emphasized that the Traffic Apprentices who were recruited prior to 15.5.87 will have to pass the examination of Railway Service Commission for grade Rs.55 0-750 (1600-2660 RP) because of the fact that they were selected at the combined examination but this is not the case with the applicants. The applicants appeared at separate examination conducted for this category only. So the applicants are not required to sit in the examination again.

14. That the applicants are required to Pass retention test with the batch mates but they will not be required to go for further training again. The applicants are not ~~to~~ required to sit in the retention examination when they will not undergo training for the new syllabus. In this way para XV of the said letter of the Railway Board is not applicable to the applicants.

15. That the syllabus according to which the new recruits/ R.T.As are to be ^{tought} ~~trained~~ is not new but they are all old and no new syllabus can be framed. The applicants were trained in all the Rules prescribed by the Board and no new Rules have been framed by them till now.

Ram Singh

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16. That the applicants are working as Asstt. Station Masters etc. in grade Rs.455-700 under the Control of the Divisional Railway Manager Northern Railway, Lucknow, who is under the control of the respondent No.4 -General Manager, N.Rly., Baroda House, New Delhi.

17. That the applicants are entitled for fixation and fitment in grade Rs.550-750 with effect from 1.8.1983 with proforma fixation with effect from 1.8.1982 with consequential benefits including seniority and promotions.

7. DETAILS OF THE REMEDIES EXHAUSTED:

The applicants declare that the representation is not required in this case because it attracts the violation of Article 14 and 16 of the Indian Constitution.

8. MATTERS NOT PREVIOUSLY FILED ARE PENDING WITH ANY OTHER COURT.

The applicants further declare that they had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any Court of Law or any other authority or any other bench of the Tribunal and nor any such application, writ petition or suit is pending before any of them.

Ram Sakh

9. RELIEF SOUGHT:

In view of the facts mentioned in para 6 above, the applicants pray for the following reliefs:

1. Order or direction in the nature of

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sub-
certorari to hold the paras 12 to 15 of para 2
and other paras ~~of the mandamus~~ concerning the
benefits of revision of Pay Scales ^{to new recruits only} as shown in
Letter No.E(NG)II/84/RC3/15(AIRF) dated 15.5.87
as unconstitutional and invalid. ^{Annex-A-5}

2. Order or direction in the nature of
mandamus directing the respondents to exempt
the applicants from the examination and retention
test as shown in Para XV of the aforesaid letter
of the Railway Board. ^{Annex-A-5}

3. Order or direction in the nature of
Mandamus directing the respondents to fit the
applicants in grade Rs.550-750 (RS) ~~from 1.3.1983~~
with effect from 1.3.1983, with monetary and
consequential benefits including seniority.

4. Any other order or direction as deemed
just and proper in the circumstances of the case.

5. And also award the cost of this
application to the applicants.

GROUNDS.

1. Because the impugned order of the Railway
Board (Annexure No: A-5) creates distinction
between ~~the~~ Traffic Apprentices recruited and
working in grade Rs.455-700 based on Para 123
of the I.R.E.M. and allocating Rs.550-750 (RS)
to those Traffic Apprentices recruited after
15.5.1987 and Rs.455-700 recruited before 15.5.87.
In this way the Article 14 and 16 of the Indian
Constitution are attracted. ^{and 39(d)}

Ram Subin

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2. Because the qualifications and syllabus /~~r~~ prescribed for training of the Traffic Apprentices recruited before 15.5.87 and after 15.5.87 are the same and there is no change in the rule or policy.

3. Because all the conditions laid down for the Traffic App-rentices under Para 123 of the Indian Railway Establishment Manual, recruited before 15.5.87 and after 15.5.87 are the same

4. Because the applicants have already passed the examination held separately by the Railway Service Commission, Allahabad as per Annexure A2 so the para 5 of the impugned order contained in Annexure A-5 to the application is not applicable to the applica nts.

5. Because the sub-paras 12 to 15 of Para 2 and other pa ragraphs conferring the benefits of the revision of Pay Scales and their fitment on absorption vide Annexure A-5 are unconstitutional and invalid.

6. That the applicants recruited prior to 15.5.87 i.e. recruited in 1982 are entitled for the Pay Scales of Rs.550-750 and above with effect from 1.8.83 with proforma fixation with effect from 1.8.1982 on account of upgrading as per Annexure A-4.

Ram Singh

7. Because the pay scale of Rs.455-700 allotted to the applica nts were not in existence at the time of appointment as these posts have already been upgraded with effect from 1.8.1983.

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8. Because the applicants have already been trained in Highest Syllabus prescribed by the Railway Board in all sections of the Traffic and Commercial Departments within three years and reducing the period 2 years for the new entrant ^{and study} ~~for~~ the new syllabus within 2 years is impracticable.

9. Because the new syllabus for the new recruits Traffic Apprentices have not been framed so far and the grade of Rs.550-750 are being given to the new Traffic Apprentices trained on the basis of old syllabus.

10. Because the new syllabus will be based on all the rules framed by the Railway Board and other authorities and the applicants have already surveyed and ^{been} ~~being~~ trained in all the rules contained in the Books prescribed by the Board and there can be no any other syllabus over and above the rules prescribed in the Books .

11. Because most of the paras of the impugned order mentioned in Annexure A-5 had not been approved and framed by the President of India under ~~309~~ Article 309 of the Indian Constitution; so it is against the statutory rules.

Ram Singh

12.

10. INTERIM ORDER IF ANY IS PRAYED FOR: NIL.

11. PARTICULARS OF POSTAL ORDER IN RESECT OF APPLICATION FEE:

1. No. of Indian Postal Order: 30827165
4th 60/
2. Name of the issuing Post Office: C & W Shop
3. Date of issue of Postal Order: 27-3-1999
Khanpatti
Lunch
4. Post Office at which payable: Head Post Office
Allahabad. Contd.

12. List of Enclosures:

A-1 to A-6.

Verification.

I, Ram Sukh, son of Shri Ramadhar, aged about 33 years, Assistant Station Master, under S.S., Northern Railway, Sultanpur, do hereby verify that the contents of paras 1 to 12 are true to my personal knowledge and on legal advice. and that I have not suppressed any material fact.

LUCKNOW.

DATED:

Ram Sukh
SIGNATURE OF THE APPLICANT.
Ram Sukh

25 MAY 1987

Government of India
Ministry of Railways
(Railway Board)

RRB S.NO. 119/1987

No. E(NG)II/84/RC3/15 (A.R.F.) New Delhi, dated 15 -5-1987

The General Managers,
Indian Railways.

The Chairman,
Railway Recruitment Boards.

Sub:- Recruitment of Traffic/Commercial Apprentices.

In terms of existing rules/orders on the subject, 25% of the vacancies in the scales Rs. 455-700/470-750(RS)/1400-2300/1400-2600(RP) in the category of Commercial Inspectors and in the operating categories of Station Masters, Yard Masters Traffic Inspectors and Section Controllers are filled by recruitment of Commercial and Traffic Apprentices. Out of this, 15% is filled by direct recruitment from the Open market and 10% by limited Departmental Competitive Examination from amongst serving graduates in the Traffic and Commercial Departments (other than ministerial staff below the age of 30 years. The minimum qualifications prescribed for recruitment of Traffic/Commercial Apprentices is a University Degree (with Law as additional qualification for Commercial Apprentices) Diploma in Rail Transport and Management from the Institute of Rail Transport is an additional desirable qualification.

2. The questions relating to recruitment of Traffic Commercial Apprentices, the scales in which such recruitment should be made, the qualifications and period of training etc. have been under review by the Railway Board for some time past. As a result of such review the Board have decided as under:-

i) The scheme of recruitment of Traffic and Commercial Apprentices should continue.

ii) In future, the recruitment of these Apprentices should be made to grade Rs. 550-750/1600-2660(RP). Traffic Apprentices absorbed in the cadre of section Controllers in scale Rs. 470-750/1400-2600(RP) will be fixed at starting pay of Rs. 1600/- on absorption. The recruitment of Traffic Apprentices may be suitably staggered in view of sub-para (viii) below.

iii) The existing quota of 15% for open market recruitment and 10% for departmental candidates will continue to apply.

iv) The qualification for recruitment will continue to be graduation except that in the case of Commercial Apprentices, the additional qualification of a degree in Law will not be necessary. Diploma in Rail Transport and Management from the Institute of Rail Transport, New Delhi, will be a desirable qualification.

v) The recruitment from the open market will be through a separate examination and not combined with the recruitment of Senior Clerks, Guards, etc. as at present.

vi) The examination will be held on date(s) different from the examination held for other graduate categories of Senior Clerks, Guards, ASMs, etc.

- vii) The standard of examination will be higher than is the case of present having regard to the fact that recruitment will be in a higher grade.
- viii) In future the period of training for Traffic Apprentices also will be two years as against three years as is the case at present.
- ix) Commercial Apprentices will be recruited also for posts in scale Rs.550-750/1600-2660(RP) in the commercial group, e.g. for posts of Chief Booking Clerk, Chief Parcel clerk, Chief Goods Clerk, etc.
- x) The syllabus for training of Traffic as well as Commercial Apprentices will be recast and updated with a view to broad-basing it so that apprentices of one Department get adequate training relevant to the other Department also.
- xi) A wider exposure to Traffic and Commercial Apprentices after absorption should be arranged by each Railway Administration partly by exchanging apprentices in one stream with those in other streams and partly by recasting the avenues of advancement in scale Rs.400-900(RS)/2000-3200(RP) and above.
- xii) Apprentices already under training will be absorbed only in scale Rs.455-700(RS)/1400-2300(RP) or 470-750(RS)/1400-2600(RP), as the case may be for which they have been recruited.
- xiii) No recruitment in scale Rs.455-700(RS)/1400-2300(RP) will henceforth be made except to the extent panels have already been received by Railway Administration from the Railway Recruitment Boards in the case of open market quota and panels have already published in the case of departmental quota.
- xiv) For recruitment notified upto 31-12-1990, the upper age limit for serving Traffic/Commercial Apprentices who have been recruited in the scale Rs.455-700(RS)/1400-2300(RP) and 470-750(RS)/1400-2600(RP) including those who are undergoing training, will be raised as under as against the upper age limits applicable as per extant order:-
- a) for candidates appearing in the Departmental Competitive Examination.....50 years.
- b) for candidates appearing against open market direct recruitment quota under age relaxation applicable to serving employees..... 45 years

The above concession in age will not be available to other serving employees in the Traffic and Commercial Departments who will be when serving/opting for the respective quotas in the normal course. In their case normal rules regarding relaxation in age limit for serving employees will only apply.

