

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW

INDEX SHEET

Cause Title

D.A. 208/90(L)

of 199

Name of the parties

Prem Singh Raghav

Applicant.

Versus

Union of India & Others.

Respondents.

Part A.B.C.

Sl No.

Description of documents

Page.

File A

(1) Check list

A1 A2 ✓

(2) One's sheet

A3 ✓

(3) Judgment 17-8-90

A4 - A8 ✓

(4) Petition

A9 A19 ✓

(5) Jour

A20 ✓

(6) Annexure

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(7) CA

A50 - A101 ✓

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A108 ✓

File B

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File C

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1 - Power / order copy / notice

17 109 to A111

Connected with Reim No 599/90

not found
File not found

Access denied / destroyed

by 02/10/1990

So (5)

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL
DIRECT BENCH, LUCKNOW.
1982

Date of filing 27/6/90
V. D. P. / Registrar (D)

Registration No. 200 of 1990 (L)

APPLICANT(S) Prem Singh Raghur

RESPONDENT(S) U.O. 1

Particulars to be examined

Endorsement as to result of examination

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

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

No

22

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
- Nos. _____ pages Nos _____ ?

Y/A

13. Have the file size envelopes bearing full addresses of the respondents been filed ?

No

14. Are the given address the registered address ?
15. Do the names of the parties stated in the copies tally with those indicated in the application ?

Y/A

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

NA

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

Y/A

- a) Concise ?
- b) Under distinct heads ?
- c) Numbered consecutively ?
- d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for indicated with reasons ?

Y/A

19. Whether all the remedies have been exhausted.

Y/A

directly

208/90 (C) (A3)

3/7/90

NO sitting adj. to 9/7/90

9-7-90

NO sitting adj. to 23/7.

23-7-90

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

Mr. A.K. Dixit for the Applicant.
Heard the learned counsel for
the Applicant. Issue notice to
the respondents to show cause
why the petition may not be
admitted. They will, in particular,
indicate the facts in justification of
transfer of the petitioners by impugned
order dated 23-3-90 (Am. A-1)
from Sitapur where the petition
joined at Sitapur Court only on
29-5-89 despite the guidelines
and instructions contained in Dr A-3
list for admission and orders on
6-8-90 on which date the petition
may be disposed of finally. Till
then the operation of the impugned
transfer order dated 23-3-90
contained in Am A-1 as well as the
appellate order (Annexure A-2)
shall remain stayed in so far
as the applicant is concerned.

Order Ref.

AM/15

25/7/90.

AM

VC

Or
noted
25/7/90
AM

(AM)

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH
Lucknow.

Registration (O.A. No. 208 of 1990 (L))

Dated: 17-8-1990

Prem Singh Raghav ... Applicant
Vs.
Union of India & others ... Opp. Parties

Hon'ble Mr. P. Srinivasan, AM,

Hon'ble Mr. J.P. Sharma, JM,

ORAL JUDGMENT

(Delivered by Hon'ble P. Srinivasan, AM)

This application has been listed before us for orders regarding interim relief. However, since the application is against an order of transfer, we requested counsel for both sides to address arguments on the merits of the application itself. We have heard Sri A.K. Dixit, learned counsel for the applicant and Sri V.K. Chaudhary learned counsel for the respondents.)

2. The applicant is aggrieved with an order dated 23rd March, 1990, by which the Quartermaster General's Branch, Army Headquarters, New-Delhi, transferred him from Sitapur, where he was working as Manager of the Military Farm to Dagshaj in the same post.

3. The respondents have resisted the application by filing a reply.

4. Sri A.K. Dixit, learned counsel for the applicant submitted that under the guidelines dated 14-8-1980, issued by Army Headquarters, Managers of non-cattle farms are to be retained in the same station for

P. d. - 4

2-3 years. The applicant had joined as Manager of the farm at Sitapur only on 29-5-1989. He had not even completed one year at the same station by the date he was transferred. Even though the guidelines are flexible and a person can be transferred after a shorter tenure, the respondents have not indicated as to why they had to transfer the applicant within the period of tenure indicated in the guidelines. Earlier, the applicant was working at Mhow and was transferred to Kamptee by an order dated 10.5.1985. He approached the Jabalpur Bench of the Tribunal which quashed the transfer order as being unjust. The respondents say that the applicant was actually transferred to Sitapur by an order dated 9.2.88 and had taken a long time to join duty at Sitapur as late as on 23.9.1988. Sri Dixit submitted that for the purpose of determining the period of tenure in a particular station it is the date on which a person joined duty at the station that was to be taken into account and not the date of the order by which he was transferred to that station. If the applicant did not join at the new place in obedience to the order, action should have been taken against him, but the intervening period cannot be treated as part of the station tenure. Moreover, the reply of the respondents discloses that the applicant was being transferred because of mismanagement of the farm at Sitapur on the basis of complaints received at his back. The transfer was therefore, ordered as a measure of punishment and this could not be done without giving him an opportunity of being heard.

6. Shri V.K. Chaudhary submitted on the other hand, that guidelines regarding tenure of posting in a station

P. S. Dixit

this Tribunal should not interfere with it.

7. We have considered the matter carefully. Transfer is a routine administrative matter and an incident of government service. This Tribunal would be slow to interfere with a transfer unless it is shown to be malafide or illegal. We agree with Shri Chaudhary that the period of tenure fixed in the guidelines is not mandatory and transfer can be made before the expiry of that period. What remains to be seen is whether the transfer impugned in this application was punitive. In the case of the earlier transfer of the applicant which was quashed by the Jabalpur Bench of the Tribunal, it was held that the applicant had been transferred to a place where the sanctioned post was a lower post. The Bench also noticed that ^{the} transfer was sought to be justified on disciplinary grounds. In the present case, there was no doubt a report that the functioning of the farm was in shambles. This involved mainly the viable functioning of the farm. Obviously the authorities were concerned about the proper functioning of the farm, and in their endeavour to improve it, they felt that one of the measures to be taken for the purpose was to transfer the applicant. The post had also been upgraded to that of a Farm Officer, even though it was done after the applicant was transferred. This also shows the concern of the authorities for the proper running of the farm. Therefore we are satisfied that the transfer was made primarily for administrative reasons, mainly to improve the functioning of the farm at Sitapur. The fact that the applicant's performance was found to be unsatisfactory represents another aspect of the matter.

8. Sri Dixit submits that a number of claims of applicant for arrears of salary are still pending with

P. Dixit

88

authorities even though the Jabalpur Bench of the Tribunal had directed that they be settled. Shri V.K. Chaudhary submits that this~~is~~ was due to the fact that the applicant was not responding to ~~the~~ letters seeking clarification. Subject to satisfactory clarification being given ^{by} ~~by~~ the applicant on the points raised by the respondents, ^{the respondents} will settle all the pending claims of the applicant within a period of three months from the date of receipt of this order.

9. In view of the above, we feel that the decision of the Jabalpur Bench in the earlier case has no bearing on the facts of the present case. In our view, this application is devoid of merit. It is, therefore, rejected at the admission stage itself, leaving the parties to bear their own costs. The interim order passed in this case stands vacated.

Jomane
MEMBER(J)

17.8.90

P. F. K.
MEMBER(A)

17/8/90

Deputy Registrar(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH :: LUCKNOW.

O.A. No. 208/90 (L)

FORM I

(See Rule 4)

APPLICATION UNDER SECTION 190F THE ADMINISTRATIVE
TRIBUNAL ACT, 1985

Prem Singh Raghva..

..APPLICANT

Vs.

Union of India & others..

..Respondents.

CLAIM AGAINST TRANSFER ORDER AND OTHER
SERVICE BENEFITS OF PAY ETC.

Compilation No. I

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2.	<u>Annexure No. A-1</u> Transfer order dt. 23.3.90.	11	
3.	<u>Annexure No. A-2</u> Appellate order dt. 17.5.90.	12	
4.	Vakalatnama	13	

Lucknow:
25 June 1990.

Signature of Applicant.

For use in Tribunal's office

Date of Filing

or

Date of Receipt by Post

Registration No.

Abhaya Kumar Dixit
Advocate

Signature for
Registrar.

Mahifan 37/90
Signature
for Akhatar

A/10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ^{Deputy Registrar (I)}
CIRCUIT BENCH: LUCKNOW.

OA 250 / 90 (4)

Prem Singh Raghva aged about 49 years son of Sri Puran Singh Raghva, presently posted as Manager, Military farm SITAPUR. .Applicant.

Versus.

1. Union of India, through Secretary, Ministry of Defence, Govt. of India, NEW DELHI.
2. The Deputy Director General of Military Farms, Quarter master General's Branch, Army Head quarters, West Block III, R.K.Puram, New Delhi.
3. The Deputy Director of Military Farms, Central Command, Headquarters, Cantt. LUCKNOW.

.Respondents.

DETAILS OF APPLICATION

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

(i) Order No.	...	85710/Q/MF-1
(ii) Dated	...	23.3.90
(iii) Passed by	...	Dy. Director of Military Farms New Delhi.

alongwith appellate order No. 660403/1/E/MF-2 dated 17.5.90.

Both the above orders are attached as Annexures A-1 and A-2 with this claim.

2. Jurisdiction of the Tribunal.

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

Raphor

3. Limitation.

The applicant further declares that the application is within the limitation period prescribed in sec.21 of the Administrative Tribunal's Act 1985.

4. FACTS OF THE CASE.

4.1 That petitioner joined services of Military Farms (as a civilian in Defence Services) on 6.5.63 initially at Firojpur as Farm Supervisor.

4.2 That petitioner's work and conduct has all along been satisfactory and he remained posted at Firojpur, Jullandhar, Alwar, Jaipur, Jabalpur, Meerut, Pimpri, Raiwala, Agra, Jhansi, Pithoragarh, etc.

4.3 That petitioner was posted at Military farm Gwalior (under Central Command) in May 82 where he remained upto August 84,

4.4 That in August 84 petitioner was posted at Military Farm Mahow (Central Command) as Manager but he was not given charge of his post on account of certain dispute with concerned high officers in resistance of which he raised his voice by making representations.

4.5 That feeling aggrieved by representations of applicant the respondents on 10.5.85 ordered petitioner's transfer from Military Farm Mhow (Central Command) to Kamptee (Southern Command).

4.6 That as aforesaid transfer order from Mhow to Kamptee was contrary to the guide lines issued for the purpose (as laid down in order

(Signature)

A12-

No.A/60 429/Q/MF-1/PC dt.14.8.80 and was also malafide and arbitrary, applicant challenged the same by filing a writ petition before Hon'ble High Court of Madhya Pradesh.

A true copy of aforesaid guide lines dt. 14.8.80 is attached as Annexure A-3, which prescribed the Station Tenure for 3-4 years and Command Tenure as 6 to 8 years.

4-7 That while petitioner has completed his tenure within southern command (to which Kamptee belongs) prior to his posting to Gwalior in May 1982, Petitioner, during his total service of 22 years has been posted to 20 stations, of which three postings were later on cancelled. Certain favoured members of the staff at Mhow Military Farm have not been transferred since the last 4 to 14 years. Petitioner stands at No.1 of the Seniority List of Managers, and is overdue for promotion.

True copy of relevant pages 1 and 2 of said seniority list are attached herewith as Annexure A4. Except petitioner all the persons from sl.no.2 to 10, who are juniors than petitioner have been promoted to higher post, without assigning any reasons to by pass the petitioner.

4-9 That all persons other than petitioner, mentioned in the List have been either promoted or retired. Thereafter, no fresh seniority List has been circulated, though persons are being

PSD
Ranjan

A13.

promoted as suits convenience, a number of Second Lieutenants recruited alongwith petitioner in the Military Farms Department have been promoted already as full Colonels.

4-10 That there are several claim of petitioner under consideration for a long time, which are summarised below :-

- (a) Pay and allowances for May 1984;
- (b) Arrears of annual increments w.e.f.1.7.77;
- (c) Service Book of petitioner not received at Mhow yet;
- (d) Excess recovery of house rent at Gwalior;
- (e) Children's education Allowance.
- (f) Additional D.A.Increments;
- (g) Interim Relief;
- (h) All the four instalments of C.D.S.From 1977;
- (i) Excess recovery of house rent at Kanpur from 1979.
- (j) Excess recovery for water and electricity charges at Gwalior.

4-11 That apart from these claims petitioner has not been paid his salary from June 85 to 89, his increments due in July 88, and July 89 have been withheld without having recourse to any sort of enquiry or order.

Rathore

4-12 That in this regard petitioner has preferred several representations over which pay bills are reported to have been prepared but so far no payment has been made and his claims summarised in para 4.10 have also not been disposed off in any manner.

True copies of letter dated 4.10.88, 29.12.88, 17.1.89, 19.1.89 and 21.1.89 evidencing petitioners efforts made in this connection are attached herewith as Annexures A-5 to A-9.

4-13 That on one hand petitioner has been made to face such an uncalled for arbitrary action while one Sri Ram Achal UDC who remained posted within Southern Command from 1979 to 1984 has been allowed to have his increments at Central Command.

4-14 That after considering all the circumstances, Hon'ble Central Administrative Tribunal Jabalpur (to whome petitioner's W.P. was transferred) on 11.1.88 allowed the same and directed the respondents to consider to modify petitioners transfer from Mhow to another place within Command where a post of Manager exists. It was further directed that all the claims of petitioner be expedited for necessary decision.

A true copy of judgment dated 11.1.88 passed by Hon'ble C.A.T. Jabalpur is attached as Annexure A-10.

PS
Rapher

4-15 That ultimately it was only on 29.5.89 petitioner was allowed to join as Manager Military Farm Sitapur and was given charge for the post of Military Farm Manager for the first time during his tenure of service.

4-16 That ignoring the guide lines (Annexure A.3) as well as without taking any care or regard to the direction of Hon'ble C.A.T. Jabalpur by not taking any decision over pending promotion, payment of salary and other dues and even without releasing increment, the respondents in order to harrass and victimise the petitioner ordered his transfer from Sitapur to Dagshai (Himanchal Pradesh (Northern Command) on 23.3.90. True copy of this transfer order has already been attached as Annexure A-1.

4-17 That aggrieved from said transfer order petitioner preferred a representation on 2.4.90 in which he disclosed malafide background behind the transfer and also requested that if it is not possible him to keep at Sitapur, he may be transferred to Mhow or Agra.

A true copy of applicant's aforesaid representation dated 2.4.90 is attached as Annexure A-11.

4-18 That vide order dated 17.5.90 petitioners representation has been rejected by means of a non-speaking and unreasoned order, true copy of which has already been attached as Annexure A-2.

P32 *Ran...*

4-19 That in this way it is clear that petitioner is working as Manager only from 29.5.89 at Military Farm Sitapur which is a cattle (young stock) holding farm, in which his station tenure should be 3-4 years.

4-20 That several persons like service Sri K.A. George UDC, Vs. Siddhu LDC and Som Dutta Sharma have completed 31 years, 18 years and 10 years at Mhow Military Farm.

4-21 That no disciplinary proceedings or other section is pending against claimant.

4-22 That so far none has come to take charge from petitioner and he is still holding charge as Manager Military Farm Sitapur.

4-23 That since respondents have refused to consider the request of petitioner, he has been left with no option but to prefer this claim.

5. GROUND FOR RELIEF WITH LEGAL PROVISION.

- A. Because petitioner having given charge for the post of Manager only on 29.5.89 for the first time at Sitapur has not completed his Station Tenure or Command Tenure as Manager and his Transfer is therefore violative to guide lines made for the purpose.
- B. Because petitioners transfer has been made in colourable exercise of powers and is arbitrary malefide and vindictive.

Rapher

- C. Because to by pass petitioner from promotion to the discrimination of his juniors is violative to Art. 14 and 16 Constitution of India.
- D. Because petitioners claim for arrears of salary, increments, etc. (as summarised in para 4.10 and 4.11 above) have been kept pending in an highly arbitrary manner over which claimant is entitled to receive interest @ 12% per annum.
- E. Because entire action of respondents is highly arbitrary, illegal and unjust.

6. Details of Remedies exhausted.

The applicant declares that he has availed of all the remedies, available to him under the relevant service Rules.

True copy of appellate order dated 17.5.90 has been attached as Annexure A-2.

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

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

Raj

8. Reliefs sought.

In view of the facts mentioned in para 4 above, the applicant prays for the following reliefs.