(Handwritten signature)
(Handwritten signature)
(Handwritten signature)

xv)

Traffic/Commercial Apprentices working in the lower scale of Rs. 455-700(RS)/1400-2300(RP) and 470-750(RS)/1400-2600(RP) on getting selected for recruitment in the higher scale of Rs. 550-750(RS)/1600-2660(RP) as per the above provisions, will not be required to be sent for training again. They will, however, have to appear for and qualify the final retention test along with their batchmates and their seniority will be regularised as per normal rules along with other candidates in that batch.

Please acknowledge receipt.

DEPUTY DIRECTOR ESTABLISHMENT (N)
RAILWAY BOARD.

New Delhi, dated 15.5.1937

1 (NG) II/54/103-13 (MAY)

Copy to :

The General Secretary, ARPF, 4, State Entry Road, New Delhi (18 spares)
The General Secretary, NFIP, 5, Chelmsford Road, New Delhi (25 spares)
All Members of NC/EC & Secretary, Staff Side, National Council,
13-C, Ferozshah Road, New Delhi.
The Railway Board Class II Officers' Association,
Rail Bhawan, New Delhi.

for Secretary, Railway Board.

Copy to :

15s to CMC, MI, MS, Adv./III
SPs to E.II, EOPC, ETC, EDER, EDE (Coaching), ED (Traffic & Tourism)
EI (Safety), EDE, EDMS, DE (N), AEDPC, AEDE (R), DE (P&A), DE (T&M)
and DLC.
E (H), DE (H) I & II, DDPC I & IV, DDE (SCT), DDE (G) II, DDE (R) I & II,
E (S) I (with 10 spare copies), E (top) I, II & III, E (SCT) I & II (each
with 10 spare copies), E (P&A) I, II, PC, III & IV, E (S) and Code
1st Cell, branches of Railway Board.
E (L) II with 10 spares, E (LR) II with 5 spares.

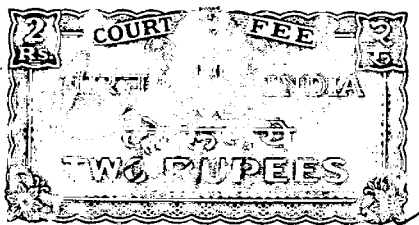
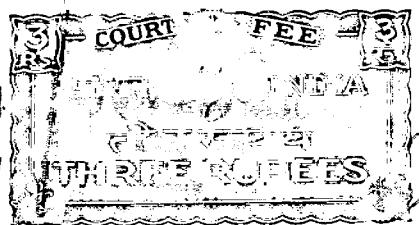
Handwritten signature and initials

महोदय

❖ वादी ❖ अपीलान्त

प्रतिवादी [रेस्पाडेन्ट]

का वकालतनामा



वादी (अपीलान्ट)

प्रतिवादी (रेस्पान्डेन्ट)

नं० सुकदमा

सन्

पेशी की ता०

११ ५५०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

L. & S. H. Clark, Portland, ME 1917
L. D. H. Clark, Portland, ME 1917

वकील

महोदय

एडवोकेट

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

नाम अदालत

सकदमा न०...

नाम परीकेन

हस्ताक्षर: रा. 5-14

② - 7071
10/19/90

.....

(7) Signature - M. S. A. M.

(5) N.C. Srivastava.

सन् १९.....ई०

Accepted

ॐ श्रीगणेशाय नमः

W. J. C. (Diamond H.C.)

साक्षी (गवाह)

दिनांक

महीना

सन् १९

40.

स्वीकृत

② W. H. (Plumwood Hb.)

159

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
CIRCUIT LUCKNOW.

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL'S ACT 1985.

Ram Sukh and others Vs. Union of India and others.

INDEX.

Compilation No.2.

Sl.No: Description of documents relied Upon. Page Nos.

1. Annexure No: A-1. 20
Photo-st-at copy of the newspaper
Pioneer dt. 8.3.1980.
2. Annexure No.A-2. 21
Photostat copy of the letter of
the Rly.Service Commission,Allahabad.
3. Annexure No.A-3.
Photo-stat copy of the result.
issued by Rly.Service Commission,Allahabad 21 27
4. Annexure No.A-4.
Photostat copy of DPO-II/LKO letter
No.561E/E-3/1(Restructuring) dt.9.9.83. 28 34
5. Annexure No.A-6. 35-36
Photostat copy of DS/LKO letter No.
752E/1B/5/1 dt. Februa y, 73.

6.

Ram Sukh
Signature of the Applicants

Ram Sukh

Ram Sukh

SITUATIONS VACANT

SITUATIONS VACANT

WANTED Auxillary Nurse Midwife. (A.N.M.)
Maan Bindeshwari
Nursing House,
Rahim Nagar, Maanagar,
29(910C)R Lucknow.

WANTED Lady Doctors
M.B.B.S. or M.S. Gynecology and Obstetrics, B.M.S. (Homoeopath) G.H.M.S. and B.I.M.S. or A.M.B.S. (Ayurveda) for MAA Vindeshwari Nursing Home, Raheemnag Mananagar, Lucknow 29(921C)R

APPLICATIONS are invited for (a) two posts of Senior Research Assistant (Horticulture), (b) two posts of Senior Research Assistant (Fruit and Vegetable Breeding) and (c) one post of Senior Research Assistant (Mycology) in the pay scale of Rs. 350-15-500-EB-20-660-EB-25-700 for appointment on temporary and ad hoc basis pending selection by the Lok Seva Ayog, U.P. and for a maximum period of one year. Qualifications for posts at (a) (i) Essential: B.Sc. (Ag.) with Horticulture as one of the subjects and two years research experience in Horticulture or M.Sc. (Ag.) in Horticulture. Preferential:- Experience of research work on fruit and vegetable crops; for posts at (b) Essential:- Bachelor's degree in Science or Agriculture with two years experience of research work on breeding of fruits and/or vegetables OR Master's degree in Plant Breeding or Genetics or Botany/Agricultural Botany with a paper in Plant Breeding. Preferential:- Experience of research work on breeding of fruits and vegetables and for post at (c) Essential:- Bachelor's degree in Science or Agriculture with two years research experience in Mycology/Plant Pathology OR Master's degree in Plant Pathology or Botany with a special paper in Mycology/Plant Pathology. Preferential:- Research experience on diseases of fruit and vegetables. Age: Between 21 and 28 years on January 1, 1980. (Upper age relaxable for Govt. servants, Scheduled Caste, Scheduled Tribes, Backward Class and others under reserved quota according to rules). One post at (a) is reserved for Scheduled Caste/Scheduled Tribes candidates and one post at (c) is reserved for Backward Class candidates.

Apply with attested copies of certificates, Degrees etc. of all the examining passed to the Director, Horticulture & Fruit Utilization, U.P. up to March 20, 1980. U.P.-213

S.S. Tewatia,
Director,
29(4525)

CITY MONTESSORI SCHOOL, LUCKNOW

WANTED 2 Trained Convent Graduates for teaching primary school.

K. S. SAKET POST-GRADUATE COLLEGE, FAIZABAD

WANTED (1) A Lecturer in Geography temp. up to 30-6-1980 in Leave Vacancy under Teacher Fellowship Scheme. Grade Rs. 700-1200. Qualification: As per Statutes of the Aligarh University, Faizabad.
Office Superintendent in the grade Rs. 250-675. Qualification:- Degree from a recognised University established by law together with at least ten years working experience as Head Clerk or Accountant in a College affiliated to or associated with a University or in any other similar institution.
One Routine Clerk in the grade Rs. 200-320. Minimum Qualification - Intermediate.

in item 3 age not to exceed 27 years except in the case of Scheduled Caste and Scheduled Tribe candidates. Preference will be given to the Scheduled Caste and Scheduled Tribe candidates if otherwise found suitable.

Apply to the undersigned within 21 days from this advertisement on the prescribed application form, obtainable on payment of Rs. Five from the College Office alongwith attested copies of degrees and testimonials.

K. N. Srivastava,
Hony. Secretary,
29(149S)R

RAILWAY SERVICE COMMISSION

19, Sardar Patel Marg, Allahabad

Employment Notice No. 273-80

APPLICATION on prescribed forms should reach the office of The Asst. Secretary, Railway Service Commission, 19, Sardar Patel Marg, Allahabad on or before 5-00 p.m. of 7-3-1980.

2. The application form of any Railway Service Commission can be used. These are obtainable at all important Railway Stations on payment of Rs. 2-10. General candidates and Scheduled Caste candidates can apply and relaxations from former. Rs. 2-10 K. N. Srivastava, Secy. Allahabad. Stamps are not acceptable.

3. The age will be determined as on 1-1-1980. The

through their Department but they will be admitted on the test subject on production of "NO OBJECTION CERTIFICATE" from their Employers.

7. Candidates must write employment Notice No. and category No. on the envelope containing application forms addressed to Assistant Secretary, Railway Service Commission, Allahabad.

8. All male candidates appointed to Railway Service are liable for active service for seven years in the Railway Engineering units of the Territorial Army and for eight years in Territorial Army reserve or for such period as may be laid down in this behalf from time to time.

9. The Commission reserves the right to reject any application for valid reasons and no enquiry correspondence will be entertained in this connection.

10. Canvassing in any form will disqualify the candidates.

Category No. 3:

2 Posts of Signal Inspectors Grade II scale Rs. 550-750 (RS) One post reserved for Scheduled Caste and 2 posts for Scheduled Tribes. Qualifications: Degree in Electrical/Electronics/Tele-communication/Mechanical Engineering from a recognised university or its equivalent.

Age: 20-30 years. Training -6 months to one year with stipend of Rs. 550 - plus Dearness Allowance. Selected candidates have to deposit Rs. 100/- as security. Women not required.

Category No. 4:

3 Posts of Clerk (Mechanical) 4 posts reserved for Scheduled Caste and 2 for Scheduled Tribes scale Rs. 550-750 (RS). Qualification: Bachelor in Mechanical Engineering or graduate be preferred. Age: 20-35 years. Period of Trainings: 6 months to 12 months at stipend of Rs. 550/- per month. Selected candidates have to deposit Rs. 100/- as security. Women not required.

Category No. 5:

One post of Inspector of knowledge of Hindi, Training Works Grade II scale Rs. 550-750 (RS). Post reserved for Scheduled Caste and 2 for Scheduled Tribes. Qualification: Law Graduate and should have thorough

Railway Magistrate who are desirous of applying for such posts and who also fulfill the prescribed qualification for the direct recruitment. Age: 18-30 years. Category No. 10:

Two posts of Prosecuting Inspectors R.P.F. Scale Rs. 470-750 (RS). 1 post reserved for Scheduled Caste and 1 for Scheduled Tribes.

Qualification: Law Graduate with at least 5 years' experience at Bar 3 years for Scheduled Castes and Scheduled Tribes) Training 6 month's I.P.P. courses at Police Training College Phillaur at stipend of Rs. 470/- per month. Age: 19-35 years. Candidates must have 160 centimetre height and 76.2 centimetre chest in all round unexpanded. Women not required.

Category No. 11:

58 posts of Traffic Apprentices Scale Rs. 455-730 (RS). Or 10 posts are reserved for Scheduled Castes and 2 for Scheduled Tribes and 6 for ex-Servicemen. Qualification: Degree of a recognised University. Training 3 years Stipend Rs. 425-15-455. Selected candidates are required to execute an agreement and deposit Rs. 100 - as security which will be refunded on completion of training. Women not required.

Category No. 12:

27 posts of Nurse Gr. B Scale Rs. 425-640 (RS). 22 posts are reserved for Scheduled Caste and 5 for Scheduled Tribes. Qualification: Matriculation with Nursing Certificate from a recognised institution. Registered under the Government Act for Nurses. Midwife or Health Visitor or an equivalent qualification for Scheduled Caste and 2 for Scheduled Tribes scale Rs. 550-750 (RS). Qualification: Bachelor in Mechanical Engineering or graduate be preferred. Age: 20-35 years. Period of Trainings: 6 months to 12 months at stipend of Rs. 550/- per month. Selected candidates have to deposit Rs. 100/- as security. Women not required.

Category No. 13:

1 post of Prosecuting Sub-Inspector R.P.F. Scale Rs. 470-750 (RS). Post reserved for Scheduled Caste and 1 for Scheduled Tribes. Qualification: Law Graduate and should have thorough

रेल सेवा प्रायोग

19, मरदाय पल मार्ग, इलाहाबाद

हाक प्रमाणित

पत्र सं०—रे०से०प्रा०इ०/लि०प०/दे०प्र०/281280

प्रवेश-पत्र

दिनांक नवम्बर 80

श्री

L. P. S. 6

(रोल नं०) 4340/11330

ट्राफिक अप्रेंटिस वेतनमान काये 100-700 गं०० कोटि सं० 11 नियोजन सूचना सं० 2/79-80 उत्तर रेलवे दिनांक 28-12-80 (रविवार) को 10.00 बजे लिखित परीक्षा।

- उपयुक्त पद की लिखित परीक्षा के लिए अंतः का (प्रोविजनरी) अनुभूतित किया जाता है। इस पत्र को दिखाने पर आपकी लिखित परीक्षा में सम्मिलित किया जायेगा। यदि आप नियोजन सूचना में दी गयी शर्तों को पूरा नहीं करते हैं तो आपकी सम्मिलिता निरस्त कर दी जायेगी।
- आपको लिखित परीक्षा का केन्द्र है।

- यह एक वस्तुनिष्ठ परीक्षा है और प्रश्न पत्र के तीन भाग होंगे (1) सामान्य प्रश्नों की (2) अंकगणित (3) सामान्य ज्ञान। प्रत्येक प्रश्न के लिए एक से अधिक संभावित उत्तर हैं जो प्रश्न पत्र के साथ दिये गये हैं। एक प्रश्न के लिये एक से अधिक संभावित उत्तरों में से केवल एक ही उत्तर सही है। आपको दिये गये उत्तरों में से सही उत्तर चुनना है।
- 1000 पात्र आपको प्रश्नों के उत्तर लिखने के लिए एक उत्तर पत्र दिया गया है। इस उत्तर पत्र की वही क्रम में लिखना है जो प्रश्न पत्र में दिया गया है। उत्तर पत्र पर प्रश्न पत्र के नीचे एक आयताकार स्थान दिया गया है। प्रश्न और उसके संभावित उत्तर पढ़ने के बाद उत्तर देना है कि आप के अनुसार कौन सा उत्तर सही है। उसके बाद आप अपने उत्तर पत्र पर चुने हुये उत्तर की क्रम संख्या उचित स्थान पर लिख दें।
- लिखित परीक्षा प्रातः 10.00 बजे से प्रारम्भ होगी। आप ठीक 9.00 बजे प्रातः केन्द्र पर उपस्थित हों। अपना कलम इन्साइड इत्यादि साथ लावें। पेपर प्रायोग द्वारा दिया जायेगा। परीक्षा का समय 100 मिनट होगा।
- परीक्षा की तिथि एवं केन्द्र परिवर्तन की प्रार्थना स्वीकार नहीं की जायेगी।
- यात्रा में जाने-जाने, ठहरने तथा अन्य व्यय आपकी स्वयं धन करने पड़ेगा।
- केवल अनुसूचित जाति/अनुसूचित जनजाति अभ्यर्थियों के लिए :—
घर से परीक्षा केन्द्र तक तथा वापस घर के लिए यात्रा करने हेतु द्वितीय श्रेणी का वास संख्या संलग्न है।

आवश्यक :

- देर से जाने वाले सम्मीदवार परीक्षा में सम्मिलित नहीं हो सकते।
- नकल करते हुए परीक्षा में सम्मीदवारों के नाम ब्लैंक लिस्ट कर जायेगे।
- लिखित परीक्षा में सम्मिलित होने के लिए प्रस्तुत करना होगा।

एक सचिव

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,
इलाहाबाद

पंजीकृत डाक द्वारा

सं- रे०से०आ०इ०/टी०ए०ए०/उ०रे०/ 12

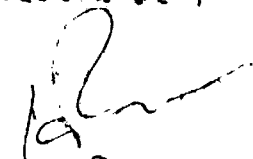
दिनांक/4.6. 1982

श्री Ram Sukh अनुक्रमांक..... 11.3.34

इस आयोग के नियोजन सूचना च संख्या 2/74-2062/11 के
अन्तर्गत उत्तर रेलवे में संपा 455-702 संवे० के वेतनमान में—
Traffic Apprentice के पद के लिए आपने जो
आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

1. जहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपने
अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम नियुक्ति महा -
प्रबन्धक/कार्मिक, उत्तर रेलवे, प्रधान कार्यालय, बड़ीदा हाउस,
नई दिल्ली द्वारा होगी, जो कि आप की नियुक्ति पत्र समुचित
समय पर भेजेगे ।

संपा इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें ।


सहायक सचिव

गौड़/-

गौड़/



Amman... A-3

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,
इलाहाबाद

पंजीकृत डाक द्वारा

सं- रे०से०आ०५०/टी०एम०/३०२० / 12

दिनांक 14 / 6 / 1982

J. A. ...

श्री अनुमांक... 13.70 /

इस आयोग के नियोजन सूचना व संख्या 2/29-2001 के
अर्न्तगत उत्तर रेलवे में संप्रदा USS-700 संवे० के वेतनमान में—
Traffic Apprentice के पद के लिए आपने जो
आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

1. जहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपने
अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम नियुक्ति महा -
प्रबन्धक/टार्मि०, उत्तरे रेलवे, प्रधान कार्यालय, बड़ीदा हाउस,
नई दिल्ली द्वारा होगी, जो कि आप की नियुक्ति पर समुचित
समय पर भेजेगे ।

सुप्रा इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें ।

सहायक सचिव

मांक/-



12/10/84

Annex A-3

(2)

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,
इलाहाबाद

पंजीकृत डाक द्वारा

सं०- रे०से०/टो०/टी०एस०/उ०रे०/12

दिनांक 14.6-1982

श्री R. P. Srivastava अनुक्रमांक..... 115.36.....

इस आयोग के नियोजन सूचना व संख्या 2/79-80 Cat II के
अर्न्तगत उत्तर रेलवे में संपा U55-702 सं०वे० के वेतनमान में
Traffic Apprentice के पद के लिए आपने जो
आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

1. जहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपने
अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम विद्युत्ति महा -
प्रबन्धक/कार्मि, उत्तर रेलवे, प्रशासक कार्यालय, बड़ीदा हाउस,
बई दिल्ली द्वारा होगी, जो कि आप की विद्युत्ति पत्र समुचित
समय पर भेजेगे ।

संपा इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें ।

True copy
attached

सहायक सचिव



A. 3

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,
इलाहाबाद

पंजीकृत डाक द्वारा

सं०- रे०से०आ०इ०/टी०ए०स०/उ०रे०/ 5

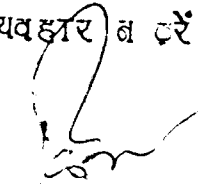
दिनांक 14.6.1982

श्री S. K. Srivastava अनुक्रमांक... 11454.....

इस आयोग के नियोजन सूचना व संख्या 2/29-2001 के अन्तर्गत उत्तर रेलवे में रूपया USS-700 संवे० के वेतनमान में Traffic Apprentice के पद के लिए आपने जो आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

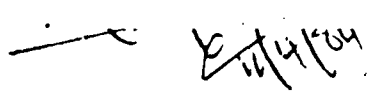
LE जहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपने अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम नियुक्ति महा - प्रबन्धक/कार्मिक, उत्तर रेलवे, प्रधान कार्यालय, बड़ीदा हाउस, नई दिल्ली द्वारा होगी, जो कि आप की नियुक्ति पत्र समुचित समय पर भेजेगे।

रूपया इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें।


सहायक सचिव

माँ/-





Handwritten notes and marks at the top right.

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,
इलाहाबाद

पंजीकृत डाक.भारत

सं०- रे०से०आ०/३०२०/१२ दिनांक १५-६-१९८२

श्री ..Navleen..Chandra Srinivasa... 12034.....

इस आयोग के नियोजन सूचना व संख्या 279-80, Cat-11 के अन्तर्गत उत्तर रेलवे में संख्या 455-700 संवे० के वेतनमान में Traffic Apprentice के पद के लिए आपने जो आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

यहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपने अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम विद्युत्ति महा - प्रबन्धक/कार्मिक, उत्तर रेलवे, प्रधान कार्यालय, बड़ीदा हाउस, बड़दिल्ली द्वारा होगी, जो कि आप की विद्युत्ति पत्र समुचित समय पर भेजेगे ।

कृपया इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें ।

Handwritten signatures and notes, including 'सहायक सचिव' (Deputy Secretary).