- (i) Order of Transfer dated 23.3.90 and appellate order dated 17.5.90 contained in Annexures A1 and A2 may kindly be quashed and respondents be ordered to promote the petitioner and fix his proper seniority, pay him entire arrears of salary, increments etc. together with interest rate of 12% per annum. Respondents be also restrained from passing any order to evict the petitioner from official residence at ^{Military Farm, Sitapur.}
- (ii) Cost of this claim petition and such other reliefs as may be deemed fit and proper in the circumstances of the case be also passed in favour of claimant.
- (iii) Any other appropriate order or direction as may be deemed fit and proper in the circumstances of the case be also passed in favour of claimant.

9. Interim orders if any prayed for.

Pending final decision of the application, the applicant seeks following interim relief.

"Implementation and operation of transfer order dated 23.3.90 (Annexure A1) which has merged in appellate order dated 17.5.90 (Annexure 2) may kindly be pleased to be stayed."

Balbir

10. Application is presented through

Sri A.K.Dixit, Advocate, 509/28 Ka,
Old Hyderabad, Lucknow.

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

(i) No. of Postal order / Bank Draft. 802 494714

(ii) Date of Issue 27/6/90 High Court Bench Lucknow.


(iii) Payable at Allahabad

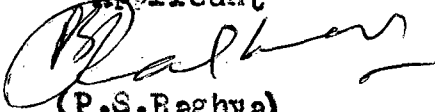
12. List of Enclosures.

1. Postal order/Bank Draft

2. Paper Book of Compilation No.1
alongwith Vakalatnama.

3. Compilation No.2


Abhay Kumar Dixit
Advocate

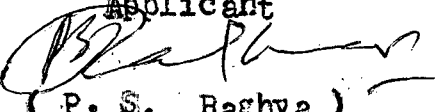
Applicant

(P.S. Raghva)

Verification.

I, Prem Singh Raghva, son of Sri Puran Singh aged about 49 years working as Manager, Military Farm Sitapur, do hereby verify that the contents of paras 1 to 4, 6 and 7 are true to my personal knowledge and contents of paras 5, 8, 9 to 12 are believed to be true on legal advice and that I have not suppressed any material fact.

Lucknow:

Dated 25 June 1990.

Applicant

(P. S. Raghva)

(11)

RESTRICTED

85710/Q/MF-1

Upmaha Nideshalaya Sainya Farms (MF-1)
 Quartermaster General Shaldia
 Sena Mukhyalaya
 Dy Dto Gen of Military Farms (MF-1)
 Quartermaster General's Branch
 Army Headquarters
 West Block III, RK Puram
 New Delhi-110066

23 Mar 90

DESM
 HQ Southern Command
 HQ Eastern Command
 HQ Western Command
 HQ Central Command
 HQ Northern Command
 Comdt
 MF School & Res Centre
 Meerut Cantt
 Director
 Frieswal Project
 C/o MF School & Res Centre
 Meerut Cantt

POSTING/TRANSFER : MANAGERS

1. The following postings are ordered on permanent duty in public interest :-

Name & Number	From	To	Remarks
S/Shri			
a) SP Jetly (8060483)	MF Meerut	MF Bhopal	To move by 30 Apr 90
b) PS Raghav (8060286)	MF Sitapur	MF Dagshaj	To move on relief
c) Ram Singh (8060383)	MF Dagshaj	MF Pimpri	-do-
d) Kartar Chand (8059922)	MF Deolali	MF Naushora	To move by 31 May 90
e) BP Bhardwaj (8060370)	HQ Northern Comd (Farms)	MF Udhampur	To move by 30 Apr 90
f) PS Gupta (8060574)	MF Udhampur	-	Attached with HQ Northern Command (Farms) Posting order will follow.
g) PSN Reddy (8060382)	MF Secunderabad	MF Madras	To move by 25 May 90
h) SPS Tomer (8060625)	MF Madras	MF Agra	To move on relief

RESTRICTED

ATTESTED TRUE COPY

Abhaya Kumar Dixit
 Advocate
 HIGH COURT
 LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH LUCKNOW.
PREM SINGH RAGHVA.. APPLICANT. VERSUS UNION OF INDIA ETC. (RESPS)
ANNEXURE NO. A-2

RESTRICTED

Telephone Mil 2261

Regd/AD
Headquarters
Central Command
Lucknow-226002

660403/1/E/MP-2

May 90

The Oic
Military Farm SITAPUR

APPEAL AGAINST POSTING : MANAGER PS RAGHAV
MILITARY FARM SITAPUR

1. Reference your No E-2 dated 2 Apr 90 to this HQ with copy endorsed to DDGMF Army HQ.
2. Appeal dated 2 Apr 90 in respect of Manager PS Raghav against his posting to MF Dagshai has been considered and rejected by the DDGMF Army HQ.
3. Manager PS Raghav will hand over charge of the farm to next senior and will be relieved on his permanent posting to MF Dagshai forthwith.

(SH Datt) *See*
Col
Deputy Director of Mil Farms

Copy to:-

The Dy Director General of Mil Farms
Army Headquarters (MP-1)
Quartermaster General's Branch
RK Puram New Delhi-110066 - for info w/r to his No 85560/Q/MP-1
dated 10 May 90

RESTRICTED

Raghava
ATTESTED TRUE COPY
Abhaya Kumar

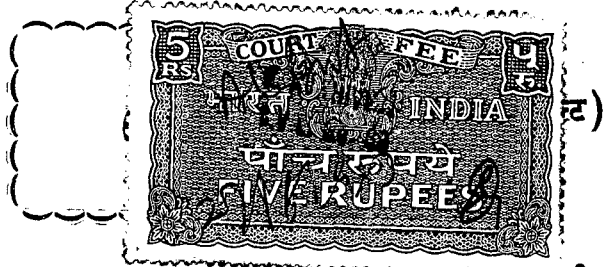
Abhaya Kumar
HIGH COURT
LUCKNOW.

1970

(13)

ब अदालत श्रीमान Central Admnistrative Tribunal Lucknow महोदय

[वादी] अपीलान्त श्री Prem Singh Raghava का **वकालतनामा**
प्रतिवादी [रेस्पान्डेन्ट]



बनाम प्रातवादी (रेस्पान्डेन्ट)

मुकदमा नं० सन् पेशी की ता० १६ ई०

पर लिखे मुकदमा में अपनी ओर से श्री Abhaya Kumar Dixit, Admnali.

509/28 Ka, old Hyderabad Lucknow वकील
महोदय
एडवोकेट

नाम अदालत
मुकदमा नं० नाम
फरीकन बनाम

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

Abhaya Kumar Dixit
Advocate

हस्ताक्षर [Signature]

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन् १६ ई०

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH
LUCKNOW.

O.A. 208190 (4)

Pran Singh Raghva..

..Applicant.

Versus.

Union of India & others..

..Respondents.

Compilation No.II

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Sl. No.	Description of documents	Page no. Remarks
1.	<u>Annexure A.3</u> MF Directorate letter dt.14.8.80.	14 to 18
2.	<u>Annexure A.4</u> Pages 1 and 2 of seniority List.	19-20
3.	<u>Annexure A.5 to A9</u> Letter dt.4.10.88, 29.12.88, 17.1.89, 19.1.89, 21.1.89.	21 to 25
4.	<u>Annexure A-10</u> Judgment of Hon'ble CAT Jabalpur.	26 to 38
5.	<u>Annexure A-11</u> Appeal dt.2.4.90.	39-40

Lucknow:

Dated 25 June 90.

Applicant


(P. S. Raghva)

Telo. 690461/242 Military Farms Directorate(MF-1)
Quarter Master General's Branch,
Army Headquarters,
West Block No.3, R.K.Puram
New-Delhi 110022.

N/60429/1/MF-1/PC.

14 Aug. 80

The DDs MF.

HQ Southern Command.

HQ Eastern Command

HQ Western Command.

HQ Central Command.

HQ Northern Command.

The AD MF

Military Farms School & Research Centre
Meerut Cantt.

The OIC

Military Farms Records.

Delhi Cantt. 10.

Tenure of Service: Military Farms Personnel.

1.. In supersession of all previous orders on the subject, the following instructions are issued in respect of Tenure of service of Military Farms Personnel.

2.. Tenure of service may be either for a station or for a command. A tenure of service in a station implies continuous permanent service in that particular station and tenure of service in a command is continuous permanent service in different stations of the command.

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Abhaya
Abhaya Kumar Dixit
Advocate

HIGH COURT
LUCKNOW.

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Station Tenure:

3.. The station Tenure in respect of the Military Farms Staff will be as follows :-

(a). Officers (Civilians - DAD MF & Below)

(i) Staff appointments - 2 to 3 years.

(ii) Cattle Farm . . - 2 to 3 years.

(iii) Non-cattle farm - 2 to 3 years.

(b). Executive staff

Managers/Supra posted as O I C Farm/Depot

(aa). Cattle Farm. 2 to 3 years.

(bb) Non-cattle Farm/Depot 2 to 3 years.

(ii) Managers, Suprs, Asstt. supra., SAs & other
then those at (b) (1) above.

(aa). Cattle Farm/ WVC farms - 3 to 4 years.

(bb) Non-cattle Farm/Depot/other
appointments - 2 to 3 years.

(ii) Clerical staff.

(1) Office Sundts.

(aa). Cattle Farm/Command HQ/MF - 2 to 3 years
School/MF Records and other " "
appointments.

(bb) Non-cattle farm/Depot.. 2 to 3 years.

(ii) UDCs, LDCs

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Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW

A24

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- (aa). Cattle farm/MF Dta/Command HQ
MF School/MF Record and
other appointments .. 4 to 5 years.
- (bb) Non-cattle Farm/Depot.. 2 to 3 years
- (d) Others UD Sks, LD Sks, Foreman, Asstt.
Foreman.

- (aa) Cattle Farm ... 2 to 3 years.
- (bb) Non-cattle farm/Depot and other
appointment ... 2 to 3 years.

4. Tenure within a command.

The tenure within a command in respect of the
Military Farm personnel will be as follows :-

- (a) Officers. .. No constraint laid down.
- (b) Executive staff (Managers, Suprs., A/s.A
S.A.S. ... 6 to 8 years.
- (c) Clerical staff .. 8 to 10 years
- (d) All other group 'C' staff
(Borne on PE) .. 6 to 8 years.

5.. There will be no tenure for group 'C' Staff
(not borne on PE). However, they could be posted
out on voluntary basis followed by last come first
go basis for the purpose of adjustment of surplus/
deficiency or due to exigencies of service and
administrative requirement.

6.. Whereas the guidelines for tenure in respect
of various personnel have been given above, it is
clarified that Moves/Transfers earlier or later

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Abhaya Kumar Dixit

Director

HIGH COURT
LUCKNOW.

than the specified tenure laid down in paras 3 and 4 above shall be made whenever considered necessary by the competent authority for disciplinary or administrative reasons.

7.. Please acknowledge.

84/-

(A.S. Sangwan)

Erig.

Director of Military Farms.

Copy form information to:-

The DDs MF/DIC

Military Farm -

The Commandant

Remount Training School & Depot/Baharampur/Hempur.

The Commandant

Equine Breeding stud Nissar/Babugarh

The Commandant

ORTD Maiwala.

(TRUE COPY)

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Abhaya

Abhaya Kumar Dhill

Secretary

HIGH COURT
LUCKNOW

ANNEXURE - "VI-1-A"

PROCEDURE REGARDING ISSUE OF POSTING ORDERS

ON PERMANENT DUTY

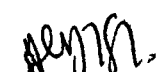
11. Frequent changes during the course of a year results in unnecessary dislocation of work in the Military Farms and interruption in Children Education. To eliminate the above inconvenience, postings are ordered annually during 3rd week of January and the individual is required to move by 1st May. For deciding postings, the DMF constitutes an Advisory Board during the month of DPC/JAN each year (Army HQ letter No. 60429/Q/MF2(E) of 4 Sep. 68 refers).

12. According to the recommendations of the Advisory Board, postings are ordered by the Officer incharge, MF Records. Postings if any, required to be ordered after the Advisory Board, are issued by the Officer incharge, MF Records after obtaining prior approval of the DMF. In the posting orders the specific date by which move is required to be carried out is invariably indicated.

(TRUE COPY)



ATTESTED . . . COPY


Abhaya Kumar Dixit
Associate
HIGH COURT
LUCKNOW.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CIRCUIT BENCH LUCKNOW.
PREM SINGH RAGHVA.. APPLICANT. VERSUS UNION OF INDIA ETC.(RESPS)
ANNEXURE NO. A-4

COPY OF SENIORITY LIST - MANAGERS OF MILITARY EXERCISE FARMS DEPARTMENT

SCALE OF PAY

NO OF APPOINTMENTS

1. Pre 1931 Scale Rs 200/- - 30/2 - 500 - (E.B. at 200 & 410) (a) Authorised
2. Prescribed scale (RPR 71) Rs 160 - 10 - 250- EB- 10- 300- 15- 450 (b) Permanent Posts
3. Revised Scale (RPR 60) Rs 210 - 10- 270- 15 - 300 EB- 15- 450- EB- 20- 530
4. Revised Scale (RPR 73) Rs 425 - 15- 500 - EB - 15 - 530 - 20 - 700 - EB - 25 - 800
5. Revised Scale(RPR 86) Rs 1400 Rs 40 - 1600 - 50 - 2300 - EB- 60 - 2600

Nature of Post - Selection Post Method of Recruitment - By Departmental Promotion of Supervisors
Reservation - 16% Scheduled Castes, 7 1/2% Scheduled Tribes.

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Abhaya Kuma Dishi
Advocate
HIGH COURT
LUCKNOW.

Ser No	Army No	Name	Date of birth	Educational Qualifications	Date of Continuous Govt service	Permt apt with held in the low seniority in Gde counts	Date of aptt to the Gde or date from which seniority in Gde counts	Whether Permt GP/Tempy or Offg in the present Gde. If permt, date of confirmation	Whether SC/ST	Whether allied for promotion
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
1.	8060286F	PREM SINGH RAGHAV	09.10.41	B.Sc (Ag)	6.5.63	Supr 21.8.67	7.7.76	Permt 1.7.80	-	-
2.	8059924	K GUNAVELLU	22.1.39	B.Agric	1.4.58	Supr 1.5.77	26.4.78	Permt 1.9.81	SC	-
3.	8060625W	SURENDRA PAL SINGH TOMAR	5.7.46	M.Sc (Ag)	2.11.70	Supr 13.9.76	21.11.79	Permt 1.1.85	-	-
4.	8059923A	SEWA SINGH	01.11.38	B.Agric	20.12.57	Supr 1.10.78	23.6.80	Permt 1.1.83	SC	-

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
5.	8060287X	SUKHPAL SINGH TOMER	15.11.38	B.Sc (Ag)	24.5.63	Supr 1.9.67	15.7.80	Permt 1.1.83	-	-
6.	8060628K	SATYA PAL SINGH	21.7.48	B.Sc (Ag)	13.10.70	Supr 14.1.77	9.12.80	Permt 1.1.83	-	-
7.	8059906A	GULAB GHAND	01.7.36	Matric	31.3.56	Supr 1.12.77	23.12.80	Permt 1.4.83	SC	-
8.	8060290K	RAJINDER PAL DUTTA	15.1.39	Inter	15.2.63	Supr 1.9.78	18.4.81	Permt 1.7.83	-	-
9.	8060440P	AJMER SINGH	17.6.44	HIGHER Secondary	13.3.64	Supr 1.10.80	29.9.81	Permt 29.9.83	-	-
10.	8060291M	PREM SINGH	24.2.39	M.A.	20.2.63	Supr 1.02.79	05.10.81	Permt 05.10.83	-	-
11.	8060370F	BHARAT PARKASH BHARDWAJ	15.10.42	Matric	21.5.63	Supr 1.5.80	17.3.82	Permt 18.11.83	-	-
12.	8060383Y	RAM SINGH	01.7.46	Higher Secondary	08.10.63	Supr 1.9.80	18.11.81	Permt 18.11.83	-	-
13.	8060458L	ROOP GHAND TYAGI	28.5.39	B.Sc (Ag)	24.3.64	Supr 26.3.79	24.01.2.82	Permt 1.1.85	-	-
14.	8060574N	PREM SHANKER GUPTA	15.10.48	B.Sc IDD(DH)	06.11.69	Supr 1.8.75	31.3.82	Permt 1.7.85	-	-
15.	8060576Y	OM PRAKASH YADAV	08.09.45	M.Sc (Ag) Chem	12.11.69	Supr 18.10.75	17.4.82	Permt 1.3.85	-	-
16.	8060577F	MR MALVIYA	13.8.45	B.Sc (Ag)	04.11.69	Supr 1.1.76	14.6.82	OFFg	SC	-
17.	8060702A	RAM BARAN	25.7.47	B.Sc (Ag)	15.3.71	Supr 1.4.77	5.5.82	OFFg	-	-
18.	8059922X	KARTAR CHAND	13.11.35	Inter	18.12.57	Supr 1.12.78	10.7.82	OFFg	SC	-
19.	7326427	RAM KISHAN GUPTA	12.7.42	B.Sc (Ag)	08.8.63	Supr 09.09.66	22.11.82	OFFg	-	-

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Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

(Signature)

Civil Tele No. 2681

REGISTERED
Military Farm
Mhow (MP)
04 Oct 88

M-12/PAY BILL

The Area Accounts Office
ODA Central Command (Pay Section)
Jabalpur

BY PAY BILL A MANAGER PREM SINGH RAGHVA.