Handwritten text at top right: A. V. ... 3

रेल सेवा आयोग,
19 सरदार पटेल मार्ग,

दिल्ली

पंजीकृत डाक द्वारा

सं- रे०से०आ०ड०/टी०एस०/३०२०/११

दिनांक 11.6.1982

श्री ... अनुक्रमिक... 11C 65...

इस आयोग के नियोजन सूचना व संख्या 2/54-16 दि०/८२
अन्तर्गत उत्तर रेलवे में उपया 455-702 संवे० के वेतनमान में
... के पद के लिए आपसे जो
आवेदन - पत्र भेजा था उसके सम्बन्ध में आपको सूचित किया जाता है :-

1. जहाँ तक लिखित परीक्षा/साक्षात्कार परीक्षा का सम्बन्ध है, आपसे
अर्हता प्राप्त कर ली है, लेकिन आप की अन्तिम विद्युत्ति महा -
प्रबन्धक/ऑफिस, उत्तर रेलवे, प्रधान कार्यालय, बड़ौदा हाउस,
वई दिल्ली द्वारा होगी, जो कि आप की विद्युत्ति पत्र समुचित
समय पर भेजेगे ।

उपया इस सम्बन्ध में इस कार्यालय से आगे पत्र व्यवहार न करें ।

सहायक सचिव

मा०/-
मा०ड/-



Handwritten signatures and notes at the bottom, including 'Final Copy' and '11/6/82'.

Amman A-41

28

NORTHERN RAILWAY

No. 561-B/E-3/1 (Re-structuring)

DIVISIONAL OFFICE
LUCKNOW

Dated 9th August, 83.

The Supdts. Estt.
The Dealers Estt.
The Divl. Personnel Officer/NR/LKO
The Asstt. Personnel Officers/NR/LKO
The Sr. Divl. Accounts Officer/NR/LKO

Sub:- Restructuring of certain Group 'C' & 'D' cadre.

A copy of Railway Board's letter No. PC-III/80/UPG/19 dated 29-7-83 alongwith its enclosures is forwarded herewith for;

i) Taking the task of implementation in hand by existing sanctioned cadre as well as proposed cadre for Accounts vetting.

ii) Sending the cadre statement to Sr. DAO/LKO for verification and vetting.

For Dealers
SMS/ASMs
only.

iii) Intimating both the Unions alongwith re-structured cadre of SMS/ASMs asking them to submit their proposals for pin-pointing the stations in various grades.

Anomalies, if any, in implementation of these orders should be brought out for decision of the competent authority. The above base work should be completed immediately.

E

Regd
Divl. Personnel Officer (II)
LUCKNOW.

*Copy to
1/6/83
& Th/Accounts*

(i) Group 'D' Posts:

- (a) For vacancies in group 'D' promotion will be on the basis of the ~~existing~~ existing procedure.
- (b) Wherever promotion from Group 'D' to Group 'C' is involved, promotions will be on the basis of a modified selection procedure as prescribed in para 3.2. infra.

(ii) Group (C)

- (a) Where all the posts in an existing grade are on bloc placed in a higher grade, the existing regular incumbents thereof may be allowed the higher grade without subjecting them to any selection, even where the posts are now classified as 'Selection' posts for example, all the posts of Switchmen at present in the scale of Rs. 260-400 will be placed in the scale Rs. 330-560 and as such all the existing regular incumbents in this scales will be automatically given the scale of Rs. 330-560. Similarly having regard to the percentage prescribed for the category of shunting staff, all the existing posts of shunting Jamadars in the scales of Rs. 225-350 will be placed in the scale of Rs. 330-480 or above. Hence, all the regular incumbents against these posts presently in the scale of Rs. 225-350 will be allowed the scale of Rs. 350-480 without subjecting them to any selection.
- (b) Wherever the vacancy to be filled in is in a post now classified as 'Selection' as per the enclosed Annexure, the existing regular incumbents in the next lower grade/Grades shall be considered for promotion on the basis of the modified selection procedure proscribed in para 3.2 infra.

3.2 For the purpose of promotion in terms of the preceding Sub-paragraph, the existing selection procedure will stand modified to the extent that the selection will be based only on scrutiny of service records without holding any written and/or viva voce tests. Naturally, under this procedure, the category of "Outstanding" will not arise. This modified selection procedure has been decided upon by the Ministry of Railways as a one-time exception by way of a special dispensation in view of the numbers involved, with the objective of expediting the implementation of these.

.....
Annexure
12/11/61
12/11/61

recruitment of Engineering Diploma holders and these posts should be operated in the lower grade till such time direct recruits are available.

6.1 The restructuring in the cadre of Ward-Keeping staff of the Stores Department including the revised percentages of distribution and direct recruitment and the conditions prescribed therefor will also apply to posts in the Stationery and Forms Depots, where such Depots are manned wholly by the Ward-Keeping cadre of the Stores Department.

SWITCHMEN. 7. The educational qualifications for future entrants to the category of Switchmen will be increased to 'Matric'. This category will, however, continue to be an avenue of promotion for the category of Yard Staff as at present.

FINGER PRINT EXAMINERS. 8. In the category of Fingerprint Examiners (Item 18 of Annexure) one post in grade Rs. 455-700 from out of the restructured cadre will be placed in the grade Rs. 700-900 in the Headquarters of each Zonal Railway and will be designated as Chief Fingerprint Examiner. The question whether any additional training/examination should be prescribed, passing of which would be a pre-condition for allotment of this grade, in so far as future entrants are concerned, is separately under Board's consideration and orders in this regard will follow.

STATION MASTERS/ ASST. STATION MASTERS. 9. In the category of ASMs/SMs (vide item 24 of the Annexure) the restructuring proposals are in two separate groups, depending upon whether the existing cadres for SMS/ ASMs are separate or combined. The revised percentages prescribed for this category will accordingly be allotted, depending upon whether the existing cadre structure is a combined one or a separate one, since different practices are in vogue in the different zonal railways.

CONTINUANCE OF GRADE OF Rs. 840-1040 10. In the category of Yard Masters and Station Masters, the existing provision for placing 10% of the posts in scale Rs. 700-900 and in scale Rs. 840-1040 will continue to be in force.

11. These categories of posts which were earlier in grades Rs. 210-290 and below but have now been placed in grade Rs. 225-308 and above will now be treated as belonging to Group 'C' after this restructuring.

12. In all the categories of Group 'C' & 'D' posts covered by this scheme, even though posts in higher scales of pay have been introduced as a result of restructuring, the basic function, duties and responsibilities, attached these posts at present will continue, to which may be added such other duties and responsibilities considered appropriate.

*(The City
all (a, b, c)
X 50
J. 10-12-64*

FA&CAO and CPIO. The departmental HODs may be associated with this Committee as necessary to determine the areas where such reductions are possible and the numbers and grades of posts. The Board should be kept informed half-yearly (in Sept. & March) of the progressive reductions in posts, achieved and proposed to be achieved during the next three years.

17.2 The Board are keen that there should be no delay in implementation of these cadre restructuring orders. The exercise in regard to savings by reduction in numbers should be taken up in all earnestness & progressed with vigour.

18. In view of the simplified procedure laid down in para 3.2 (supra) the orders should be implemented completely in all respects by 30.9.83 and a compliance report submitted to the Board by middle of October '83 positively.

19. This has sanction of President.

20. Please acknowledge receipt.

21. Hindi version will follow.

Sd/-
(K. VENKATESAN)
Jt. Director, Estt. (P&A)
RAILWAY BOARD.

No. PCII I/80/UPG/19.

New Delhi, dt. 29.7.83.

Copy for information only to:-

The General Managers, Metro Rail, Calcutta, Wheel & Axle Plant, Bangalore and N.E. Railway (Const.) Maligaon.

The Director General, RDSO, Lucknow.

The CAO/Central Organisation for Modernisation of Workshops, Maharani Bagh, New Delhi.

The Chief Engineer, Railway Electrification, Allahabad.

The Chief Administrative Officer, Diesel Component Works, Patiala.

The Chairman, Railway Service Commission, Allahabad/
Bombay/Calcutta/Madras/Muzaffarpur/Secunderabad/
Gauhati/Bangalore/Patna.

The Principal, Railway Staff College, Vadodra.

The Principal, Indian Railways Institute of Adv.
Track Technology, Pune.

The Principal, Indian Railways Institute of Mech. & Etc. Engg., Jamalpur.

The Chief Administrative Officer, MTP(R), Bombay/
Delhi/Madras.

No. PCTII/EO/UPC/19

New Delhi, Dt. 20.7.19

Copy (with 25 spares) forwarded to:-

1. The General Secretary, PCTII, 2-Chakraborty Road, New Delhi.
2. The General Secretary, AITP, 4 State Party Road, New Delhi.

Copy to all Staff side members of the National Council, Departmental Council and Secretary Staff, side, National Council, 13-C, Ferozeshah Road, New Delhi.

For Secretary, Railway Board.

Copy to:-

PSs/GR, FB, ME, ME, MF, Adv.(IR), Adv.(F), Adv.(Elect),
PC, PRA and Secretary.

PSs/DE, DER, DFB, DTC, DTT, Dir(Traffic Tourism), IRS,
Dir(Traffic), Dir(Vigilance), Dir. (Works), DLE, D(S&T),
DFT, DME(S), DCS.

SEAS ADPC, ADF(B), ADE(S).

PAS/TDE(P&A), ADE(V), JDE(W), JDE(LL), JDE(L), JDE(E),
TDE(W).

FE-I, II, III, FE(Spl.), E(P&A) & II and E(NG), I & II.
Branches of Board's Office.

.....

Handwritten:
1. Mr. C. L.
2. Mr. L. S. L.
3. Mr. L. S. L.

Handwritten:
Dec. 1919

Statement indicating the restructuring of Group 'C' 2D cadres
Annexure to Railway Ministry's letter No P-11/80/UPG/19D+29-7-83

Annexure

S.No.	Category	Existing scales (Rs)	Revised Designation	Revised scale (Rs)	Age	Selection/Non-selection	Remark
2.		3.	4.	5.	6.	7.	8.
18.	Fingerprint Examiner	380-640	Fingerprint Examiner	380-640	50	selection	
	Asst. Fingerprint Examiner	455-700	Asst. Fingerprint Examiner	455-700	50	Non-selection	
			Chief Fingerprint Examiner	700-900		selection.	(One post in scale Rs. 455-700 to be placed in scale Rs. 700-900 on each Railway).
19.	Mistries in steam/ Diesel Electric Loco sheds & EMU Car Sheds	380-560	Mistries in steam/ Diesel Electric Loco Sheds & EMU Car Sheds who are either in independent charge or are supervising highly skilled Artisans.	380-560			Rs. 35/- S.P.
<u>YARD KEEPING STAFF IN STORES DEPT.</u>							
	Store Keeper	425-600	Asst. Store Keeper	425-700	55	selection	There will be direct recruitment of Engg. Diploma holders to the extent of 33.33% in scale Rs. 410/-
	Asst. Store Keeper	455-700					
	Depot Store Keeper Gr. II	550-750	Depot Store Keeper Gr. II	550-750	30	Non-selection	
	Depot Store Keeper Gr. I	700-900	Depot Store Keeper Gr. I	700-900	15	selection.	
21.	Shunting Jambadar	225-350	Shunting Jambadar	330-480	40	selection	
	Shunting Master	330-480	Shunting Master Gr. II	330-560	40	Non-selection	
			Shunting Master Gr. I	425-640	20	selection	
22.	Switchman	260-400	Switchmen	330-560	-	selection	
<u>YARD MASTER.</u>							
23.	Yard Supervisors/Asstt. Yard Masters	330-560	Asstt. Yard Masters	455-700	40	selection	
	Yard Supervisors/Asstt. Yard Masters	225-640	Yard Master	550-750	40	Non-selection	
	Yard Master/Asstt. Yard Masters	455-700	Dy. Chief Yard Masters	700-900	20	selection.	
	Yard Masters	550-750	Chief Yard Masters	840-1040	-	Non-selection	(10% of posts in scale Rs. 700-900)
	Chief Yard Master	700-900					
	Chief Yard Master	840-1040					

Sd/-
(K. V. K. K. K.)
Joint Director, Estt. (P&S)
RAILWAY BOARD

Contd. 4/-

One copy
attached
for
Adv. a. l.

Certified by Station Master
PC-III/80/UPC/19 Dt-24-7-83

Existing
Serials 1 to 2

4

Revised
Pay (as per 59)

Revised
Designation

%age
of
posts

whether
Selection/
Non-Selection

Remarks

COMBINED CADER OF STATION MASTERS/
ASSISTANT STATION MASTERS

24. S.Ms/ASMs

Asstt. Station Masters	330-560	Asstt. Station Master	330-560	10	Selection.	Alternative-I (Combined Cader of Station Masters and Asstt. Station Masters.)
	25-640	Asstt. Station Master	425-640	25	Non-Selection	
	455-700	Station Master	455-700	45	Selection.	
Station Master	425-640	Dy. Station Supdt.	55-750	10	Non-Selection	
Station Master	425-640	Station Supdt. (Non-Gaz)	700-900	10	Selection.	
Dy. Station Supdt/ Station Master	425-640	Station Supdt (Non-Gaz)	840-1040 (10% of posts in Grade Rs. 700-900)		Non-Selection	
Station Supdt. (Non-Gaz).	700-900					
Station Supdt. (Non-Gaz).	840-1040					

SEPARATE CADER OF STATION MASTERS
AND ASSTT. STATION MASTERS.

Asstt. Station Master	330-560	13	Selection.	Alternative-II (Separate cader of Station Masters and Asstt. Station Masters).
Asstt. Station Master	425-640	22.5	Non-Selection	
Asstt. Station Master	455-700	54.5	Selection	
Station Master	455-700	13	Selection ✓	
Dy. Station Supdt. Station Master	550-750	43.5	Non-Selection	
Station Supdt. (Non-Gaz).	700-900	43.5	Selection.	
Station Supdt. (Non-Gaz).	840-1040 (10% posts in Scale Rs. 700-900)	Non selection		

[Handwritten signatures]

Sd/- K. Venkatesan
Jt. Director, Estt. (P&A).
Railway Board.

35
A m m m m A-6

NORTHERN RAILWAY.

Divl. Supdt.'s Office,
Lucknow, D/- .2.73.

No. 752.E/IB/5/1

All Officers.

All concerned on Lucknow Division.

All Dealing Clerks of Transportation Group in Establishment Section
A.S.E. (I) & (II), H.C. Clerks in 'E' Section.

(S.No. 5790) Sub: Channel of promotion of Transportation Staff on Railways.

A copy of the revised integrated channels of promotion of Transportation categories received under G.M. (P)/NDLS letter No. 757-E/72C (EIB) Loose of 28.11.72 (P.S. No. 5790) is forwarded for information and necessary action.

These channels will come into force with effect from 6.4.72.

A. M.
For Divisional Superintendent,
Lucknow.

Copy of the letter No. 757E/72-C (EIB) Loose dated 28.11.72 from G.M. (P)/NDLS to all the Divl. Supdt.s. on N.Rly. ~~is forwarded~~ (S.No. 5790.)

Sub: Channels of promotion of transportation staff on Rlys.

In continuation of this office letter of even number dated 16.5.72, 15 copies of each A, B, C, & D of the revised integrated channels of promotion of Transportation categories keeping in view the decision taken in J.C.M. Scheme on 10/11.2.72 are forwarded for information and necessary action.

These channels will come into force with effect from 6.4.72.

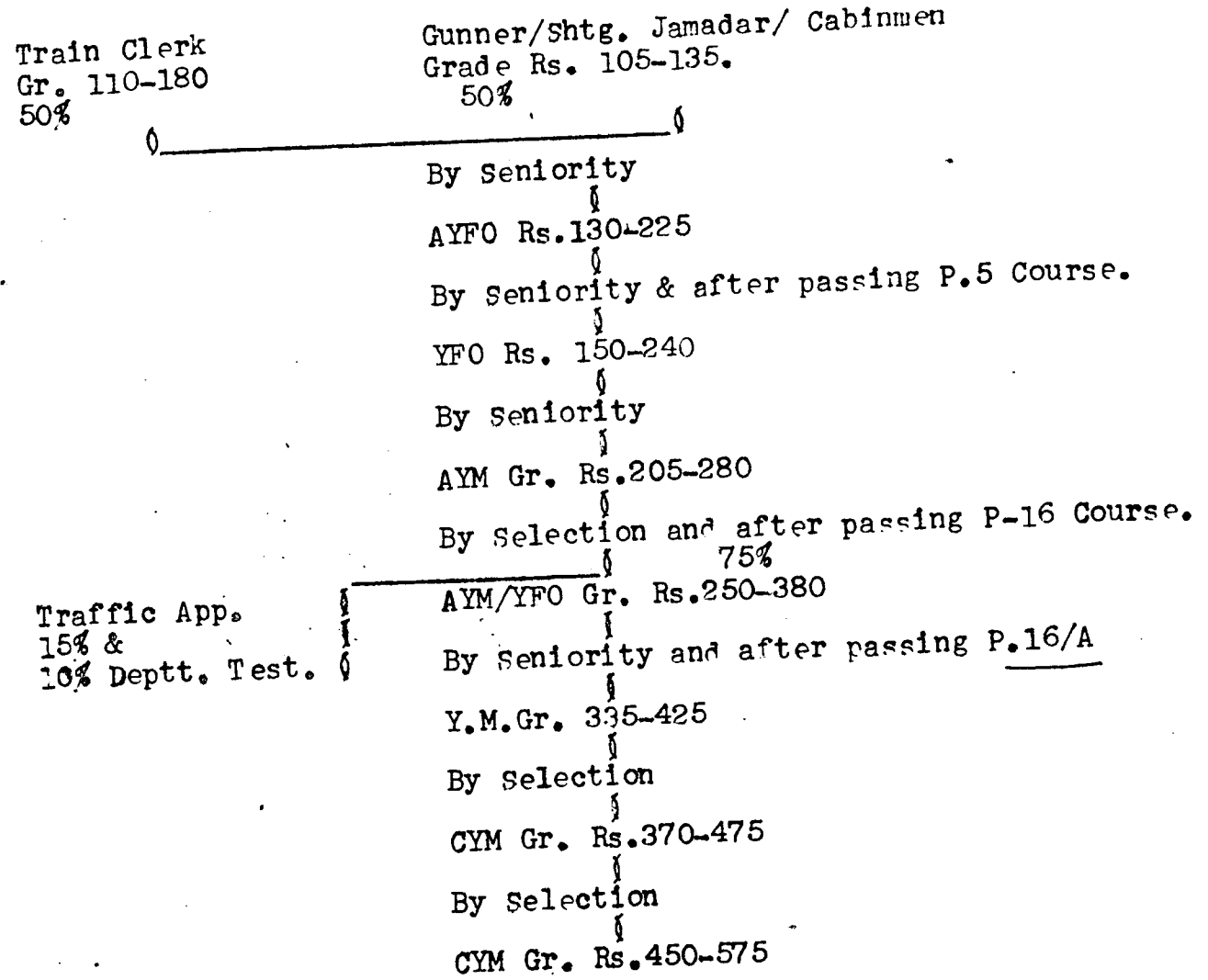
(2) G.M. (P) NDLS - 1975

(2) G.M. (P) NDLS letter No. 757 E/102 (EIB) dated 1-4-76

*True copy
11/10/76
K. S. D.*

A-11-15-2-11-6 (36)

B. Integrated channel of promotion of Transportation categories after giving effect to the decision taken in JCM Scheme on 10/11.2.72 abolishing the system of RTAS. (Note four channel A, B, C & D)



Note: 1(a) 15% Posts of AYM/YFO in grade Rs.250 -380 will be reserved for Traffic App. recruited directly through Railway Service Commission.

(b) 10% of the posts of AYM/YFO in grade Rs.250-380 (AS) will be reserved for Class III(non-ministerial staff) of the Transportation Deptt. who are graduates and less than 33 years of age on the basis of competitive examination and qualifying in the P-16 promotional course.

2. YFO/AYM 250-380 will be eligible for being considered for the post of TI/SM grade Rs.335-425 along with other eligible categories.
3. Yard Master Gr.335-425 will be eligible for being considered as SM in Gr.370-475 along with other eligible categories
4. CYM grade Rs.370-475 will be eligible for being considered as TI & Station Supdt.Gr.450-575 along with other eligible categories.

5. The categories of SMs/TIs Grade 370-475 are also eligible for the post of CYM Gr.450-575 along with other eligible categories (PS No.5824).

Sd. (A.B.Lal)
Chief Personnel Officer,

SM. (A.L.Gupta)
Chief Optg. Supdt.

*Time Exp.
all the
Kant*

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

LUCKNOW CIRCUIT

No. O. A. 152/90 (L)

fixes for 7/3/91

Ram Sukhu and others ... Applicant

Versus

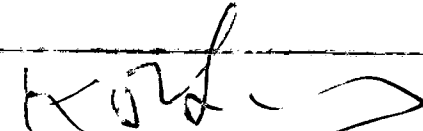
Union of India and others ... Respondents

The applicant most respectfully submits the following documents in the ends of justice.