1. By Pay Bill bearing No M-12/88 Pay Bill/Mhow/88 dated 04 Oct 88 for 4602.40 for the month of Jun 88, Jul 88 and Aug 88 in respect of Manager Prem Singh Raghav (8060284) is forwarded herewith for admitting in audit and passing the bill at the earliest.

2. It is submitted that Manager Prem Singh Raghav (8060284) was BCB from this farm on 06 Jun 85 on permanent posting to Military Farm Depot Kemptee, Maharashtra. ~~His posting orders to this farm have been cancelled by our OIA. After cancellation of posting orders the individual is on the strength of this farm. The individual was applied medical leave from 20-8-85 to 28-8-85 on medical grounds. Pay and allowances for the period from 01 Jun 85 to 28 Aug 85 has been claimed through my pay bill mentioned in para 1 above. Pay and allowances for the month of May 85 has already been paid to the individual concerned. Commuted leave on basis MO has been adjusted as the medical leave entitled to the individual.~~

3. An early action in the matter is requested please.

M. W. K.
(M RATHER)
MANAGER
OFFICER INCHARGE

ATTESTED TRUE COPY

Abhaya K. Dixit
Advocate
HIGH COURT
LUCKNOW.

Civil Tele No. 2681

REGISTERED/AD
INSURED ₹ 100 RUPEES 100/- ONLY
MILITARY FARM
MHOW (MP)

29 DEC 88

E-12/RPR-1986

The Area Accounts Office
CDA Central Command
Jabalpur

FIXATION OF PAY : SHRI PREM SINGH RAGHAV, MANAGER

1. Refer to your letter No. POJ/VIII/181/RPR-86 dated 29-10-88, received on 23-12-88.
2. It is submitted that the Efficiency Bar falls on 1-7-77 in respect of Manager Prem Singh Raghav (8060286), by the DPC considered it him to cross the efficiency bar wef 1-7-78. Hence the concerned farm granted the increment on efficiency bar wef 1-7-78.
3. The concerned farm is being asked to give effect to cross the efficiency bar wef 1-7-77 separately.
4. You are requested that the pay as per RPR-1986 be fixed in Manager Grade wef 1-1-86.
5. Service Book alongwith pay fixation proforma in respect of Manager Prem Singh Raghav (8060286) received under your above quoted letter on 23-12-88 is re-submitted herewith for immediate action please to avoid further delay and financial hardship to the individual.
6. Please acknowledge receipt.

NOO

Copy to :-

Case No PF/PF RAGHAV/MHOW

Case No E-24

(PS Rathore)
Manager
Officer Incharge

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COPY

Adv. K. K. Dixit
Advocate
HIGH COURT
LUCKNOW.

A31

(23)

Civil File No. 2681

REGISTERED
Military Farm
Mhow (MP)

17 Jan 89

E-12/PAY BILL

The Area Accounts Office
Central Command (Pay Section)
Jabalpur

SX PAY BILL : MANAGER PREM SINGH RAGHAV

1. Refer to your letter No. POJ/III/154 dated 26-12-88, received on 16-1-89.
2. It is submitted that the Service Book alongwith pay fixation proforma in respect of Manager Prem Singh Raghav (8060286) has already been re-submitted to your office vide this office letter No E-12/RPR-186 dated 29 Dec 88 for fixation of pay in Manager Grade.
3. By Pay Bill bearing No. E-129y Pay Bill/Mhow/64 dated 02 Dec 88 for Rs 6366.00 alongwith enclosures received under your above quoted letter is re-submitted herewith for admitting in audit and passing the bill at the earliest as the individual is pressing hard for early payment please.
4. An immediate action in the matter is requested please.

Copy to :-

Case No. PF/PS RAGHAV/MHOW ✓

Case No E-24

Handwritten Signature
(PS RAYHEE)
MANAGER
OFFICER INCHARGE

ATTEST

COPY

Handwritten Signature
Advocate
HIGH COURT
LUCKNOW.

ASV

(24)

Civil File No. 2031

REGISTERED
Military Form
Mhow (MP)

19 Jan 59

E-12/PAY BILL

The Area Accounts Office
CMA Central Command (Pay Section)
Jabalpur

BY PAY BILL A MANAGER PR BAGHVA

1. Refer to your letter No. PAX/III/104 dated 26-12-58, received on 16-1-59.

2. It is submitted that Manager PR Baghav (8060286) has been granted 89 days from 1-8-58 to 28-8-58 leave on MT. Service Book alongwith pay fixation transfer has already been forwarded to your office for fixation of pay under RPR-1956 in Manager Grade vide this office letter No. E-12/RPR-1956 dated 29 Dec 58. On receipt of service book, the De Part II regarding granting of leave on MT will be published. Since it is requested that the bill for Rs 4602.40 may please be admitted in audit and recommended for passing the same at the earliest, as the individual is pressing hard for early payment.

3. By pay Bill bearing No. E-12/SY PAY BILL/MHOW/59 dated 04 Oct 58 for Rs 4602.40 alongwith enclosures received under your above cited letter is resubmitted herewith please.

CCO
Copy to :-

Case No PR/PR BAGHVA/MHOW

Case No. E-26

Mudatta
(PS BAGHVA)
MANAGER
OFFICER INCHARGE

Civil File No. 2031

REGISTERED
Military Form
Mhow (MP)

20 Jan 59

E-12/PAY BILL

The Area Accounts Office
CMA Central Command (Pay Section)
Jabalpur

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BY PAY BILL A MANAGER PREM SINGH BAGHVA

Advocate
Abhaya Kuma Dikrit

By pay Bill bearing No. E-12/SY PAY BILL/MHOW/59 dated 20 Dec 58 for Rs 2978.40 on account of half pay leave in respect of Manager Prem Singh Baghav (8060286) is forwarded herewith for admitting in audit and passing the bill at the earliest.

Raghav

Mudatta

A23

(25)

Civil tele No. 2881

REGISTERED

Military Farm
Mhow (MP)

2 Jan 89

E-12/PAY BILL

The Area Accounts Office
CDA Central Command (Pay Section)
Jabalpur

SY PAY BILL : MANAGER PREM SINGH RAGHVA

Syxxaxxkikxxbxaxkxkxkx

1. Refer to this office letter No E-12/PAY BILL dated 04 Oct 88. Sy pay bill bearing No E-12/SY PAY BILL/MHOW/69 dated 04 Oct 88 for Rs 4802.40 on account of pay and allowances for the period from 01 Jun 85 to 28 Aug 85 on medical grounds as per medical certificate has already been forwarded to your office vide this office No E-12/PAY BILL dated 04 Oct 88.

2. Further it is submitted that the pay and allowances for the period from 29 Aug 85 to 31 Aug 85 after granting 3 days earned leave in respect of Manager Prem Singh Raghav is forwarded herewith for admitting in audit and passing the bill at the earliest please.

Sy pay bill No E-12/SY PAY BILL/MHOW/73 dated 04 Oct 88 for Rs 1672.50 on medical grounds

3. An immediate action in the matter is requested please.

(PS RATHER)
MANAGER
OFFICER INCHARGE

R. Raghav

ATTESTED COPY

Abhay Dixit
Advocate
HIGH COURT
LUCKNOW.

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

T.A.A. No. 96/86

Prensingh Raghav . . . PETITIONER
Versus
Union of India & Others . . . RESPONDENTS

COUNSELLORS:-

Shri O.U. Dubey . . . FOR THE PETITIONER
Shri S.S. Jha . . . FOR THE RESPONDENTS

CORAM:-

Hon'ble Shri S.K.S. Chib . . . Vice Chairman
Hon'ble Shri K.B. Khare . . . Member(J)

J U D G M E N T

(Delivered this day the 11th January, 1988)

A petition dated 9th July, 1985 was filed by the petitioner Prensingh Raghav, Manager, Military Farm, Mhow before the High Court of Madhya Pradesh (Misc. Petition No. 614/1985) since transferred to this Tribunal under Section 29 of the Administrative Tribunal Act for quashing the order of his transfer (Annexure-IV) transferring him from Mhow to Kamptee and praying for a writ to complete his tenure at Mhow in terms of the guidelines (Annexure- VIII) and also praying for his emoluments to be released from 1.6.1985 and continued occupation and retention of Government Quarter at Mhow. It was also alleged that he was not handed over the charge of the Military Farm Mhow although he was the Manager. Another relief sought was a direction to respondents to consider the petitioner for promotion to the next higher grade of Farm Officer.

ATTESTED

Abhaya Kumar Dixit
advocate
HIGH COURT
LUCKNOW.



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During the course of these proceedings, the last relief has not been seriously pressed and is moreover not directly connected with the issue of this transfer. We shall, therefore, not go into this question on merits.

2. The petitioner in his petition has stated that he had joined service on 5.5.63 as Supervisor, Military Farm, Ferozepur and was promoted as Manager with effect from 7.7.76. He was transferred from Gwalior to Military Farm, Mhow where he reported for duty on 13.8.84 vide office order issued by Captain P.K. Tikoo, Officer-in-charge, Military Farm Mhow (Respondent No. 3) which is Annexure-I. He was given charge of the farm. However, he was not allotted the quarter authorised for the Manager Farms at Mhow which was under occupation of Captain P.K. Tikoo himself. When respondent No. 3 Captain P.K. Tikoo, Officer-in-charge, proceeded on temporary duty to Military Farm at Meerut on 24.10.84 the petitioner was in charge of the Military Farms Mhow and he authorised on Sub-Assistant Supervisor, Military Farm, Mhow to occupy a vacant quarter of the Farm as he was entitled to such a quarter and house rent was also being deducted from his pay. On return to Mhow, respondent No. 3 Captain Tikoo, however, took objection to petitioner's action and Shri Daulat Ram was forcibly evicted from the quarter with the assistance of the police resulting in a Criminal complaint lodged by Shri Daulat Ram in the Court of the Addl. Chief Judicial Magistrate, Mhow against respondent No. 3 and others in which Court the petitioner gave certain evidence and his factual deposition was against respondent No. 3 Captain P.K. Tikoo, as the result of which the latter got annoyed with him and started harassing the petitioner, ultimately resulting

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Amrita Kumar Dixit

HIGH COURT
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in his transfer. The respondent No. 3 is alleged to have withdrawn all duties earlier entrusted to him at Military Farm, Now vide office order No. 151 dated 10th November, 1984 (Annexure-III). It is alleged that the respondent No. 3 Captain Tikoo 'conspired' with respondent No. 2 Dy. Director General of Military Farms, Quarter Master General's Branch, Army Head Quarters, New Delhi in transferring him from Military Farm Now to Military Farms Depot Kamptee vide impugned order of 10th May, 1985 (Annexure-IV). His appeal/representation dated 5.6.85 (Annexure-V) against this order was rejected. We may incidentally observe that Annexure-V also makes various allegations of alleged corruption against respondents nos. 2 and 3 and is couched in objectionable language with copies sent to the Prime Minister, Home Minister, Defence Minister and other authorities in a manner which is not consistent with either propriety or in regard to established procedure of filing representation by a Central Govt. servant, whatever may be the merits of contents of such a representation. The respondents apparently ignored the representation or the so-called appeal of the petitioner.

The petitioner's emoluments are alleged to have been stopped with effect from 1.6.85 and the petitioner was pressed to vacate the Govt. Accommodation occupied by him.

3. There are three main contentions advanced by the Petitioner in this petition. Firstly, it is claimed that as he was forthright, honest and out spoken in matter of bringing alleged corruption and irregularity on the part of the respondents 2 and 3 he was harassed and victimized resulting in his transfer to Kamptee as a mala fide action inspite of the fact that he had not completed his normal tenure either at Now, or in the Command since he had been transferred to another Command. The second contention is that the petitioner was in the grade of Manager in the pay scale of Rs. 425-800/- drawing

... 4/-

ATTESTE

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Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW

[Signature]

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In July 1985 a basic pay of Rs. 620/- while the so called Military Farm at Kamptee to which he had been transferred by the impugned order (Annexure-IV) was essential of the grade of a 'Depot' where only the post of a Supervisor, in the basic pay scale of Rs. 330-560/- is sanctioned and even if his pay is protected by the respondents as claimed by the respondents it involves posting to a post carrying lower scale of pay and amounts to adversely altering his condition of his service which cannot be done while transferring a Govt. Official and he has cited in this connection a decision of the Central Administrative Tribunal (Principal Bench) in the case of Amarnath Whatia Vs. Union of India and others, Regn. No. T 202/86 and No. T.1125/85 decided on 30th May, 1986, a copy of which has also been filed. It is claimed that such a transfer to a lower scale of pay even if his basic pay is protected would be tantamount to reduction in rank and attract Article 311(2) of the Constitution. The petitioner has also cited a decision in his own case of an earlier transfer in 1984 from Military Farms Gwalior to Military Farm Depot at Satnaware on which occasion, on his representation dated 18.4.84 (Annexure-XVII) that transfer was cancelled by the authorities. It is claimed that at Kamptee Depot the post authorized is only that of a Supervisor which is lower in rank to that of a Manager.

The third contention of the petitioner is that the Quarter Master General's Branch, Army Head Quarters New Delhi (Military Farms Directorate) had issued guide lines vide their order No. A/60429/Q/MF-1/PC dated 14.8.80 regarding the tenure of Managers. (Annexure-VIII) according to which the tenure of Managers at Cattle Farm/VC Farms at a particular station is 3 to 4 years while within the Command it is six to eight years and exception to this order can be made only for disciplinary or administrative reasons but his transfer in infringement of these guidelines is not really for administrative reasons but as the result of malafide action. He claims that Kamptee is in Southern

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Command where prior to his posting at Gwalior in May, 1982 he had completed his tenure, and during his total service of 22 years he had been posted to 20 stations although in respect of three postings, his transfers were subsequently cancelled. He has alleged discrimination also in as much that in case of many other staff at Mhow they have been retained for 4 to 14 years. The petitioner has also alleged that adverse remarks were entered in his ACR for the year 1983-84 which were communicated on 16.11.84 for malefide reasons. It is also alleged that other persons similarly placed like him had been promoted.

In para 11 of the petition the petitioner has also alleged various cases of administrative harassment by the authorities against him and in para 13 of the petition an additional ground advanced is that his transfer from Mhow to Kamptee was intended to help respondent No 3 in the matter of the criminal proceedings registered as No. 431/85 in the Court of the Additional. Chief Judicial Magistrate, Mhow launched by Daulatram so that an important eye witness to the event which is subject matter of that proceeding is removed from the scene and this also amounts to interference in those proceedings.

4. In their return dated 25.6.1986 filed on 4.7.86 the respondents state that the petitioner was not posted in independent charge at the Military Farm Mhow but as a subordinate staff member to the already posted Officer-in-charge, Military Farm, namely, Captain P.K.Tikoo, whose appointment had been made by the Army Headquarters. They stated that there was no separate quarter earmarked for the post of Manager, which was actually earmarked for the Officer-in-charge of the Farm, which was, therefore, rightly allotted to Captain P.K.Tikoo. Annexure-B1 is admitted and it is stated that the charge of the Farm was temporarily entrusted to the petitioner in



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absence of the Officer-in-charge Captain P. K. Tikoo and the petitioner could not have taken any major decision like issuing of allotment order in favour of Shri Daulat Ram for occupation of a quarter. When this irregularity was noticed by Captain Tikoo on his return to Now action was taken to evict Shri Daulatram. It is also claimed that Captain Tikoo enquired from the petitioner whether he had passed any order of allotment to Shri Daulatram vide letter dated 5.11.84 (Annexure-R II) and the petitioner vide his reply (Annexure-R III) had replied that the petitioner had not taken any such action. It is claimed that the petitioner made unwarranted, malafide and personal allegations of a defamatory nature against Captain Tikoo in conspiracy with Shri Daulat Ram in which connection Captain Tikoo submitted reports to superior authorities vide Annexures-R IV and R-V. Vide Annexure-R IV it is admitted that disciplinary proceedings were recommended against the petitioner and Shri Daulatram and Captain Tikoo had recommended the transfer of Shri Premasingh Raghav out of Now. It is also pointed out that Shri Daulatram on the basis of disciplinary action was dismissed from service by Army Headquarters vide order dated 30th July, 1985 (Annexure-R VI). It is alleged that the petitioner Premasingh Raghav had created unhealthy atmosphere at Now in collusion with other staff and there was no other alternative except to transfer him and accordingly he was transferred to Kanpur where he did not join for a period of 8 months until the date of the filing of the return which also indicated his indisciplinary behaviour.

It is denied by the respondents that accommodation would not be available at Kanpur.



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since he had been posted as Officer-in-charge there. It is also claimed that it is the responsibility of the respondent No. 2 Dy. Director General of Military Farms, Quarter Master General's Branch, Army Headquarters, New Delhi, to ensure that the basic pay of the petitioner at Kanpur was protected.

On the question of the alleged infringement of the guidelines, it is stated by the respondents that in disciplinary and administrative matters a departure is made from these guidelines and in the case of the petitioner it was so, as his transfer was for administrative reasons and on disciplinary grounds.

On the question of alleged failure of promotion, the contention of the respondents is that the petitioner has not sought any departmental remedy in the first instance by making a representation etc. for consideration of his case before resorting to a legal remedy which is against service discipline. It is also alleged that there were adverse entries in the petitioner's ACR.

In reply to para 11 of the petition, it is stated that various claims of the petitioner relate to routine administrative matters which were already under consideration and have no bearing or link with the question of his transfer.

The respondents have denied any malafides in the transfer of the petitioner from Now to Kanpur for the reasons stated above and also because the transfer was in the interest of maintaining discipline and smooth working at the Military Farm, Now.

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In his rejoinder dated 18.8.86 the petitioner states the claim that he was posted at the Military Farm Now as a subordinate staff member since he was posted as Manager which post is a sanctioned one in Pwco Establishment. The Petitioner admits that he authorised Shri Daulatram to stay in vacant quarter during permanent allotment of quarter by the Officer-in-charge Captain Tikoo who was temporarily out of station. Petitioner denies any collusion with Shri Daulatram with any other member of the staff at Now. He reiterates that his transfer was mala fide and alleges that the respondents have failed to state unequivocal facts that "(1) Petitioner will get the family accommodation at Kamptee Depot to which he is entitled as Manager; (2) that petitioner will get the emoluments here to which he is entitled as Manager; (3) petitioner's seniority and chances of promotion will not be adversely affected by the transfer to Kamptee". The petitioner states that if he was guilty of any specific acts of indiscipline the respondents should have initiated disciplinary action against him through a departmental enquiry.

The petitioner made a further statement while seeking interim direction that the post of Manager, Military Farm Now should not be allowed to be filled in. The intention to do so has been denied in the counter reply filed by the officer-in-charge, Military Farm Now, 2nd Lt. K. L. Jadhav filed on 12.6.87. Meanwhile vide order dated 25.5.87, the respondents were directed to maintain status quo.

6. In their counter reply the respondents have also stated that on the petitioner's subsequent representation that he desired a posting at a station where there is a sanctioned post of Manager Depot or Manager Farm, he was later transferred to Madras from Kamptee vide orders of 19 March, 1987 Annexure-VII. It is also stated that the petitioner has not been on duty for nearly two years since 5th June, 1985. It is stated that second Lt. K. L. Jadhav

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has been temporarily assigned certain functions at Military Farm Mhow as Presiding Officer of the Board consisting of three members other than him to fill the vacuum vide order of the Central Command, Lucknow dated 28th May, 1987 (Annexure-VIII). In this counter reply it has also been clarified that Manager M.K. Malviya has been indicated as Manager in the said order Annexure-VIII only because he is manager at Military Farm Shopal which does not mean that he has been posted as Manager at Military Farm Mhow, but he is only one of the members of the Advisory Board. With the further written submission dated 10th July, 1987 the respondents have also annexed Annexure-I indicating the 'peace establishment' for Military Farms and it is stated that the Dy. Director General of Military Farm Army Headquarters, New Delhi posts such staff taking into consideration the strength of troops in various stations posted for the time being. The strength could also be varied according to military requirements and deployment of troops and in addition to the static units the troops are inducted for manoeuvre, training and tenure in operational areas when they are posted out. The Dy. Director General of Military Farms, Army Headquarters, New Delhi under Ministry of Defence has been delegated powers to make postings of categories of staff ranging from Class-III to Class-I, and an Officer-in-charge of a Military Farm Military Farm Depot against the sanctioned establishment within the authorisation, and it is within his discretion to post Class-III or Class-II or Class-I staff to the posts as appropriate. Since subsequently College of Combat had been raised at Mhow the establishment of Military Farm Mhow had to be upgraded. As far as Kamptee is concerned, the Dy. Director General of Military Farm thought it appropriate to upgrade the post of officer-in-charge to rank of a Manager to which the petitioner was posted. There would be no change in the pay or allowances of the petitioner in his posting at Kamptee.

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It is alleged that no Director General Military farms, in any case, could have only varied the peace establishment at a particular station of a farm but not transfer posts or adjusted posts from one farm to the other without sanction of



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Government and for all practical purposes the post of supervisor is sanctioned at Military Farm Depot Kamptee in the scale of Rs. 330-10-350-Rs. 10-380-15-400-Rs. 560 and not that of manager in the pay scale of Rs. 425-15-500-Rs. 15-560-20-700-Rs. 25-800.

On behalf of the respondents it has been argued that the transfer was for administrative reasons and not due to mala fide action and the Directorate of Military Farms of Army Headquarters is competent to modify the peace establishment, and that at Kamptee the pay and emoluments of the petitioner would have been protected and, therefore, the transfer does not involve any variation in his condition of his service to his detriment. The contention of the petitioner that he has been posted as Officer-in-charge Kamptee in the rank of supervisor lower than that of a manager has been refuted.

8. We have considered the contentions of the parties and their learned counsel and perused the records of the case. We had also directed the respondents to file the order modifying the peace establishment. No precise order has been filed by the respondent to indicate specifically that the post of officer in-charge Military Farm Depot at Kamptee was upgraded from that of the rank of supervisor to that of manager. We have therefore to hold that even if the assurance of the respondents is correct in-as-much that the petitioner's pay would be protected the pay scale would shall be deemed to have been altered from that of Rs. 425-15-800 of the Manager to that of Rs. 330-560 of the Supervisor. Hence the judgement of the Central Administrative Tribunal in the case of Amar Nath Shastri vs. Union of India and others decided by the principal bench on 30.5.86, earlier cited, treating such transfers as illegal would be applicable.

It is not necessary for us to go into the allegations of the petitioner in regard to alleged acts of corruption or malpractices by Capt. Tikoo respondent No. 3, and by Director General Military

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forms JMD's Branch Army H.Q. respondent No.2. It is for the Army authorities to look into such matters. The incident relating to ~~Shri~~ Shri Daulat Ram's eviction from official quarter and consequent criminal proceedings in a court are not also the concern of this Tribunal. What is relevant is that while the petitioner has alleged that malpractices and malafides against the respondents, the respondents have alleged for reasons which cannot be considered to be indefensible, ill-disciplined conduct on the part of the petitioner in making various allegations against superior authorities and at the Mhow farm. What the petitioner considers alleged malafides, the respondents explicitly claim that the transfer of the petitioner was ordered for disciplinary reasons and in the interest of the smooth working of the farm at Mhow, and they could have even ordered formal disciplinary proceedings. As observed earlier the petitioner has been filing letters and representations against higher authorities making various and sundry allegations in language which is offensive and objectionable and not in a manner appropriate to making such representations. The petitioner cannot act like a private crusader or a public man claiming all virtuous conduct into himself and hurling allegations against Departmental Authorities. It is for Army authorities to maintain military discipline even in their civilian establishments and this Tribunal would not like to interfere in this aspect of the matter. The allegations of malafides cannot be sustained in view of the clear statements of the respondents that the transfer of the petitioner was ordered from Mhow for disciplinary reasons. However the petitioner's contention is correct that the respondents should have instituted formal disciplinary proceedings against him and charge-sheeted him. The respondents can do so even now.

9. On the limited question of petitioner's Transfer, as held by the Supreme Court in the case of B.Vardh Rao Vs Union of India & Others (A.I.R 1986 S.C 1955) transfer is not a condition of service but

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only an incident of service and a court would not ordinarily interfere in it. However in this particular case two aspects are relevant and court's jurisdiction is attracted. Firstly, the petitioner was transferred to Madras where the post sanctioned carried the pay scale of supervisor and not that of a manager and as observed earlier this attracts Article 311 (2) of the Constitution and the transfer would be illegal even if his pay, is protected by respondents. Therefore the petitioner's transfer to Madras cannot be sustained and is accordingly quashed.

Secondly, the question of infringement of the guidelines regarding the tenure of postings laid down by the Directorate Military Farms Army Head Quarters, vide their circular of 14th August, 1980, is relevant and cannot be altogether ignored. It is a settled principle that whenever such executive instructions and guidelines are laid down they have the force of rules and cannot be treated as a scrap of paper. There are two aspects of these guidelines tenure at a station and tenure within a command. If the reason advanced by the respondents for not following the tenure principle for a station. In this case now for disciplinary reasons is accepted there is no reason why the tenure principle for a transfer and posting within a command should not be followed. In their counter reply the respondents have stated that vide orders of 19-3-1987 (Annexure-7) on subsequent representations of the petitioner the petitioner has since been transferred as Manager Military Farm at Madras. Since the applicant on the whole has been frequently transferred during his service it would be desirable that the tenure principle of postings within a command for the post of Manager for 6 to 8 years as laid down in para 4 of the Army Head Quarters Circular of 14th August, 1980 (Annexure-8) is followed. The respondents therefore may consider modifying their orders of 19th March, 1987 to transfer the petitioner from Now to another place within the same command where a post of Manager exists, instead of to Madras.

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Since, the transfer from Mhow to Kemptee has been quashed the fresh transfer would have to be from Mhow to a new place of posting as considered appropriate by respondents. It is presumed that the petitioner never joined duty at Kemptee. This would attract provisions of fundamental rule 108. However as that transfer has been quashed the competent authorities should regularise his period of absence from duty by treating it as leave as admissible including extra-ordinary leave under F.R 54. He will not be entitled to get emoluments for period of absence from duty.

In view of the above decision the relief sought in para 18 (IV) of the petition is infructuous. As regards para 18 (ii) of the relief clause the occupation of the government quarters at Mhow by the petitioner if any after his transfer to Kemptee will not be treated as unauthorized as that transfer has been quashed.

As regards various routine administrative matters on which decision was alleged to have been delayed by the respondents referred to in para 11 of the petition, the respondents are directed to expedite necessary decisions if not already taken.

10. In the net result this petition is partly allowed as above, subject to directions and observations contained in this judgement.

There is no order as to costs in the circumstances of the case.



(K.B. Khare)
Member (J)

(S.K.S. Chib)
Vice Chairman

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Deputy Registrar

Central Administrative Tribunal
Lucknow

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To

The Hon'ble
Gen'l's Branch Army HQ's
West Block III 1A, Puram
New Delhi-110066

Through: proper channel

SUB:- POSTING/TRANSFER ORDER
MANAGER/PAID OFFICERS

Honourable Sir,

1. Refer to your HQ No 85710/Q/AR-1 dated 23 Mar 90 received on 02 Apr 90 (both orders issued under same number and date).

2. It is submitted that Manager Prem Singh Baghav was transferred to MF Sitapur from MF Agra as a result of his case decided by honourable 'CM' Jabalpur enquire to settle his lot of long outstanding cases of financial nature pending since 1977. It is strange to note now without settling his single case, his out of Command untimely immature posting in the same grade although senior most in the department and due for promotion since 1981 as a result of consequential effect of success in case 534/1982 decided by 'CM' Jabalpur in 1987, posting from MF Sitapur (Central Command) to MF Bughnai (Western Command) is against the instructions of the Court of Law and amounts to contempt of Court knowingly.

3. Inspite the individual under disciplinary action the posting of Manager Gulab Chand from MF Bhopal to MF Sitapur on promotion as Paid Officer in place of Manager P S Baghav is also against the instructions of honourable 'CM' Jabalpur in the same judgement in which the Court held posting of higher rank to the lower post as "bad order in law" and can not be executed at any basis without necessary amendment or up grading in it sanctioned by the Govt of India.

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Advocate

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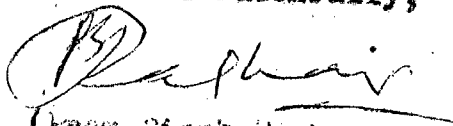
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4. In view of above you are requested to cancell both the above posting orders in public interest till such time the long out standing cases are settled at the earliest or completion of tenure of 3 to 4 years which ever is earlier other ^{wise} this appeal it self may please be treated as a notice under Sec 80 C.P.C. for the purpose of challenging the above illegal orders in 'C.A.' for contempt of Court of law and unnecessary harrassment to the applicant without any fault except progressing the farm in right prespective honestly resulting farm in profit during whole period of my stay at the station despite willful costruction/hinderances by higher authorities in smooth running the farm where as previously the farm was running in loss to the tune of 5 to 6 lakhs and the Officer-in-Charge was promoted to the higher grade of Farm Officer on adhoc basis which shows undue favour to the corrupts.

5. In case the posting of Manager IS Raghav from MF Sitapur to any other farm in the Command is necessary for the reasons best known to your honour as I disclosed shortages/misappropriation of Govt store and embezzlement of Govt money worth rupees more than 12 lakhs come into light during my handing/taking over farm and after wards during the stay at this farm to date which annoyed the concerned higher authorities and their criminal conspiracy resulted the above wrong orders, however, my posting from MF Sitapur to any station either MF Mhow or MF Agra may be considered in due course of time in the same grade or to MF Bareilly or MF ~~Amay~~ Allahabad in the higher grade as deemed fit to your honour.

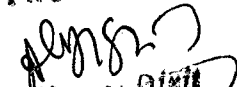
Thanking you in anticipation.

Yours faithfully,


(Prem Singh Raghav)
(8063286)
B Sc Ag. MA(1) LHB (11)
Manager
MF Sitapur

Dated: 02 Apr 90

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Abhaya Kumar Dixit
Advocate
HIGH COURT
LUCKNOW.

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

C.A. NO. 208 of 1990(L)

Prem Singh Raghav

... Applicant

-versus-

Union of India and Others

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS.

I, Cop. S. N. Dalt

aged about 52 years, son of Shri. Ram Nath Dalt

presently posted as

~~in the office of~~ Deputy Director, Military Farm,

Headquarters, Central Command, Lucknow do hereby

solemnly affirm and state as under:-

1. That the deponent is posted as _____

~~in the office of~~ Respondent no. 3 and he

has been authorised to file this counter affidavit

on behalf of all the Respondents.

2.

That the deponent has read and

understood the contents of the application filed

by the applicant and he is well conversant with

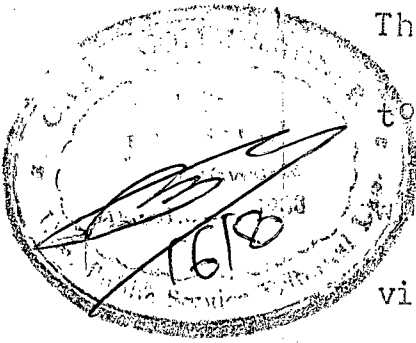
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the facts deposed to herein under in reply thereof.

3. That the contents of para 1 and 2 of the application need no comments.

4. That the contents of para 3 of the application are incorrect as stated by the applicant, hence denied and in reply it is submitted that the declaration is false, the Departmental channel of authorities for redressal of grievances is as under:-

- (a) Deputy Director General of Military Form
- (b) Quartermaster General, Army Headquarters.



That the applicant made appeal against his posting to the Deputy Director General of Military Farms which was considered and rejected. The applicant violated the next channel of appellate authority and filed the application in this Hon'ble CAT. He has thus not exhausted completely the channel of appellate authority. As such under Section 20 of Central Administrative Tribunal Act 1985, the application is liable to be rejected on this ground alone.