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<u>Sl. No.</u>	<u>Particulars of documents relied upon</u>	<u>Page nos.</u>
1	<u>Annexure a-1</u> Photostat copy of the judgement of the Hon'ble Central Admn. Tribunal Madras Bench dt. 13.12.89 in O. A. No. 322/88 and 488/87 etc	1 to 15
2	<u>Annexure a-2</u> Photostat copy of the judgement dt. 8.6.90 in review petition no. 31/1990 in O. A. No. 322/88	16 to 22
3	<u>Annexure No. a-3</u> Photostat copy of the judgement of SLP dt. 23.7.90 in SLP No. (civil) No. 7553/90 filed by Union of India in the Hon'ble Supreme Court of India against the decision of Madras Tribunal in O. A. No. 488/87, 322/88	- to 23
4	<u>Annexure No. a-4</u> Photostat copy of the GPO Southam Fly. Madras letter No. P(S)89(11) CSE/MAS dt. 18.9.90.	- to 24
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Lucknow Dated..


Counsel for the applicant

6. 3. 1991

Filed today
6/3/91

(1071)

Central Administrative Tribunal
MADRAS BENCH

x
u6

....

Monday, the Fourth day of December, One
thousand nine hundred and eightynine

P R E S E N T

The Hon'ble Justice Dr. David Annoussamy,
Vice-Chairman

and

The Hon'ble Smt. J. Anjani Dayanand, Administrative
Member

Original Application Nos. 322/88 and 488/87

1. P. Bright Samuel
2. K. Ganesan
3. S. Gopalan
4. ESP Rajaram
5. K. Selvabharathy
6. K. Prakash Rao
7. N. Kannan
8. Suresh Thomas
9. D. Sripathy

Applicants in
CA 322/88

Michael E. Peters

... Applicant in
CA 488/87

Vs.

1. The Union of India,
owning Indian Railways
rep. by Chairman,
Railway Board, Rail Bhawan,
New Delhi-110 001,
2. Southern Railway,
rep. by its General
Manager,
Park Town,
Madras-3.

Respondents

Miss. R. Vaigal

... Counsel for the
applicants in
CA 322/88

M/s. T. Feroz Walter,
G. Justin, T.P.
Kathiravan and
Frederick C. ...

... Counsel for the
applicant in CA 488/87

Shri C. ...
Shri ...

... Counsel for the
respondents.

pay pay scales of all serving Traffic

Apprentices absorbed as ASMs/AYMs and Section

Controllers at (Rs.550-750) Rs. 1600-2660 (revised)

with effect from the dates of the completion of
their training and absorption with due seniority-
and all the other consequential benefits.

The applicant in OA 488/87 has
prayed for the benefits of the order of the
Railway Board dated 15-5-1987 which entitles
a higher scale of pay to future recruits
at Rs. 1600-2600 to be extended to all of
them, and (2) the stipendary scale during
the period of apprenticeship should be
Rs. 1400-40-1520 with effect from 1-1-1986,
the date on which the 4th Pay Commission
recommendations have been given effect to.

Miss. R. Vaigai, the learned
counsel, arguing on behalf of the applicants
in OA 322/88, stated that while re-structuring
of the cadres of Assistant Station Masters,

...d

recruited upto then and to be recruited
in future whereas they formed one common
cadre. This letter artificially tries
to create a distinction. The qualification
for the new recruits continues to be the same.
The stipulation regarding training is that
it is going to be more intensive, but the
duration has been lowered from 3 years to
two years and all the earlier recruits have
been exempted from undergoing further training.
Although the letter states that the standard
of examination will be higher than as at present
vide their Employment Notice No. 2/87 of the
Railway Recruitment Board, ^{Bombay} the new recruits
have also taken a common examination along
with other categories just like the applicants.
In proof of the same, the learned counsel
invite our specific attention to the Call
Letter for the Written Examination addressed
to one Sh. Ghat Singh, Roll No. 17335

that for the Traffic Apprentices to be

recruited hereafter, the standard of

examination will be higher than was the

case until then since the recruitant

will be in a higher grade. A wider

exposure will be arranged for traffic

and commercial apprentices by exchanging

apprentices in one stream with those in

other streams and that the training will

be more intensive for two years as against

the three years as is the case at present.

Even the syllabus for training of traffic

and commercial apprentices will be revised

and updated with a view to broad basing it

so that the apprentices of one Department

get adequate training relevant to other

departments also. The recruitment from

the open market will be through a separate

examination and not combined with the

examination for recruitment of guards, Sr.

clerks, etc. It, however, conceded that there

was only one common examination held for the

five categories when the recruitment was made

at all. They had been given a chance to take the examination for entry into the next scale Rs. 1600-2660. He also rebutted the averments that the restructuring of the cadre of SMS/YMS and examination ~~Generalization~~ with effect from 1-8-1983 with pro forma fixation of pay from 1-8-1982 and in the case of Section Controllers and TIs, with effect from 1-1-1984 by revising the existing percentage had adversely affected the Traffic Apprentices since at the time when the restructuring was ordered they were only apprentices to be inducted into a cadre and the question of restructuring of apprentices' pay scale does not arise. ~~They were~~ On the implementation of the 41st Pay Commission scales they had been given equivalent scale of Rs. 1600-2660 and no injustice has been done to them. As regards the two letters, one from the

8/51
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He contended that on completion of the Training Course for Traffic Apprentices, he had been absorbed in the Station Master grade in the scale of Rs. 1600-2660 without having been put to any test. The said Shri R. R. Sajid (IC/CLN) had been appointed as Traffic Apprentice under the old terms and conditions of recruitment of traffic apprentices.

We have given very careful consideration to the issues raised in these applications. The Railway Board letter dated 15-5-1987 makes it clear that the scheme of Traffic/Commercial Apprentices should continue. There is no change in the percentage of posts to be filled up by direct recruitment from the open market and by limited departmental competitive examination. Although the Railway Board's letter states that the standard of examination will be higher in the direct recruitment category, it has been conducted only on the basis of a common examination for the listed categories.

that the syllabus will be recast and

updated with a view to make it broad based

and also the scale of pay of the posts into

which these apprentices will be inducted,

would be in the higher scale of Rs. 550-750/

Rs. 1600-2660 (revised). It is obvious that

the Railway Board took a little longer time

in identifying the appropriate scale against

which the Traffic Apprentices were to be

inducted even though the restructuring

of the cadre of Station Masters/Yard Masters/

Section Controllers, etc. had been done as

early as 1980-83. By the time the policy

decision was taken regarding the recruitment

of Traffic Apprentices and their induction in

the category of Station Masters/Yard Masters/

Section Controllers, etc. took considerable

time, a fair number had already been recruited.

Perhaps because of this it was treated as a

new scheme. Merely because the pay scale has

been revised due to restructuring of certain

cadres, or relating a training syllabus to

15
give wider exposure, etc., does not
make the scheme of recruitment of Traffic
Apprentices new. As a matter of fact, the
impugned letter itself states "the scheme of
recruitment of traffic and commercial appren-
tices should continue". It is clear from the
facts and circumstances of the case that
it is the same scheme continued with certain
modifications to fit into the revised pattern
of restructured cadres. In this view, we are
convinced that it would not be proper to treat
those recruited prior to the issue of the
impugned order and those recruited after
as belonging to two different categories.

We accordingly direct that the benefits
of revision of pay and fitment on absorption
vide the Railway Board's letter R. L (HS) 11/84/
RC 3/15/(AIRF) dated 15-5-1987 should be given
to the applicants in both the QAs from 1-1-1987
with consequent monetary benefits. This should
be done without putting them through a written
retention test. We also direct that the fitment

Exposure NO 2

Thursday the Twelfth day of April One thousand Nine Hundred
and Ninety

PRESENT

The Hon'ble Justice Dr. David Annoussamy - Vice Chairman

and

The Hon'ble Smt. J. Anjani Dayanand - Administrative Member

REVIEW APPLICATION NO. 31 OF 1990
(IN OA 322 of 88)

1. Union of India rep. by its
Secretary,
Ministry of Railways,
Rail Bhavan,
New Delhi

2. The Chairman,
Railway Board,
Rail Bhavan, New Delhi

3. The General Manager,
Southern Railway,
Madras-3

... Applicants/Respondents

-Vs-

1. P. Bright Samuel
2. K. Ganesan
3. S. Gopalan
4. E.B.P. Rajaram
5. K. Selvabarathy
6. K. Prakash Rao
7. N. Kannan
8. Suresh Thomas
9. B. Sripathy

... Respondents/Applicants
in OA 322/88

Mr. C. Krishnan

... Counsel for Applicants

ORDER

(Pronounced by Hon'ble Smt. J. Anjani Dayanand,
Administrative Member)

The respondents in the O.A. 322/88
are the Review Applicants in this B.A.
Our order dated 4-12-1989 in the O.As.
Nos. 322/88 and 488/87 has been challenged
on the following grounds.

2. It has been stated in the first two
grounds (viz. (i) & (ii)) that there is an
error apparent on the face of the order.
The error is stated to be that we have
proceeded on the premise that Traffic
Apprentice is a category as such with a
scale of pay allotted to it. The third
ground is stated to be that as far as
Southern Railway is concerned there are
three Railway Recruitment Boards catering
to it, namely at Madras, Trivandrum
Bangalore, which are conducting separate
examinations for recruitment of Traffic
Apprentices. It is also stated that
acts of omission or commission of a
Railway Recruitment Board which are in

The grounds (v) and (vi) are mere repetitions of averments made in the original application and at the time of hearing. The ground (vii) states that our order dated 4-12-1989 in O.As. 322/88 and 488/87 is at variance with the observations and ruling of the Tribunal in the case of Engineering Graduates in T.A. No. 784/86.

3. As regards the first two grounds that there is error apparent on the face of the record, in fact this is not so. We have clearly taken note of the Railway Boards's instructions that the scheme of Traffic/Commercial Apprentices continues and that these apprentices will have to be inducted against appropriate scales. We have also noted that at the time the scheme was introduced they were recruited for induction Asst. against vacancies in/Station Masters/Yard Masters/

(20)

-5-

Section Controllers, Traffic Inspectors,
etc. Restructuring of the cadre of Station
Masters/Yard Masters, etc. ^{4st} ^{Against which the 7-14 had to be made} ~~which~~ had been
done as early as 1982-83, ^{There had} _^ created an imbalance,
since the decision regarding the Traffic/
Commercial Apprentices came later. It is
obvious that this ground, therefore, is not
valid and hence has to be rejected.