5. That the contents of para 4.1 of the

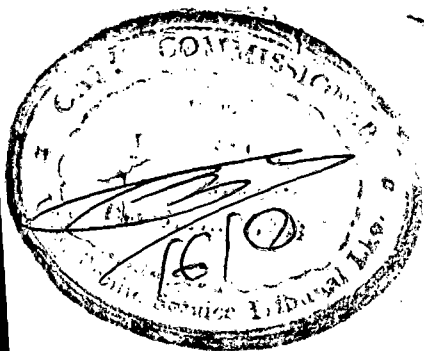
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application require no comments.

6. That in reply to the contents of para 4.2 of the application it is submitted that the record pertaining to Military Farms mentioned by the applicant can not be verified. However, the performance of the applicant at Military Farm Sitapur had been far from satisfactory despite elaborate guide-lines/ admin. instructions issued by the DDMF HQ. Central Command Lucknow from time to time. Instead the applicant committed irregularities/lapses for which he has been issued charge sheets as under:-

(a) That charge sheet issued under ~~Dixxxxxxx~~ DDG MF, Army HQrs. No.86600/27/Q/MF-2 dated 28 April 1989 for absence from duty and disobedience of orders while he was SOS of Military Farm, Mhow on his permanent posting to Military Farm, Sitapur in compliance to CAT verdict. A copy of the charge sheet is being filed herewith as Annexure-C.1 to this counter affidavit.

(b) That charge sheet issued under DDMF HQ. Central Command Lucknow No.662002/C/MGr/PSR/E/MF.2 dated 15 May 1990 for disobedience of orders and indisciplined behaviour. A copy of the charge sheet is being filed herewith as Annexure no.C-2 to this affidavit.



(c) That another charge sheet issued under DDG MF Ammy Hqs. No.86600/27/Q/MF-2/C(i) dated 21 May 1990 for mismanagement and disobedience of orders. A copy of the charge sheet is being filed herewith as Annexure C-3 to this affidavit.

That the perusal of following reports will further speak about the poor performance of the applicant while functioning at Military Farm, Sitapur as under:-

(a) Report on Military Farm Sitapur submitted by Major CM prakash vide Military Farm Bareilly No.E-6 /STP dated 23 January 1990. A copy of the said report is being filed herewith as Annexure no.C-4 to this Affidavit.

(b) Report on functioning of Military Farm Sitapur by Lt Col JS Kang, ADMF and Shri Chat Ram DADMF of HQ Central Command Lucknow bearing No.65500/1/STP/Farms dated 11 Dec 89. A copy of the aforesaid report is being filed herewith as Annexure no.C-5 to this affidavit.

(c) That Report from ADMF/DADMF HQ. Central Command dated 28.2.90 is being filed herewith as Annexure No.C-6 to this affidavit.

(d) That Military Farm Bareilly No.E-5/STP dated 9 Mar 90 is being enclosed herewith as Annexure no.C-7 to this affidavit.



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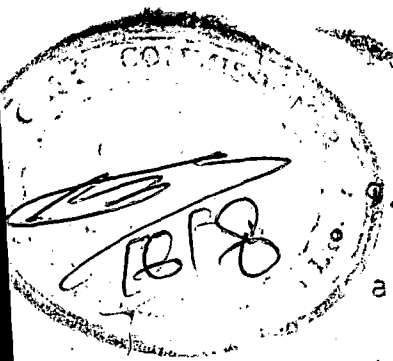
Taking into consideration the poor performance of the applicant and his negative attitude in complying with the instructions issued by his superiors, no alternative was left but to post out the applicant from Military Farm Sitapur on administrative grounds.

7. That the contents of para 4.3 of the application need no comments.

8. That the contents of para 4.4 of the application are incorrect as alleged, hence denied and in reply it is submitted that the applicant was posted to Military Farm, Mhow as Manager where one Army officer was already functioning as Officer Incharge, Farm.

9. That the contents of para 4.5 of the application are incorrect as stated, hence denied and in reply it is submitted that the applicant had already filed petition in CAT Jabalpur against his posting from Military Farm, Mhow to Kamptee/Madras and was given due consideration by the Hon'ble CAT Jabalpur.

10. That the contents of para 4.6 of the application need no comments as this has no relevance with the present case.

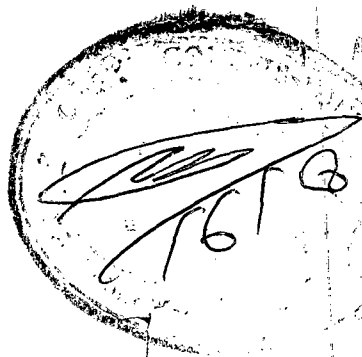


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11. That the contents of para 4.7^{& 4.9} of the application are ~~xxx~~ not relevant with the present case as far his Command tenure in Southern Command before his posting to Military Farm Gwalior in May 1982 is concerned. As regards promotion, the higher post is a selection post and is considered by the Departmental Promotion committee at Army Headquarters on merits.

12. That in reply to the contents of para 4.10 of the application it is submitted that as per verdict of CAT Jabalpur, the period of absence from duty viz. 06 June 1985 to 25 March 88 was to be regularised by treating as leave admissible including ECL under FR 54 and he has not entitled for the emoluments for the period of absence (Paras 9 page 12 to 14 of Annexure A.10 to petition refers). Accordingly the period of absence from 06 June 1985 to 25 March 1988 was regularised by grant of ECL and Officer Incharge Military Farm Mhow was advised to take further action to get his pay fixed and regularise the increments already sanctioned vide DDMF Hq. Central Command letter NO. 8060286/Mgr/E/MF.2 dated 31 Oct 1989. A copy of the said letter is being enclosed herewith as Annexure no. C-8 to this affidavit. Incidentally he, while as Officer Incharge, Military Farm, Sitapur was asked to intimate rate at which the pay and allowances were being claimed by him and the basis



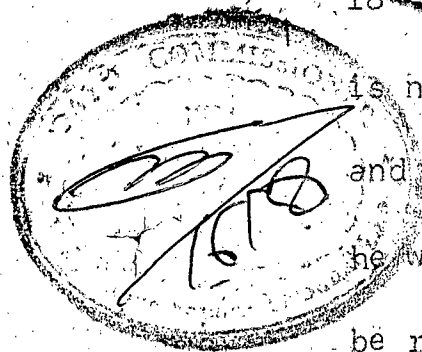
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allowances if any due to him.

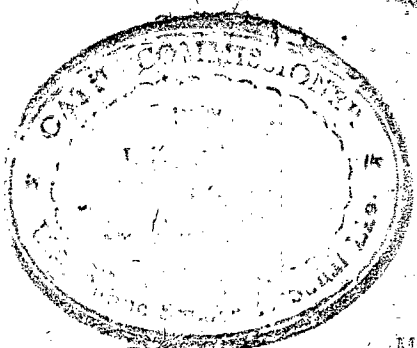
14. That the contents of para 4.12 of the application are incorrect as stated, hence denied and in reply it is submitted that further action can be taken after actions proposed in DEMF HQ. Central Command, Lucknow No.8060286/Mgr/E/MF-2 dated 31 October 1989 are completed. (Annexure C-8 refers).

15. That the contents of para 4.13 of the application are incorrect as stated, hence denied and in reply it is submitted that the case of Shri Ram Abhal Singh UDC is covered under the provisions of Government of India Ministry of Defence OM No.1(1)74/D(Civ.1) dated 18 April 1974 reproduced in CPO 61/74., whereas this is not applicable in the instant case where pay and allowances already paid by the CDA, Jabalpur while he was serving at Military Farm, Mhow are required to be regularised and pay is to be refixed in RFF-86 and in its absence the LFC is yet to be issued by the CDA Jabalpur. A copy of the OM dated 18 Apr 74 is being enclosed as Annexure C-11 to this affidavit.

16. That in reply to the contents of para 4.14 of the application it is submitted that vide para 9 pages 12 to 14 of judgement by the CAT Jabalpur, ~~xxx~~ (copy attached as Annexure A-10 to petition refers) the following directions were issued to the respondent compliance:-



- (a) That at Kamptee in the PE the post of supervisor is sanctioned which was lower than that of Manager held by Shri Prem Singh Raghav,
- (b) The said Manager had not completed Command tenure of 6-8 years as was in vogue at that time.
- (c) The respondents may consider modifying the posting order to transfer the petitioner to some other station within the Command where a post of Manager exist.
- (d) Authorities should regularise period of absence from duty by treating it as leave as admissible including EOL under FR 54 and that he would not be entitled to emoluments for the period of absence from duty.



That accordingly, the petitioner was posted to Military Farm, Sitapur and SOS of Military Farm Mhow with effect from 26 March 1988. In fact the applicant himself has violated the CAT verdict in not complying with the posting orders issued to complete his Command tenure then prevalent and delayed intentionally his move from Mhow to Sitapur for about 14 months, for which he is liable to be penalised by law. The applicant has now already completed the Command tenure as per

San

CAT verdict as given below:-

Name of Farm	Rank	From	To	Period	
				Year	Months
MF Gwaliar	Manager	1.5.82	12.8.84	2	2
MF Mhow	-do-	13.8.84	25.3.88	3	7
MF Sitapur	-do-	26.3.88	date	2	4
Total:				8	1

That it is also worth to mention that the guide-lines issued for service tenure laid down in Army Hqs. letter dated 14 August 1980 since stands superseded vide Army Hqs. letter NO.A/60429/Q/MF.1 dated 12 Apr 89 and this fact has been deliberately hidden by the applicant. A copy of aforesaid letter dated 12 Apr 1989 is being filed herewith as Annexure no.C-12 to this affidavit.

17. That the contents of para 4.15 of the application are incorrect as stated, hence denied and in reply it is submitted that in compliance of CAT Jabalpur verdict the applicant was posted to Military Farm Sitapur on 09 Feb. 88 and was SOS Military Farm Mhow on 26 March 1988. Accordingly he was supposed to join at Military Farm, Sitapur by 5th April 1988 the latest. The applicant had also drawn Rs.3890/- and Rs.620/- as advance of TA/DA and pay respectively from Military Farm Mhow during May 1988 in connection with his move to Sitapur. But he did not utilise the

[Signature]

the amount for the purpose for which the same were drawn till May 1989 ie. for more than a year which is an offence. Military Farm, Mhow letter E-24 dated 06 Dec 88 is being enclosed herewith as Annexure n^o.C-13 to this affidavit. The applicant deliberately delayed his move from Mhow to Sitapur for 14 months and disciplinary proceedings had to be initiated for remaining absent from duty from 26th March 1988 to 28 May 1989.

18. That in reply to the contents of para 4.16 of the application it is submitted that although the applicant deliberately did not join Military Farm Sitapur on due date after having been SCS of Military Farm Mhow on 26 March 1988, yet he is on the pay roll of Military Farm Sitapur and entire period will count towards his station tenure. As such he has also completed the minimum tenure of two years as laid down in Army HQ. letter dated 12 April 1989. A copy of the said letter is being filed herewith as Annexure n^o.C-12)

~~XXXXXXXXXXXX~~

19. That in reply to the contents of para 4.17 and 4.18 of the application it is submitted that the appeal made by the applicant on 02 April 1990 has duly been



[Handwritten signature]

considered by the competent authority to whom it was addressed and rejected. The applicant had another channel of appellate authority viz. Quartermaster General, Army H2. to whom he would have made appeal for redressal of his grievances which he violated and preferred to file petition in CAT which is not within the limitation in terms of Section 20 of the Administrative Tribunal Act, 1925. As such the application filed by the applicant is not only liable for dismissal but he liable to be penalised for wrong certification.

20. That the contents of para 4.19 of the application are incorrect as stated, hence denied and reply given against para 4.15 and 4.16 of the application are reiterated.

21. That the contents of para 4.20 of the application are irrelevant in the instant case. Further it is stated that the applicant belongs to executive/managerial cadre. His comparison with clerical cadre is not relevant.

22. That the contents of para 4.21 of the application are incorrect as stated, hence denied and in reply it is submitted that the applicant is

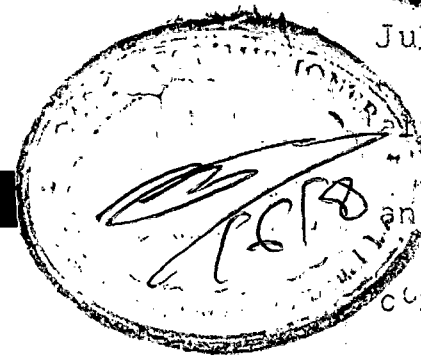


A42

-13-

facing three charges sheets during the tenure of his service at Military Farm Sitapur as explained against - of application given
xx para 4.2/above besides one charge sheet while he was serving at Military Farm Gwalior for making false allegations against his superiors.

23. That the contents of para 4.22 of the application are incorrect as stated by the applicant hence denied and in reply it is submitted that his reliever was SCS from military Farm Bhopal on 27 Jun 1990(AN). Copy of Military Farm Bhopal movement Order cum casualty report bearing NO.E-3 dated 26 Jun 1990 is being filed herewith as Annexure no.C-14. to this affidavit and the petitioner was fully aware of this fact. The applicant filed the petition on 23 Jul 1990 when he came to know that his reliever had already started for his destination ie. for Sitapur and was likely to join on 24 July 1990. It is incorrect to say that on the part of the petitioner no one has come to take over the charge from him. In fact, immediately his appeal was rejected by the DDE MF Army HQ. he was asked to hand over charge to his next senior and proceed to his new duty station. A copy of DD MF HW. Central Command letter bearing NO.660403/1/E/MF.2 dated 17.5.1990 is being filed herewith as Annexure NO.15 to this affidavit.



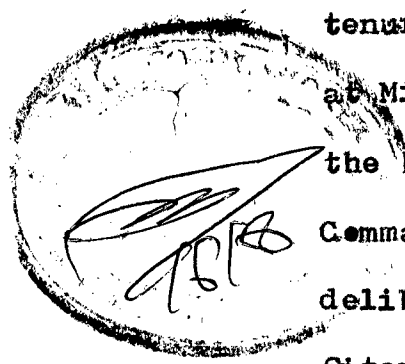
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863

But he did not comply with the orders. Now, Shri Gulab Chand, Farms Officer, relief of the applicant had reported at Military Farm Sitapur on 24 July 1990 but neither the applicant handed over the charge nor Shri Gulab Chand, Farms Officer has been taken on the strength of the farm, Military Farm Sitapur letter No E - 2 dated 24 Jul 90 signed by the applicant, addressed to Shri Gulab Chand and copy to the DDMF HQ Central Command. ~~copy to the DDMF HQ Central Command~~

24. That the contents of para 4.23 of the application are incorrect as stated, hence denied and in reply it is submitted that the applicant before filing the application in the CAT he could have made appeal to the next appellate authority for redressal of grievances. He has deliberately violated the channel of appellate authority and has concealed the fact for which he liable to be penalised.

25. That the contents of para 5-A of the application are incorrect as stated hence denied and in reply it is submitted that as discussed in the foregoing paragraphs the applicant has also completed the minimum 2 years tenure at Military Farm Sitapur though he was not posted at Military Farm Sitapur to complete station tenure by the hon'ble CAT Jabalpur, but was posted to complete the Command tenure which he has since done. The applicant deliberately delayed reporting physically at Military Farm Sitapur even after drawing advance during May 88 and reported on 29 May 1989 and for the lapse, disciplinary proceedings are already under progress. The Command tenure



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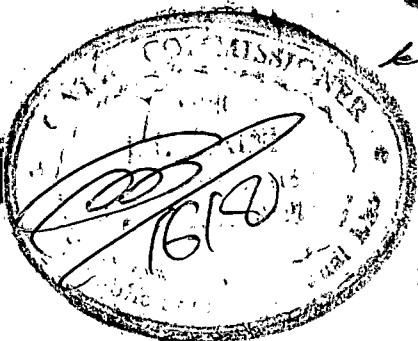
has also since been abolished vide Army HQ letter No. A/60429/Q/MF-1 dated 12 Apr 1989 (para 6) copy of which is attached as Annexure C-12 with ~~this~~ this counter-affidavit.

26. That the contents of para 5-B of the application are incorrect as stated, hence denied and in reply it is submitted that the posting is in accordance with the laid down instructions and is also on administrative grounds for which no tenure is required as per Note 1 below para 6(e) of Army HQ letter dated 12 Apr 89 copy of which is attached herewith as Annexure C-12. The applicant has, however, completed both station and Command tenures. The post of Officer Incharge Military Farm ^{/ Sitapur} has also been upgraded to Farms Officer vide Army HQ No. A/32546/Q/MF-1 dated 17 May 90 copy enclosed as Annexure C-12 to this counter-affidavit.

27. That the contents of para 5-C of the application are irrelevant in the instant case and has no relation with postings/transfers. Although his posting to Sitapur in deference to directions of CAT was only to complete Command Tenure which he has done. He himself avoided reporting at Military Farm Sitapur for 14 months and had to be charged sheeted for non-reporting at Sitapur. He has hidden this fact and given misleading information in the petition he has made false declaration that he was given charge of Military Farm Sitapur only on 29 May 1989 whereas he was asked to assume the charge and remained absent without leave. As regards promotion, the higher post is a selection post and is considered by Departmental Promotion Committee at Army HQ on merits where all eligible candidates are considered irrespective of station of posting on all India basis.

15/10

28. That the contents of para 5D & E of the application are incorrect as stated hence denied and in reply it is submitted that the entire period of his absence from duty till 25 March 88 has been regularised by grant of Extra Ordinary Leave and further period from 26 March 1988 to 28 May 1989 is yet to be regularised for which charge sheet has been issued to the applicant to which no reply has been furnished. As such the exact amount payable recoverable in case it is over paid will be worked out when the actions proposed vide DDMF HQ. Central Command Lucknow letter NO.8060286/Hgr/E/IF-2 dated 31.10.1989 are completed and the rates of pay/basis on which the petitioner is claiming pay and allowances presently are made known which are being delayed intentionally by the applicant himself.



29. That in reply to the contents of para 6 of the application it is submitted that the declaration of the applicant that he had availed all the remedies available to him under the rules is false. He has not availed the remedies by making appeal to the Appellate Authority ie, QMG, Army HQrs. viz. next final appellate Authority for redressal of the grievances. He is, therefore, liable to be penalised by the law for

[Signature]

making false declaration and giving misleading picture to the CAT.

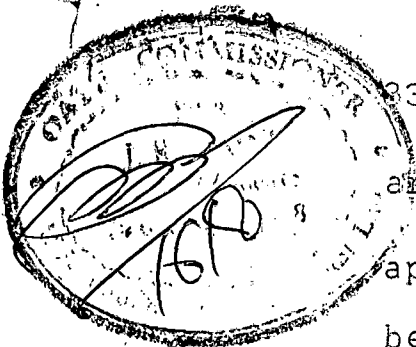
30. That the contents of para 7 of the application need no comments.

31. That in reply to the contents of para 7 8 and 9 of the application it is submitted that since the application filed by the applicant is beyond limitation and based on false statements irrelevant grounds, the stay already granted may not only be vacated but the application may be dismissed with costs against the applicant.

32. That the applicant is not liable to get any relief as sought by the applicant in view of the facts and circumstances disclosed in the foregoing paragraph.

33. That the grounds taken by the applicant are not tenable in the eyes of law, hence the application filed by the applicant is liable to be rejected.

34. That in view of the facts, circumstances stated above the application filed by the applicant is liable to be dismissed with cost as well as the ~~grant~~ stay granted to the petitioner is also



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-18.

liable to be vacated.

16/8
Depoⁿent
उपनिदेशक सैन्य फार्म
मुख्यालय मध्य कमान
Deputy Director Milly Arms
HQ Central Command

Lucknow,

Dated: 16 August, 1990.

Verification.

I, the above named deⁿoⁿent do hereby verify that the contents of para 1 & 2 of the affidavit are true to my personal knowledge and those of paragraphs 3 to 31 of the application are believed to be true on the basis of official records and information gathered and those of paragraph 32 to 34 of affidavit are believed to be true on the basis of legal advice. Nothing material fact has been concealed and no part of it is false.

Lucknow,

Dated: 16 August, 1990.

16/8
Depoⁿent
उपनिदेशक सैन्य फार्म
मुख्यालय मध्य कमान
Deputy Director Milly Arms
HQ Central Command

I identify the deⁿoⁿent who has signed before me and is personally known to me.

(VK Chaudhari)
Addl Standing Counsel for Central Govt.
(Counsel for Respondents).

Solemnly affirmed before me 16/8/90
at 10 am/pm by Shri VK Chaudhari
the deⁿoⁿent who is identified by Shri VK Chaudhari,
Advocate, High Court, Lucknow Bench. I have satisfied
myself by examining the deⁿoⁿent that he understands
the contents of this affidavit which has been read
out and explained by me.

16/8
Oath Commissioner.

Trn : 606611/242

Annexure C-1

By Dto Gen of Military Farms(MF-2)
Quartarmaster General's Branch
Army Headquarters
West Block III RK Puram
New Delhi 110066

C-1

19

No. 86600/27/10/MF-2

28 Apr 81

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri PS Raghav (8060286) Manager, MF Sitapur under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

2. Shri PS Raghav, Manager MF Sitapur is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Shri PS Raghav, Manager MF Sitapur is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or does not appear in person before the inquiring authority, or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS (CCA) Rules, 1965 or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him ex-parte.

5. Attention of Shri PS Raghav, Manager is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Shri PS Raghav, Manager is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the CCS (Conduct) Rules, 1965.

6. The receipt of the Memorandum may be acknowledged.

To
Shri PS Raghav, Manager
Military Farm
Sitapur

(K A 111)

Orig

By Dto Gen of Military Farms

CONFIDENTIAL

C.T.C

उपनिर्देशक, मंत्रालय
मुख्यालय, नया दिल्ली
Deputy Director, MF Farms
HQ Central Command

CONFIDENTIAL

ANNEXURE - I

C & C (could)

20

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SHRI PS RAGHAY
(8050286) MANAGER OF MILITARY FARM SITAPUR

Article - I

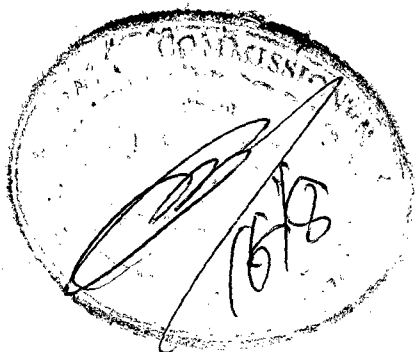
1. That the said Shri PS Raghay (8050286) Manager while functioning as Manager was transferred from Mil Farm Mhow to Military Farm Sitapur w.e.f 26.3.55 but he did not join his duties at MF Sitapur and remained absent till date without any authorised leave and by that action he failed to maintain devotion to duty and thereby contravened Rule 3(1) (ii) of CC3 (Conduct) Rule 1944.

(H. A. Petil)

Sign

By the Gen of Mil Farms

28 Apr 55



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C.T.C

Col

उपनिर्देशक, सैन्य कर्म.

मुद्रास्थान, सैन्य कर्म.

Deputy Director, Mil Farms

HQ Central Command

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ANNEXURE -II

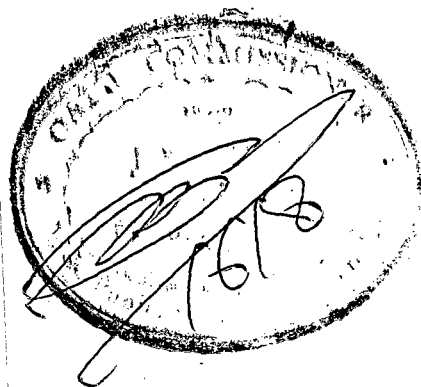
C-4 (Contd)

21

**STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN
RESPECT OF THE ARTICLE OF CHARGES FRAMED AGAINST SHRI
PS RAGHAV (8060286) MANAGER OF MILITARY FARM SITAPUR**

Article 41

1. Shri PS Raghav Manager while functioning at MF Mhow was transferred to MF Sitapur wef 25.3.88 and was directed to report to his new posting station.
2. Shri PS Raghav Manager after availing usual joining/ journey time was due to join his duty at MF Sitapur on 5.4.88.
3. The said Shri PS Raghav (8060286) Manager had drawn TA/DA advance of Rs.3890/- and one month pay in advance on his permanent posting during the month of May 88 but this amount was neither spent for the purpose it was drawn nor it has been refunded to Mil Farm Mhow till date.
4. Shri PS Raghav, Manager, was asked under DDMF HQ CC letter 660403/1/E/MF-2 dt 22.11.88 (received by him on 28.11.88) to join his duty within 15 days from the date of receipt of this letter with clear instruction that failure will result admin action against him but still he did not report at his new assignment.
5. Thus Shri PS Raghav Manager remained absent from 5 Apr 88 to till to date without any authorised leave and has disobeyed the lawful orders issued by DDMF HQ CC and thereby failed to maintain absolute devotion to duty as laid down in Rule 3 of CCS (Conduct) Rule 1964.



CONFIDENTIAL

(K. A. Patil)

Brig

Dy. Dir Gen of Mil Farms

28 Apr 89

C. T. C

उपनिदेशक सैन्य फार्म

मुख्यालय मध्य कमान

Deputy Director Mily farms

HO Central Command

CONFIDENTIAL

ANNEXURE-III

71 1/C-4 (Contd)

22

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST
SHRI PS RAGHAV (8060286) MANAGER OF MIL FARM SITAPUR ARE
PROPOSED TO BE SUSTAINED

1. Movement order cum casualty report bearing Mil Farm
Mhow No.E-24 dated 26 Mar 88.
2. DMF HQ CC No.660403/1/E/MF-2 dated 22.11.88.
3. Document pertaining to the drawal of TA advance.
4. Document pertaining to the drawal of advance salary.

(K) Patil)

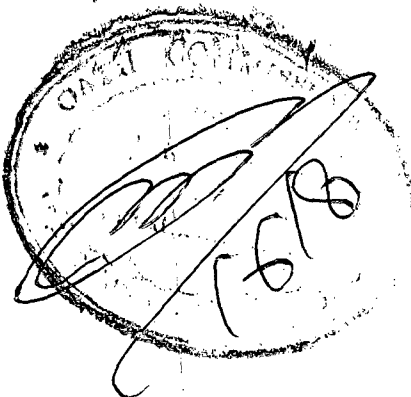
Brig

By Dir Gen of Mil Farms

28 Apr 89

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED
AGAINST SHRI PS RAGHAV (8060286) MANAGER OF MILITARY FARM SITAPUR
PROPOSED TO BE SUSTAINED

.....Nil.....



(K) Patil)

Brig

By Dir Gen of Mil Farms

28 Apr 89

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C.T.C

उपनिदेशक सैन्य फार्म
मुख्यालय मध्य प्रदेश
Deputy Director Milly Farms
HQ Central Command

Annexure C-2

CONFIDENTIAL

Telephone Mil 2261

Headquarters
Central Command
Lucknow W-226022

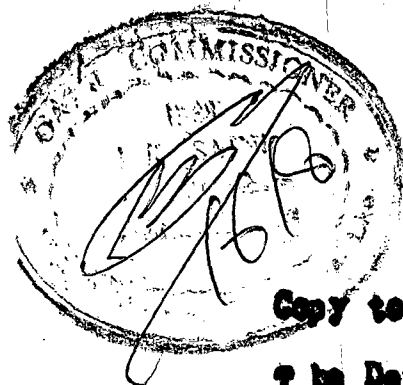
662002/C/Mgr/PSN/STP/E/W-2(1)

15 May 90

Sari Prem Singh Baghav
(8060286) Manager
Oic, Mil Farm Sitapur

**DISCIPLINE : SARI PREM SINGH BAGHAV (8060286)
MANAGER MILITARY FARM SITAPUR**

1. Memorandum bearing this HQ No 662002/C/Mgr/PSN/STP/E/W-2 dated 15 May 90 is forwarded herewith.
2. Please furnish your reply to above Memo within the stipulated period failing which the decision will be arrived at ex parte.
3. Please acknowledge.



Copy to:-

The Deputy Director General of Mil Farms
Army Headquarters (MF-2)
Quartermaster General's Branch
BX Puran New Delhi-110005

The Oic
Military Farm Records Delhi Contt

The Oic
Military Farm Sitapur alongwith a copy of Memorandum referred to in para 1 above.

2. Please forward service book in respect of Manager PS Baghav immediately.

(SN Jalt)

Col

Deputy Director of Mil Farms

alongwith a copy of
Memorandum referred
to in para 1 above.

2. photostat copy
confirmatory copy of
telegram bearing
MF Sitapur No P-6/TF
dt 23 Apr 90 is also
enclosed.

CONFIDENTIAL

उपनिदेशक सैन्य फार्म
मुख्यालय नव्य : मान
Deputy Director Milly Farms
HQ Central Command

A73 C-2 (Contd)
(4) 24

Standard form of memorandum of charge for imposing major penalties (Rule 16 of the CCS (CG & A) Rule 1965)

TELEPHONE MIL : 2261

Headquarters
Central Command
Lucknow-2

~~Supersede~~
662002/C/Hgr/PSR/SEP/E/12-2

15 May 90

MEMORANDUM

1. Shri Prem Singh Baghav (8060236) (Designation Manager) (Office in which working) Military Farm Sitapur

is hereby informed that it is proposed to take action against him under rule 16 of the CCS (CG & A) Rule 1965. A statement of the imputation of misconduct or misbehaviour on which action is proposed to be taken as mentioned above, is enclosed.

Shri Prem Singh Baghav Manager is hereby given an opportunity to make such representation as he may wish to make against the proposal.

If Shri Prem Singh Baghav Manager fails to submit his representation within 10 days of the receipt of this Memorandum it will be presumed that he has no representation to make and orders will be passed against Shri Prem Singh Baghav Manager ex-parte.

4. The receipt of this memorandum should be acknowledged by Shri Prem Singh Baghav Manager.



(By Datt)
Col

By Director of Military Farms

Shri Prem Singh Baghav (8060236)
Manager
Military Farm SITAPUR

C.T.C

CSJ
उपनिदेशक सैन्य काम
मुख्यालय नव्य हथान
Deputy Director Mny Arms
HO Central Command

179

C-2 (Contd)

25

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**STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR
IN RESPECT OF CHARGES FRAMED AGAINST SHRI PS RAGHAV
MANAGER OIC MIL FARM SITAPUR**

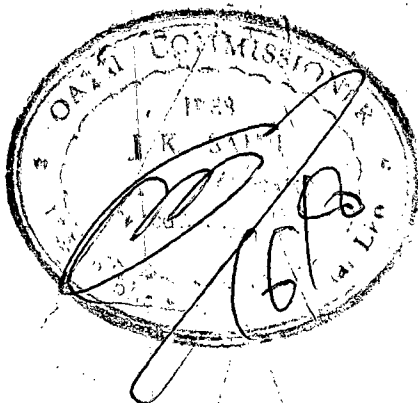
1. Shri PS Raghav (8060286) Manager while functioning as Oic Military Farm Sitapur, during Apr 90, has failed to maintain absolute integrity and devotion to duties in that instructions were issued by DDMF HQ Central Command Lucknow to carry out carting of green fodder and harvested crops from field to Khalian by bullock carts. Instead of complying with the instructions issued by lawful command or to seek clarifications / advice in case of any doubt, the said Shri PS Raghav Manager, shown reluctance to comply with the orders using abusive and unparliamentary language telegraphically.

2. The said Shri PS Raghav, Manager has thus exhibited an act of disobedience of orders and indisciplined behaviour with superiors, thereby contravened rule 3(1) of CCS (Conduct) Rules 1964.

(SN Datt)

(Sol)

Deputy Director of Mil Farms



C.T.C

उपनिदेशक सत्य काम
मुख्यालय मध्य कश्मीर
Deputy Director of Mil Farms
HQ Central Command

CONFIDENTIAL

TELE : 806611/242

Dy Dir General of Military Farms
 Quartermaster General's Branch
 Army Headquarters
 West Block No 3, RK Puram
 New Delhi - 110066

No 86600/27/Q/F-2/C/(1)

21 May 90

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri Prem Singh Raghav, Manager (8060286) of MF Sitapur under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

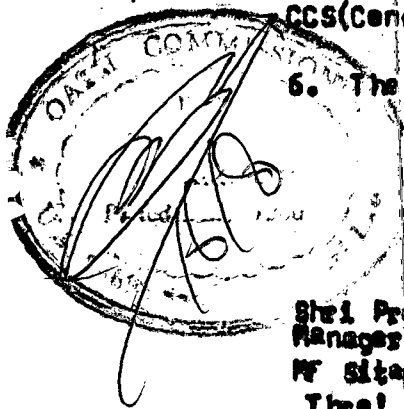
2. Shri Prem Singh Raghav, Manager (8060286) of MF Sitapur is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Shri Prem Singh Raghav, Manager (8060286) of MF Sitapur is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS (CCA) Rules, or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him ex parte.