4. As regards the ground that the
respondents cannot be held responsible
for the acts of commission and omission
of Railway Recruitment Boards, which are
in contravention of specific instructions of
the competent rule making authority, i.e. the
Railway Ministry /Railway Board, our order dated
4-12-1989 is very clear that while we have
noticed the actions of the Railway Recruitment
Boards, we have relied on the instructions
issued by the Railway Board, which are binding

on all the railways. This ground is, therefore, not valid and has got to be rejected.

5. As regards the non-impleading of 70 persons senior to the applicants, this was not one of the grounds taken either in the reply or during arguments by the respondents. No new ground can be introduced at the stage of review. Further it is a well established principle that any benefit accruing out of a judicial decision, has to be uniformly made applicable even to those employees who have not chosen to approach the Tribunal. It is, therefore, applicable to the entire category of Traffic/ Commercial Apprentices in service as on date when the new scheme came into operation. The respondents will, therefore, have to implement the order in the context of all those recruited under the old scheme.

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6. The grounds (v) and (vi) have already been dealt with in our order and hence do not merit further consideration.

7. As regards the ground that our order dated 4-12-1989 is at variance with the Tribunal's observations and ruling in T.A. No. 784/86, the facts and circumstances of that case are not similar to those in the instant case.

8. In this view there is no merit in the Review Application and the R.A. is accordingly dismissed.

/ True copy /

V. G. G. R. 8/16/50
DEPUTY REGISTRAR

NO 46 A 54
SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) For Special Leave To Appeal (Civil/Criminal) No. (s) 7552/90 of 19 Viti
 B.L.P. (Civil) No. 7553/90
 (From the Judgment and order dated 4.12.89 of the High Court of Central
 Administrative Tribunal in O.A. 488/87, 322/88. ...PETITIONER(S) 8/61
 Union of India & Anr.

VERSUS

Michael K. Peters & Anr. ...RESPONDENT(S)
 (With appln. for ex-parte stay and exon. from filing C/C of the
 Impugned Judgment)
 Date: 23-7-90 This/these petition (s) was/were called on for hearing today
 CORAM:

Hon'ble Mr. Justice Ranganath Misra
 Hon'ble Mr. Justice Kuldeep Singh
 Hon'ble Mr. Justice P.B. Savant

For the Petitioners: Mr. Arun Jately, Mr. Mahender Singh,
 Mr. B.E. Prasad, Adv.

For the Respondents: Mr. J. Ramamurthi, Sr. Adv., Mr. R. Mohan,
 Mr. R.A. Perumal, Adv.

UPON hearing counsel the Court made the following
 ORDER

The Special Leave Petitions are dismissed.

(S. CHATTERJI)
 Section Officer.

SOUTHERN RAILWAY

No. P(S)99/II/CAT/MAS.

Headquarters Office,
Personnel Branch,
Madras-3.
Dated: 17.9.90.

Encl./MAS & TFIJ.

Sub: Absorption of Traffic Applications.

Further to this office telex of even No. dated 14.9.90, Railway Board's letter No. E(NO)II/US/RC-3/39 dated 11.9.90 is appended below for immediate necessary action please.

Please refer to your Railway's letter No. P(S) 99/II/SLPs dated 1.6.90 on the above subject.

Pursuant to dismissal of SLP Nos. 7552 & 7573/90 in the case of Michael E. Peters v. Bright Samuel by the Supreme Court on 23.7.90, the question of implementing the judgement dated 4.12.1989 of CAT/MAS Bench in favour of the petitioners has been considered by the Railway Board. After taking into account the relevant factors including the fact that similar ~~xxxx~~ matters are pending before CAT/Domby and CAT/Principal Bench, New Delhi pertaining to Central & North-Eastern Railways, Railway Board have decided that for the present the above judgement of the CAT/Madras Bench may be implemented only in favour of the petitioners covered therein.

Accordingly, it is desired that necessary action may please be taken immediately to comply with the directions of the Hon'ble CAT/Madras Bench in their aforesaid judgement dated 4.12.89 only in the case of applicants covered therein, under advice to the Board.

Urgent action may ~~be~~ be taken and position advised immediately.

(C.K. Chakkutty)
Chief Personnel Officer.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH, LUCKNOW

J.N.No. 20/1989(L)

M.A.Khan & others

Applicant. ^X/₆

versus

Union of India & Ors.

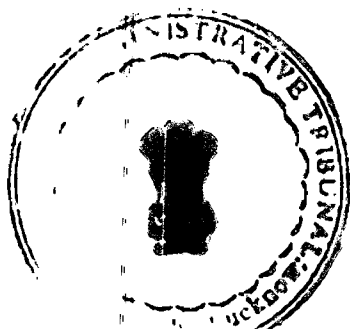
Respondents.

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

Hon. Mr. K. Obayya, J.N.

(Hon. Mr. D.K. Agrawal, J.N.)

This application filed under section 19 of the Administrative Tribunal Act, 1985 is directed against the order of the Railway Board dated 15.5.87 whereby it was ^{as proposed} ~~subsequent~~ to sanction two different scales of pay to Commercial apprentices and recruited before 15.5.87/ those recruited after 15.5.87. The matter was challenged before a Bench of the Tribunal at Madras vide J.N. Nos. 522/88 and 488 of 1987. The Bench of the Tribunal at Madras held that it would not be proper to treat those recruited prior to the issue of the impugned order (order dated 15.5.87) and those recruited after it as belonging to two different categories. Consequently, it was held that the same scale of pay is applicable to Railway apprentices whether recruited before 15.5.87 or after 15.5.87. The Union of India preferred a review petition No. 31/90 which was also rejected by the same Bench of Madras Tribunal vide order dated 12.4.90. The Special Leave Petition filed against the said judgment was also dismissed in limited wide order dated 23.7.90.



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2. Despite sufficient opportunities the opposite parties have not chosen to file counter affidavit.

3. In view of the decision of the Main Bench of the Tribunal we have no hesitation to hold that the present claim petition is also liable to be allowed in the same terms. We accordingly order that the applicants will also be entitled to the scale of pay of ₹ 1600-2600 with all consequential benefits. There will be no order as to costs.

A.M.

J.M.

7.1.77.

Lucknow Dt. 7.1.91



Alleged

12/1/91
(Umar Khan)

Administrative Tribunal,
Main Bench,
LUCKNOW.

15

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

Civil Misc. Application No. of 1981(1)

In Re

Registration (C.A.) No. 152 of 1980 (1)

Man Sukha and others

... Applicants

Versus

Union of India and others

..... respondents

APPLICATION FOR CONDONATION OF DELAY IN FILING THE
COUNTER REPLY

That the delay in filing counter reply is not intentional or deliberate but due to administrative and bonafide reasons, which deserves to be condoned.

PRAYER

Therefore, it is most respectfully requested that in the interest of justice, delay in filing the counter reply be kindly be condoned and the counter reply be taken on record.

Lucknow: Dated:

..7/..5/.. 1981

Ant. Sivastava
(Advocate)
Advocate

Counsel for the respondents

1/6

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

Registration(O.A.) No. 152 of 1990 (L)

Ram Sukha and others

.... Applicants

Versus

Union of India and others

..... Respondents

COUNTER REPLY ON BEHALF OF ALL THE RESPONDENTS.

I, P. N. Tripathi working as
Asst. Personnel Officer in the office of the Divisional Railway
Manager, Northern Railway, Hazratganj, Lucknow,
do hereby solemnly affirm and state as under:-

1. That the official abovesigned is working
as Asst. Personnel Officer in the office of the
Divisional Railway Manager, Northern Railway,
Hazratganj, Lucknow and is specially
conversant with the facts and circumstances
of the case and has been fully authorised
to file this counter reply on behalf of all
the respondents.

- 2 -

2. That the contents of paras 1 and 2 of the original application do not call for any comments.

3. That the contents of para 3(i) to 3(iii) of the original application needs no comments as it is a matter of record.

4. That in reply to the contents of para 3(iv) of the original application, it is submitted that the Railway Board vide their letter No. E(MG) II/84/TC 3-15 (WPF) dated 15.5.87, filed as Annexure No. 5 to the original application, ^{by which} it has been decided that in future Traffic/Commercial Apprentices should be recruited in Grade Rs. 1600-2660 and training period for Traffic Apprentices will be reduced to two years instead of three years. It is also to state that board has decided vide para 2(vii), that standard of examination will be higher than in the case at present, having regard to the fact that recruit will be in higher grade of Rs. 1600-2660 instead of Rs. 1400-2300.

5. That in reply to the contents of para 3(v) of the original application, it is stated that for recruitment notified upto 31.12.90 the Traffic Apprentices already working

in grade Rs. 1400-2300 (RPS) including those who are under going training have been eligible to appear in the examination upto the age of 30 years in case of Departmental Competitive Examination and in other case 35 years in direct recruitment quota. It is pertinent to mention here that candidate selected for higher grade of Rs. 1600-2660 (RPS) as per above stated provision, they will not be required to be sent for training again. However, they will ^{be required} to appear for preliminary and final selection test along with their basic class.

6. That the contents of para 3(vii) of the original application are misleading and as such denied. It is stated that the contents of para 4 of the present reply is reiterated.
7. That the contents of para 3(viii) of the original application are false and as such denied. It is stated that the Annexure No. 5 to the original application and as such denied. It is submitted here that Railway Board vide their letter, i.e. Annexure No. 5 to the original application, has stated that the syllabus for training of the Public as well as commercial Apprentices will be recast and updated with a view to broadening if so that Apprentices of the Department get adequate training relevant to the other Department. Also in view of the above directions

of Railway Board, it is pertinent to mention here that the applicants will have to appear in retention test alongwith other batchmates.

8. That the contents of para 3(ix) of the original application are wrong and as such denied. It is submitted that there is no separate category of Traffic Apprentices in Railways, also after **completion** of training they are posted in any of the categories as per position of vacancy.
9. That in reply to the contents of para 3(x) of the original application, it is submitted that the re-structuring of cadres is always done on the basis of the sanctioned strength of the various grades in particular category. It is further submitted that anything contrary to it is denied.
10. That the contents of para 3(xi) of the original application are false and as such denied. It is stated that promotions against upgraded posts are made from amongst the staff of the eligible cadres, It is further submitted that the applicants *joined* the cadre in 1986 as such they cannot be considered against the upgraded posts w.e.f. 1.8.83/1.1.84.