5. Attention of Shri Prem Singh Raghav, Manager (8060286) of MF Sitapur is invited to Rule 20 of the CCS (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Shri Prem Singh Raghav, Manager (8060286) of MF Sitapur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the CCS (Conduct) Rules, 1964.

6. The receipt of the Memorandum may be acknowledged.



Shri Prem Singh Raghav,
 Manager (8060286)
 MF Sitapur
 Thru
 The DDMF
 HQ Central Command
 Lucknow - 2

(K A Patel)

Brig

Dy Dir Gen of Mil Farms

C.T.C

Cst

उपनिदेश - सैन्य काम

मुख्यालय म. व. फार्म

Deputy Director Mil Farms

HQ Central Command

CONFIDENTIAL

(51) CONFIDENTIAL

(A 26) C-3 (Contd)
(3) 27
ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SHRI PREM SINGH RAGHAV
MANAGER (8060286) OF MILITARY FARM SITAPUR

ARTICLE - I

That the said Shri Prem Singh Raghav, Manager (8060286) while functioning as Officer-in-Charge of Military Farm Sitapur, during the period from June 89 has shown negligence in his duties which resulted in mismanagement of Military Farm, Sitapur, as a result the cut-turn from land declined and condition of animals deteriorated and became poor.

Thus the said Shri Prem Singh Raghav, Manager (8060286) has contravened Rule 3 of CCS (Conduct) Rules, 1954.

ARTICLE - II

That during the aforesaid period and while functioning in the aforesaid office, the said Shri Prem Singh Raghav, Manager (8060286) has disobeyed the lawful orders issued by his superior officers.

Thus the said Shri Prem Singh Raghav, Manager (8060286) has contravened Rule 3 of the CCS (Conduct) Rule 1954.

(K A Puri)

Brig
Dy Dir Gen of Milfarms
May 00

CONFIDENTIAL

C.T.C



Col
उपनिदेशक सैन्य कामें
मुख्यालय मध्य भारत
Deputy Director Milfarms
HQ Central Command

(51) CONFIDENTIAL

A77 C-3 (contd)
(9) 28
ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SHRI PREM SINGH RAGHAV, MANAGER (8060286) OF MILITARY FARM SITAPUR

ARTICLE - I

That the said Shri Prem Singh Raghav, Manager (8060286) while functioning as Officer-in-Charge of Military Farm, Sitapur, during the period from Jan 59 has exhibited negligence in his duties which resulted in mismanagement of that Farm, in that :-

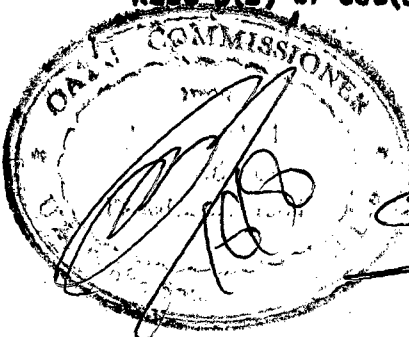
- (a) Out of 150 ha area approved to be sown under Rabi crops only 44.50 ha has been sown ;
- (b) Government stores are kept in the bungalow of the Manager instead of keeping them in store room ;
- (c) Fencing of old stackyard boundary has been completely removed due to lack of proper supervision ;
- (d) Animal dung has been dumped around the water trough and
- (e) He failed to exercise proper and effective control with the result the sum of Rs 1000/- was charged of excess in the cash book.

ARTICLE - II

That the said Shri Prem Singh Raghav, Manager while functioning as Officer-in-Charge, Military Farm Sitapur during Jan 59 to date has disobeyed orders of his superior authority in that :-

- (a) He did not vacate the guest room in spite of repeated directions issued by the DOPF HQ Central Command Lucknow.
- (b) He did not reply to any of the letters issued by DOPF HQ Central Command Lucknow as listed in Annexure - III.
- (c) He did not issue cheque to Military Farm Jhansi as ordered by the DOPF HQ Central Command Lucknow.
- (d) He did not send back UOC Rate Bin detailed from HQ Central Command (Farm) on temporary duty to PF Sitapur despite repeated directions.

2. The said Shri Prem Singh Raghav, Manager (8060286) of Military Farm Sitapur has committed the offences of disobedience of orders and exhibited an act unbecoming of a Government servant thereby contravened Rule 3(1) of CCS(Conduct) Rules, 1954.



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मुख्यालय, लखनऊ
Deputy Director of Military Farms
HQ Central Command

(K A Pritil)
Erlo
By Dir Gen of Mil Farms
21 May 60

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SHRI PREM SINGH RAGHAV, MANAGER (8060286) OF MILITARY FARM SITAPUR ARE PROPOSED TO BE SUSTAINED

1. DOPF HQ CC Lucknow No 660413/1/Project/SPR/E/IV-2 dt 24 Jun 89.
2. - do - No 660413/1/Project/SPR/E/IV-2 dt 8 Aug 89.
3. - do - No 661301/8/SPR/E/IV-2 dated 12 Aug 89.
4. - do - No 660413/1/Proj/E/IV-2/SH dated 27 Sep 89.
5. - do - No 660413/1/Proj/SPR/E/IV-2 dated 31 Sep 89.
6. - do - No 8060286/Mgr/E/IV-2 dated 23 Jan 90.
7. - do - No 660413/Project/SPR/E/IV-2 dt 10 Dec 89.
8. - do - No 660413/Project/SPR/E/IV-2 dated 23 Dec 89.
9. - do - No 660001/Cyd/SPR/Farms dated 22 Dec 89.
10. - do - No 660413/1/Project/SPR/E/IV-2 dated 13 Jan 90.
11. Report on Mil Farm Sitapur submitted by PMS Col Prakash vide MF Bareilly No E-6/SP dated 23 Jan 90.
12. Report on functioning of Mil Farm Sitapur by DOPF and DADPF of HQ CC Lucknow bearing No 66503/1/ETP/Farms dated 11 Dec 89.
13. MF Bareilly No E-6/SP dated 9 Mar 90.
14. Report from DPF/DOPF this HQ dated 20 Feb 90.
15. LAG(B) letter No AL/1304/7/89 to 9/89 dated 28 Dec 89.

(K S P 111)

Brig

Dy Dir Gen of Mil Farms

21 May 90

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST MANAGER PREM SINGH RAGHAV (8060286) OF MF SITAPUR ARE PROPOSED TO BE SUSTAINED



C. T. C.

उपनिदेशक सैन्य कामें
मुख्यालय सैन्य महान
Deputy Director Mily Arms
HQ Central Command

(K S P 111)

Brig

Dy Dir Gen of Mil Farms

21 May 90

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Telephone Mil 2261

Headquarters
Central Command
Lucknow-226002

662002/C/Mgr PSR/SIR/51/E/MF-2

06 Jun 90

Shri Prem Singh Raghav
(8060286) Manager
Military Farm Sitapur

DISCIPLINE : SHRI PREM SINGH RAGHAV, MANAGER
(8060286) MILITARY FARM SITAPUR

1. The Charge Memo bearing DDGMF Army HQ No 86600/27/Q/MF-2/C(1) dated 21 May 90 under rule 14 of CCS (CCA) Rules 1965, is forwarded herewith alongwith its enclosures in original. Please ack receipt in duplicate.

2. The defence reply may pl be furnished within stipulated period prescribed in the charge memo, in triplicate.

(JS Kang)
Lt Col
Offg Deputy Director of Mil Farms

Copy to:-

The Dy Director General of Mil Farms
Army Headquarters (MF-2),
Quartermaster General's Branch
RK Puram New Delhi-110066 - w/r to his No 86600/27/Q/MF-2/C
dated 23 May 90.

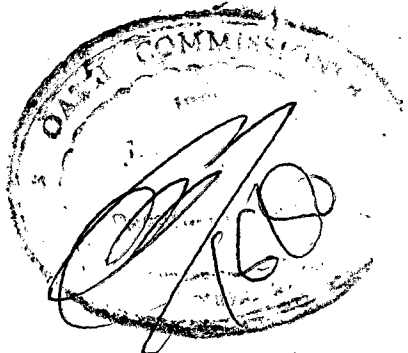
The Oic
Military Farms Records Delhi Cantt-10

The Oic
Military Farm SITAPUR

Internal

Case No 660413/1/Proj/SIR/E/MF-2

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C.T.C.
Col.
उपनिदेशक सैन्य फार्म
मुख्यालय मध्य भारत
Deputy Director Mil farms
HQ Central Command

Annexure C-4

C-4

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REGISTERED/SBS
Sainya Farm
Military Farm
Bareilly

No. F-6/STP

23 Jan 90

The LLMF
HQ Central Command
Lucknow- 02

FUNCTIONING OF MIL FARM SITAPUR

1. Reference your HQ letter No. 660413/Q/PROJ/SPW/E/MP-2
26 Dec 89.

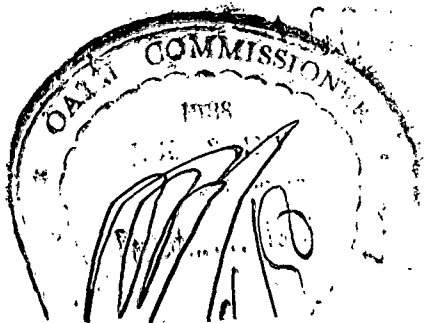
2. The farm was visited on 16 Jan 90 by me. After going around the farm, I could make out that at present the farm is most neglected in all respect and does not look like a farm at all. The complete report on the working of the farm is given in the succeeding paragraphs :-

3. CULTIVATION SECTION

As per the records, the farm has got about 30 hact. of irrigated land ; but Manager Presm Singh Raghav OIC of the farm told that it is wrong and the total cultivated area is about 115 hact. out of which 65 hact is irrigated and the remaining 50 hact is Barani. During Rabi season, out of so called 65 hact. irrigated land, 46 hact is under crop. The standing of the crop is very very poor. In certain fields the crop has been sown very late and on 16 Jan 90 was still in the germination stage. The standing of the crop indicates that the land was not well prepared, less and poor quality seeds used and sowing carried out in less water (less moisture in the soil at the time of sowing). The reason given by the OIC for poor crop was the hail storm on 27th Dec 89. I visited the fields of the farmers near by Sitapur and they confirmed that the damage by hail storm in any case was not more than 25%. That means that Manager under the shelter of hail storm is trying to cover up his in-efficiency and mis-management of land. In fact, there was hardly any crop before 23rd Dec 89 the day of hail storm. The outturn of fodder crop like oats and Berseem cannot be expected more than 8-10 tonnes per hact. in any case and that of cash crops like wheat 10 qtls per hact. The clear cut example of mis-management is that the Manager has employed six chowkidars on a plot of six hact. whereas the outturn of green fodder shall not be even 10 quintals out of this plot. That means incurring an expenditure of Rs. 25-35 thousand to produce one ton of fodder.

4. The colour and growth of the crop also indicates that the fertility of land is very poor and unless it is improved, the desired outturn cannot be achieved. In certain plots the land is undulating too. This be levelled to improve irrigation efficiency and to have even irrigation to the crops.

5. The Arhar crop recently harvested does not have any pods and only the stem is left. On inquiry the Manager explained that



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it is all because of hails storm on 23rd Dec 89 which is absolutely a white lie as the crop was harvested during 1st week of Dec 89 much before hail storm.

6. Paddy harvested during kharif is still lying on the threshing floor and is being threshed by using tractor which has not only delayed the operation but also is the wastage and misuse of machinery. This should have been done through manual labour. The delay is bound to make the grain dis-coloured and damage by weathering agencies.

7. Most of the tubewells are nonfunctional and the reason given by the Manager for this was the non-availability of electricity. To mine mind the main reason appears to be the negligence and lack of will power on the part of farms staff in general and the OIC in particular.

CATTLEYARD SECTION

8. The weight of Young Stock is very very low. There is hardly any cleanness. Heaps of gobar are lying all around the cattleyard. 84 Young Stock are there, It is recommended that the cattleyard section be disbanded and the farm is made purely a Agriculture farm.

STACKYARD SECTION

9. There is no fencing in stackyard and the hay from current harvest being bales is lying scattered in the whole stackyard. Maize, Kirbi is lying all around cattleyard and not properly stacked and protected. It is almost unfit for feeding. The stack of bhoga under issue, which is near office and threshing floor, is discoloured more than 60 %.

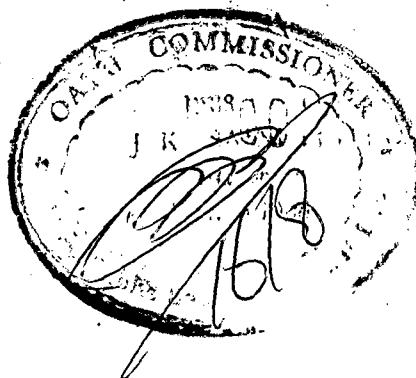
TRACTORS

10. The farm has got five tractors, out of which three are off road on account of one reason or the other and only two are on road. Keeping in view the cultivable area two tractors are inadequate. Therefore either two out of three off road tractors are put on road by carrying out repairs or two tractors given out of command pool.

ADMINISTRATION

11. The group 'C' staff is most scared of Sh. Prem Singh Raghav and therefore not in a position to contribute much in the improvement of the farm. Manager Prem Singh Raghav never bothers for Group 'C' staff and does what ever feels like. The Manager even after being there for more than six months has never tried to know the problematic and grey areas and this is not an even in future. He is busy in his own affairs. Manager Prem Singh Raghav has not a very negative attitude towards the advice given to him. He feels that what ever existing he is doing is correct and others are wrong. His this attitude and in-capability to do any thing are well known to all senior officers of the Department.

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HQ Central Commission

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Therefore, it puts a question mark as to how and under what circumstances the individual has been given an independent command of a farm. This individual is absolutely unfit to command any unit independently and be posted out at the earliest if the department wants to save the farm. As a matter of fact even a newly recruited SAS will be able to do much better than him as he will not be averse to any advice like Manager Prem Singh Raghav. The office is in shambles and no record is available and also not being maintained. Infact there, it is free for all and it is upto the individual whether to work or not to work.

11. There is lot of scope to improve the farm as it is purely agriculture farm but so long as Manager Prem Singh Raghav is there, what to talk of improvement the farm will further deteriorate. Since this farm has been put under me at a much later stage of Rabi season and I can do nothing. However, if Manager Prem Singh Raghav is posted out, definitely, from next season onwards I shall try and show the improvement that too without a Manager.

CONCLUSION

12. The farm is in shambles in all respect. Infact, the farm does not look like a farm. Manager Prem Singh Raghav is working as per his own whims and fancies and is averse to any guidance and suggestion given to him. The group 'C' staff is scared of him and not in a position to give out their best. So long as Manager Prem Singh Raghav is the OIC of the farm, the farm shall never improve. Therefore, if the department wants to close down the farm, Manager Prem Singh Raghav may remain there, otherwise he be posted out at the earliest.

(Signature)
(Om Parkash)
Major
Officer Incharge

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(Signature)
Col
अपानदेशक सैन्य कार्य
मुख्यालय सध्य तमान
Deputy Director Mil
HQ Central Command



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M/ Tele : 2261

65-3/3/STP/Farms

Th. DDMF

HQ Central Command

Lucknow

FUNCTIONING OF MILITARY FARM SITAPUR

1. Reference HQ CC Movement order No 661801/1/CC/E/MF-2 dated 04 Dec 89.
2. During the course of recent visit of Oie Military Farm Sitapur certain important points were discussed in this HQ and he was instructed by the DDMF to comply with the orders noted in his diary by the Oie farm. Copy of the same instruction issued vide HQ CC No 660413/1/Proj/E/MF-2/SPR dated 02 Dec 89 was handed over to the Oie farm on 4 Dec 89 (by hand) for compliance after obtaining his signatures.
3. When we visited MF Sitapur on 4 Dec 89 none of the instructions issued by the DDMF and noted by the Oie in his diary on the day of his visit were found complied with.
4. We jointly ^{went} ~~went~~ around the farm and noted the following :-
 - (a) Oie did not shift to the Oie's official residential farm house and he is still occupying the guest room.
 - (b) One NCO and 6 Jwans have reported from Fatehgarh on 22 Nov 89 for looking after the land already handed over to them. Beard proceedings for the handing over of the land have neither been received by MF Sitapur nor by this HQ. Oie Sitapur was instructed to approach the Comdt RRC Fatehgarh to get the beard proceedings expedited personally.
 - (c) Supr Shiv Prasad is I/C cult based on the office order dated 26 Jul 89 and no fresh office order has been issued by the Oie as directed by the DDMF during his visit.
 - (d) The Oie Sitapur was instructed earlier to take all the items of guest room in UPI book to avoid theft at later stage but it has not yet been done. We may issue necessary instruction in this regard to the Oie farm to take necessary action as per the existing orders if not already done i.e. items be taken in IDB, issue orders be made and then taken in proper UPI. It may also be directed to the Oie farm that who ever occupies the guest house should pay Rs 5/- per day if single and Rs 10/- if double.