1/2/84
1/2/84
1/2/84

18. That the contents of para 6(ix) of the original application are misleading and as such denied. It is further submitted that Traffic Apprentices recruited in 1982 have been upgraded according to the position of vacancy.
19. That in reply to the contents of para 6(x) of the original application it is submitted that under the process of re-structuring scheme the percentage of higher grade post grade Rs. 1600-2660 : 2000-3200 and 2375-2500 have been increased. It is pertinent to mention here that the applicants are working in the grade of Rs. 1400-2300 (4 S) have a better chance of promotion in these grades.
20. That in reply to the contents of para 6(xi) of the original application, it is submitted that the applicants' recruitment after 1987 has been done on the basis of letter issued by the Railway Board filed as Annexure No. 5 to the original application.
21. That the contents of para 6(xii) of the original application are misleading and denied. It is further submitted that there is no reasoning nor any criteria to fix

the seniority of junior persons above their seniors on the plea that they have passed the higher standard of training course, hence the question of promoting juniors above their seniors~~x~~colleagues does not arise.

22. in reply to the That/the contents of para 6(xiii) and 6(xiv) of the original application, it is submitted that the applicants are required to appear in the examination as per requirement of the letter vide their No. E (MG)II/84/RC I II/15 dated 15.5.87. It is further submitted that the applicants are required to pass retention test with the batchmates and they have been exempted from to undergo training under the new syllabus. It is further submitted that the applicants are required to be trained according to the syllabus for upgradation in the scale.

23. That the contents of para 6(xvi) of the original application do not call for any comments.

24. That in reply to the contents of para 6(xvii) of the original application, it is submitted that since the applicants joined in grade Rs. 1400-2300 (RPS) in

1986, hence they can not be considered for their promotion in higher grade of Rs. 1600-2600 (RPS) w.e.f. 1.5.83 to 1.1.84.

25. That in reply to the contents of para 7 of the original application it is submitted that the grounds taken are misconceived, vague, false, irrelevant and devoid of any merits as such the present original application is liable to be dismissed against the applicants and in favour of the answering respondents.

Lucknow: Dated:
..6.5.91. 1991.

VERIFICATION

I, the official above named do hereby verify that the contents of para 1 of this reply are true to my personal knowledge and those of paras 2 to 25 of this reply are believed by me to be true on the basis of records and legal advice.

Lucknow: Dated:
..6.5.91. 1991

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

Civil Misc. Petition No. MS 6 Of 1991 (L)

In re;

Original Application No. 152 Of 1990 (L)

(decided on May 10, 1991).

Ram Sukh & others.....

Applicants

Versus;

Union of India, and others.....

Respondents.

APPLICATION FOR EXTENSION OF 3 MONTHS
TIME FOR IMPLEMENTING THE JUDGEMENT
PASSED IN THIS CASE

I, *P. N. Tripathi*, working as
Assistant Officer, Northern Railway, Hazratganj,
Lucknow, do hereby solemnly affirm and state as under:-

1. That the aforesaid case was decided ~~on~~ vide
judgement dt. 10.5.91, but the copy of the same
was prepared on 13.5.91.

2. That a certified copy of the said judgement
dt. 10.5.91 were received by the answering respondents
through their Counsel only on 13.5.1991.

3. That while disposing of the said original
application, the Hon'ble Tribunal directed the
respondents to comply the directions given by the

Filed today
SR
8/8/91

4/8/91

2/2/71

: 2 :

Hon'ble Tribunal within a period of 3 months from the date of receipt of a copy of the judgement.

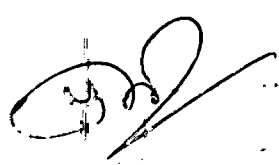
4. That apart from taking action by the divisional office, the concerned file has also be sent to the headquarter's office at New Delhi for obtaining sanction/appropriate order for implementing the directions given in the said judgement.

5. That a concerned file has to pass through several authorities of different department within Railways before the final order is passed.

6. That Railways are a very big complex organization and with its several divisions and sub-divisions and sometimes one official is on leave or out of station due to his official duty and sometimes the other. The concerning file moves ahead only when the signature of the competent officer is obtained but due to aforesaid reasons sometimes the processing of the file takes sometime.

7. That before implementing a judgement has also to be taken from the legal officer of the department as well as from the Counsel.

8. That before implementing a judgement, all the concerned records relating to the case which are



X
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: 3 :

in possession of different divisions of the Railways are to be collected studied and thereafter the orders are passed.

9. That the delay in processing a file is neither intentionally nor deliberate but only due to bonafide reasons.

PRAYER

That in view of the facts and reasons stated here-in-above, it is most respectfully prayed that in the interest of justice 3 months more time may be granted for implementing the judgement passed in this case.

Lucknow;

Dated; 21/11/8, 1991.



X/27

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH : LUCKNOW.

MP 456-72
O.A.No. 152/90 (L)

Ram Sukh.

...

Applicant.

Versus .

Union of India.

...

Respondent.

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

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

Learned counsel for both the parties are present. Shri K.P. Srivastava for applicant says that the applicant has been given grade but not arrears and consequential benefits. The respondents have requested for three months time to implement the judgment fully. In the interest of justice, the respondents are given time up to 23.9.91. for necessary action.

A.M.

V.C

sd/-

sd/-

// True copy //

JKP

No P.

Obayya

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH : LUCKNOW.

O.A.No. 152/90(L)

MP 452 912

Ram Sukh.

...

Applicant.

Versus .

Union of India.

...

Respondents.

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

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

Learned counsel for both the parties are present Shri K.P. Srivastava for applicant says that the applicant has been given grade but not arrears and consequential benefits. The respondents have requested for three months time to implement the judgment fully. In the interest of justice, the respondents are given time up to 23.3.91. for necessary action.

A.M.

sd/-

V.C

sd/-

K.P.

// True copy //

MP

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH : LUCKNOW.

O.A.No. 152/90(L)

M.P. 452-90

Ram Sukh.

...

Applicant.

Versus .

Union of India.

...

Respondents.

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

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

Learned counsel for both the parties are present Shri K.P.Srivastava for applicant says that the applicant has been given grade but not arrears and consequential benefits. The respondents have requested for three months time to implement the judgment fully. In the interest of justice, the respondents are given time up to 23.9.91. for necessary action.

A.M.

sd/-

V.C

sd/-

// True copy //

[Signature]

M.P.

Checked by

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD

CIRCUIT LUCKNOW.

C.M. 294/80 (1)

Registration No. 152/80 (1)

Ram Sukh and others. Applica nts.

Versus

Union of India and others. Respondents..

We, the applica nts most respectfully submit that we want to join in one petition because the cause of action and the order of the Railway Board are the same which is affecting the applicants.

THEREFORE, it is prayed that the Hon'ble Court may be pleased to permit the applica nts to join in one Petition.

Yours faithfully,

Applicants.

1. (Ram Sukh)
2. (Iqtdar Ahmad Faruqi)
3. (R.P. Srivastava)
4. (S.K. Srivastava)
5. (N.C. Srivastava)
6. (Praveen Kumar)
7. (Jagdamba)
8. (Mahmood Ali)

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

Registered A/D

Chandi Bhawan
P.O. Residency
Lucknow.

Registration No. / No. _____ 199 .

No. CAT/ALL/Jud/

Dated: _____

Dated: _____

APPLICANT(S)

VERSUS

RESPONDENT(S)

Please take notice that the applicant above named has represented an application a copy of which is enclosed herewith has been fixed registered in this Tribunal and the Tribunal has fixed _____ day of _____ 1990.

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

Given under my hand and the seal of the Tribunal this _____

day of _____ 1990.

AKO
FOR DEPUTY REGISTRAR
(JUDICIAL)

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)

EG-1

No. E (G) 9 C

LL3— 3 (226, 227)
(224) New Delhi, Dated 22/5/1970

To,

The Registrar, Central Administrative Tribunal,

81

Sub :—

ORDER NO. 1581/95 (1)
Sh. Ram Suresh Chandra

Sir,

I am directed to refer to your summons/orders dated 4/5/70 on the subject mentioned above and to state that the General Manager, Railway is the competent authority to deal with this matter. The summons/orders in question have, therefore, been sent to that authority for further necessary action.

Yours faithfully,

U. D. S.

DA : Nil.

for Secretary, Railway Board.

No. E (G) 9 C

LL3 - 3

New Delhi, Dated 22/5/1970

Copy together with the summons/orders received from the Tribunal/ Court are forwarded in original to the General Manager, Railway for further necessary action.

The next date of hearing is 9-7-70

DA/As above.

R.B. Press. July-89. 10,000 F.

Desk Officer, Establishment,
Railway Board.

82

ब अदालत श्री मान Before the Civil Judge
1st/2nd/3rd/4th

वादी मुद्दई

प्रतिवादी मुद्दालय का कालतनामा
O. A No 150 of 1990

Pam Sulda Zalim Y/N 01

वादी मुद्दई
प्रतिवादी मुद्दालय

नं० मुकदमा तन 19 पेशी की तारीख
अगर लिखे मुकदमा में अपनी ओर से भी

19 ई०

Sl. Anil Sinastar

एडवोकेट
महोदय

वकील

तो अपना वकील नियुक्त करके प्रतिज्ञा इकरार करता हूँ। लिखें देता हूँ। इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जमाना देडी व प्रश्न करेगा अन्य कोई कागज दाखिल करें या लौटा दें हमारी ओर से डिदरी जारी करावें और रुपया वसूल करेगा मुलदनामा इकवाल दावा अपील व निगरानी हमारी ओर से हमारे या अपने इस्ताक्षर से दाखिल करें और तसदीक करे या मुकदमा उठावें या कोर्ट में जमा करें या हमारी या विपक्ष फरीकतानी का दाखिल किया रुपया अपने या हमारे इस्ताक्षर युक्त इस्तखती रसीद से लेवेगा पंच नियुक्ति करें वकील महोदय द्वारा की गई वड कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं भी यह कडता हूँ। कि मैं हर पेशी स्वयं या किसी अपने फेरोकार को भेजता रहूंगा अगर मुकदमा अदम पैरवी में एक तरफा मेरे खिलाफ फैला हो जाता है उसकी जिम्मेदारी मेरो वकील पर न होगी।

इतलिये यह कालतनामा लिख दिया कि प्रमाण रहें और समय पर काम आवें।

साक्षी गवाह

दिनांक पडोना

Accepted
Anil Sinastar

साक्षी गवाह (रज्जु राम)

नाम अदालत

नं० मुकदमा

नाम फरीकन (for and on behalf of Union of India)