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Deputy Director Mily Farms
HQ Central Command

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C-5 (Contd)

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-3-

- (viii) Maize Kirbi being fed. No green fodder is fed.
- (ix) Condition of YS is generally poor except 15-20 YS in fair to good condition.
- (x) Dung is being dumped around the water trough.

STACKYARD

- (i) Baru cut from the plots and grass cut from the Syd area is kept in stackyard. Grass cut during Aug & Sep 89 from the plots is kept in the shed for baling.
- (ii) Baling machine still under repair and may be ready after 10 days.
- (iii) Newly harvested hay from plot No 1 near rateen sugar cane started coming to Syd.
- (iv) Fencing of old Syd boundry completely removed.

CULTIVATION

- (i) No grass in plot No 2 and 5 from where we obtained 200 to 300 MT hay during last year. The same has been grazed. No chowkidars were placed there.
- (ii) The harvesting in plot No 6 was in progress. The total qty likely to be harvested may be around 250 MT approximately.
- (iii) The rabi sowing is not satisfactory in that land has not been prepared properly. The sowing is also behind the schedule as may be seen from the following :-

Name of crop	Area approved	Area Sown upto 30 Nov 89	Area yet to be sown
1. Berseem	5	5	-
2. Oats	10.00	9.5	0.5
3. Oats hay	60.00	-	60.00
4. Gram	20.00	-	20.00
5. Peas (Field)	20.00	-	20.00
6. Barely	20.00	13.00	07.00
7. Oil seeds (Teria Sarseem and Taramira)	15.00	11.00 15.00	4.00 [
8. Wheat	-	2.00	
	150.00	44.50	105.50

6. The functioning of the Mil Farm Sitapur is most unsatisfactory. If the same situation continues and does not improve, we may have to think either for closing down the farm and develop it for hay growing only or the present Oil/c farm be changed forthwith.

Date: 1

1 Dec 89

(Chet Ram)
DADMF

for Dy Dir of Milfarm

(J.S Kang)
Lt Col

ADMF
Dy Dir of MILFA

उपनिदेशक सन्या फार्म
मुख्यालय मध्य प्रदेश
Deputy Director Milly Farms

-2-

The section wise details as seen by us are as under :-

(a) Steres kept in bungalow

- (i) Old wheat said to be being fed to animals 80 Kg
- (ii) Sunflower seed 400 Kg
- (iii) Maize seed 12 bags full of 10 Kg size small packs said to have been received from MF Bareilly
- (iv) Meeng 300 Kg
- (v) Urg 602 Kg
- (vi) 3 buff hiebers were found tied in the premises of farm house.
- (vii) Maize cobs recently harvested were kept in farm house for removing maize grains.
- (viii) Paddy ehhanas also lying in bungalow (returned by NSO).

(b) Thrashing floor

- (i) Loose white Rheesa stacked over it.
- (ii) Paddy of current harvest has not yet been thrashed and lying scattered over the thrashing floor.

(c) Steres

- (i) 14675 Kg steam coal dust under dispute.
- (ii) Fire weed about 10-15 tonnes for disposal does not stand in record.
- (iii) 24 Kg bags of DAP of 40 Kg each lying in steres. This stock has been drawn from store on SIO but being kept in steres. The purpose for which the same was drawn from store is defeated. The stock is to be treated as surplus and requires explanation of Di/e.
- (iv) 302 Kg Arhar seed of last year's purchase is lying.
- (v) Peas ehhanas said to be 1797 Kgs lying in steres.

CATTLEYARD

Following ingredients are being fed as concentrate ration:-

- (i) Wheat crushed - 22 %
- (ii) Gram crushed - 35 %
- (iii) Peas crushed - 40 %
- (iv) Salt - 2 %
- (v) No mineral mixture is being fed.
- (vi) Total no of YS on charge as on 4-12-89 are 84
- (vii) 28 Nos YS are of 15-20 months and required to be transferred from this farm for AI/natural service.



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Deputy Director Milk and Fisheries
HQ Central Command

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C-5 (Contd)

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- (viii) Maize Kirbi being fed. No green fodder is fed.
- (ix) Condition of YS is generally poor except 15-20 YS in fair to good condition.
- (x) Dungs is being dumped around the water through.

STACKYARD

- (i) Baru cut from the plots and grass cut from the Syd area is kept in stackyard. Grass cut during Aug & Sep 89 from the plots is kept in the shed for baling.
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CULTIVATION

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3. Oats hay	60.00	-	60.00
4. Gram	20.00	-	20.00
5. Peas (Field)	20.00	-	20.00
6. Barely	20.00	13.00	07.00
7. Oil seeds (Torla Sarseen and Taramira)	15.00	15.00	-
8. Wheat	-	2.00	-
	150.00	44.50	105.50

6. The functioning of the Mil Farm Sitapur is most unsatisfactory. If the same situation continues and does not improve, we may have to think either for closing down the farm and develop it for hay growing only or the present OI/e farm be changed forthwith.

Date

Dec 29

(Chet Ram)

DADMF

for Dy Dir of Milfarm

(J.S Kang)

Lt Col

ADMF Dy Dir of Milfarm

उपनिदेशक सन्तान फार्म
मुख्यालय मध्य भारत
Deputy Director Milly Farms

C-5 (contd)

STATEMENT SHOWING PROGRESS REPORT OF HAY - AT MAIN HAY HARVESTING FARMS

Name of Farm	Tgt fixed for harvesting/procurement (Loose)	Qty of loose hay procured/harvested till 30/11/89	Qty baled	Qty allocated for Trp	Qty desp so far	Remarks
1. MF Allahabad	2600.00	8.40	8.00	{ (i) MF Binnaguri - 200 MT (ii) MF Guwahati - 300 MT (iii) MFD Gaya - 8 MT (iv) MF Bareilly - 300 MT	- - 8 MT -	Disposal orders of bal qty will be issued later on.
2. MF Bhopal	2000.00	-	-	{ (i) MFD Gaya - 300 MT (ii) MF Bareilly - 1500 MT	- -	Baling operation started 9 Dec 89 as reported on phone.
3. MFD Saugor	500.00	-	-	(i) MFD Gaya - 500 MT	-	
4. MF Kanow	{ (i) Pur 4200.00 (ii) Har 1550.00 5750.00	500 App	200.00 App	{ (i) MF Missamari - 2500 MT (ii) MF Gauhati - 1200 MT (iii) MF Gendubai - 300 MT (iv) MF Ginaguri - 500 MT (v) Own consumption - 500 MT	- - - - -	146.784
5. MF Jabalpur	{ (i) Pur 1100.00 (ii) Har 500.00 1600.00	100 MT App	-	(i) MF Binaguri - 1000 MT	-	
6. MF Gwalior	5000.00	800 MT App	998.00 App	{ (i) MC (Jammu) - 3000 MT (ii) ASC Delhi - 500 MT (iii) Meerut - 100 MT (iv) Bareilly - 200 MT	- - - -	98.008 6.00
One spl being sent						

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28/01/90
Deputy Director Milly. Farm
HQ Central Command

Annexure C-6

C-6

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The DDMF
HQ Central Command (farms)
Lucknow

VISIT MF SITAPUR BY LT COL JS KANG, ADMF
AND DDMF CHET RAM THIS HQ

1. Refer to your HQ No. 661801/1/CC/E/MF-2 dated 28/2/90.

2. The subject report is submitted as a joint report as under :-

(a) The latest position of the standing rabi crop is as under :-

(i) Sareen 15 Hect : The standing crop is very very poor except about 4 hecets which can be said as fair to good.

(ii) Barley 13 hecets : Very very poor and has also been found grazed in general and one plot in particular.

(iii) Barseem 5 hecets : 2 hec good and remaining fair to good.

(iv) Oats 9.5 hecets : Generally poor standing. One plot of 2 hecets is fair. Some of the plots have been found grazed in general.

(v) Wheat 2 hecets : Very very poor standing, but near to office about one strip of one acre is good. The CiO has not arranged proper seeds of above mentioned crops but have sown the farm produced seeds which kept ~~them~~ for transfer to MF Lucknow. Neither germination test was carried out by the farm before sowing nor this problem of non availability of seeds was conveyed to this HQ. Infact the CiO should have brought this problem to the notice of DDMF personally if he had any problem in arranging the particular seeds before going in for sowing.

(b) Latest position of other Cultivation Crops sown :-

(i) Sun flower 10 hecets : As per the information given by the incharge cultivation about 10 hec Sun flower has been sown in plots from where the ratoon sugarcane has been removed. No proper land preparation has been done for the same. The germination is very very poor. Damaged seed of sun flower appears to have been sown.

(ii) Early Maize 1.75 hec : About 1.75 hec of maize has been sown. The germination is very very poor ie about 10-15% by visual appearance. It indicates that neither land has been prepared properly before sowing nor good seed has been sown.



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..... 2/-
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Deputy Director Milk & Fms
HQ Central Command

The land holding of the farm is as under :-

Irrigated - 130.719
Barani - 40.646
Grass land 309.336

Out of which only 56.25 hcts as per details given above has only been sown. Remaining 74.469 hcts irrigated and all barani land has not been sown.

(9) The out turn of Kharif Crops is as under :-

S/No	Crops sown	Area sown	Total outturn in Kg	Out turn per hct.
1.	Maize	14 hct	5400 Kgs	386 Kgs
2.	Arhar	20 hct	threshing etc not completed yet.	-
3.	Paray	10 hct	10338 Kgs	1033.8 Kgs
4.	Sugar Cane		19145 Kgs	6382 (1915)

Note: Arhar has been harvested prematurely when it was green and at the stage of pod/grain formation which has resulted into rotting of stems/leaves/pod of Crops. No proper outturn is expected from this Crops except minor qty for which ~~threshing~~ threshing has not yet been completed. The Oic could not forward any convincing reasons for early harvesting of Arhar prematurely.

Note 2 : The sugarcane Crops has been handed over to the sugar factory and sum of Rs. 6944.37 have been realised by the farm @ Rs. 35/- per 100 Kgs and some qty @ Rs. 36/- per 100 Kgs.

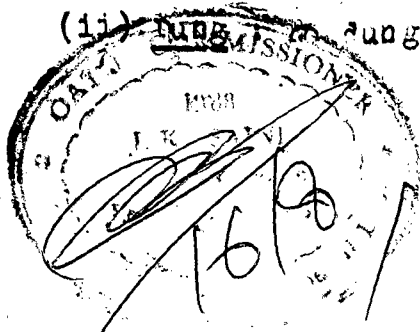
(d) The Cultivation register was found incomplete. No summary for the harvesting of Kharif Crops was made. The signature of Oic were not found. It was revealed that hay was being carted on tractor trollys thereby saving carting charges of hay.

(e) The R-105 was checked but no attendance was found marked for the month of Feb 90. The reasons advanced by the Oic and the Incharge Cultivation was that the attendance has not been marked in R-105 due to non receipt of sanction for the month of Feb 90 from this HQ. However the I/c Cultivation has marked the attendance of labour on a separate sheet of paper.

(f) Cattleyard : Details about and around cattleyard are as under:-

(i) Kirby Lot of rotten scattered kirby is lying on the left hand side of the cattleyard which is lying scattered all over the place uncovered which is said to be being fed to Y.S. This may bring any time some other disease to YS. Our recommendation is its feeding must stop forthwith.

(ii) ~~lung~~ lung is being removed by the tractor



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उपनिदेशक सैन्य काम
मुख्यालय मध्य भारत
Muz. Mil. Camp

trolly neither to the manure pits nor to the field but being dumped around water troughs creating a uncongential unhygenic conditions for animals which may also cause disease to the farm animals. Dung is required to be removed forthwith.

(iii) The YS were found to be confined in the paddack and were standing in the dung/sludge in between two cattle sheds. In total there are 84 YS and one Bull

(iv) The following is the weight position of YS, as on 31 Jan 90 :-

Name of farm	Breed YS-I & II	No held	Actual weight	Tgt weight	Diff
LKO	HXB	8	216.0	244.0	28.6
	LXB	2	188.0	210.0	22.0
BLY	HXB	11	250.0	320.4	70.4
	LXB	2	261.0	291.0	30.0
JHS	HXB	19	237.3	314.2	76.9
	LXB	3	249.0	294.8	45.8
AGRA	HXB	35	204.9	304.4	99.5
	LXB	4	197.5	234.9	87.4

24

The OIC has not signed on their weight report. The weights are much below the target and may be compared at the time of receipt from the farm.

(v) The following ingredients of concentrate ration are being fed to YS :-

Wheat Bran	45%
Mustard	
De-oiled cake	30%
MO Cake	20%
Salt	5%

The combination is against the feeding rules specially the % of salt is very high and mineral mixture is not being fed which will adversely affect fertility of YS.

(vi) The condition as watched by the officers while standing in between the sheds, was not satisfactory and was in general fair to poor which is considered contributed by the mis management in cattleyard.

(vii) The details of harvesting, baling and despatching including condition of stackyard is as under :-

(i) Total 290 tonnes hay has been harvested. No more hay is expected.

(ii) About 216 tonnes has been baled.

(iii) Despatching of 216 tonnes hay ~~xxxxxxxxxxxx~~ also been completed.

.... 4

(iv) Remaining 74 tonnes hay was lying scattered all over stackyard open to the rains and has not been stacked at all. This is to be verified as to whether they have charged off the money for stacking of loose hay in the R-105 and if so, this is a malpractice.

(v) Baru has been kept in stackyard which is covered with tarpauline perhaps to avoid from the eyes of the officers where as loose hay being kept open to weather.

(vi) Bales have been found mixed with baru which indicates that Baru is being brought purposely for baling in stackyard, bales are discoloured and rain effected may invite complaints from the user units for quality.

(vii) The labour said to have been employed for cultivation is being misused for harvesting of BARU from Plot No 2 which is being brought to Syd for baling having being mixed with loose hay.

Over all assesment : The poor condition of crops has wrongly been attributed to rain/hailstorm just to coverup mismanagement and lapses through Kharaba. The general prevailing situation on the farm is deplorable and it is a futile wastage of land, tractor powers seeds/fertilizers, man power and all expenditures as no proper outturn is proportion to the expenditure incurred is expected due to allround mismanagement and carelessness on the part of farm Administration. Hence we are of the opinion that either this farm be closed down with immediate effect or the farm Administration be changed without any loss of time.

(J. S. Kang)

Lt Col

ADMF

HQ Central Command Lucknow

(G. S. Ram)

ADMF

HQ Central Command Lucknow

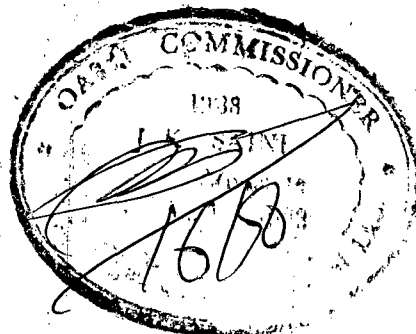
Col

अतिरिक्त सैन्य काम

मुख्य लय मध्य भारत

Deputy Director Mil. Arms

HQ Central Command



Tale Mil : 217

Sainya Farm
Military Farm
Bareilly

No. E-6/STP

09 Mar 90

The DDMF
HQ Central Command
LucknowFUNCTIONING OF MIL FARM SITAPUR

1. The farm was visited on 28th Feb 90. The observations on the working are listed in the succeeding paragraphs:-

ADMINISTRATION:-

From the working of the farm it appears that the Manager is not taking required interest in the farms affairs and he is just whiling away the time. Therefore, there is no motivation/encouragement to the lower staff.

CULTIVATION :-

WHEAT :- The wheat crops is very poor. Reasons are late sowing, use of poor quality seed, under preparation of land before sowing and last but not the least poor fertility of soil.

SARSON :- This crop is also very poor. In that the plantation is thin, less height and less branches in the plants. Therefore, outturns shall be much less than average.

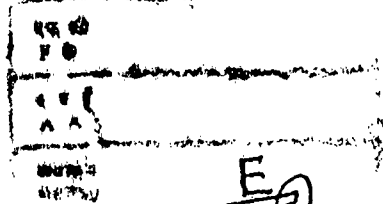
OATS :- Crop is poor. Most of the crop is stunted and badly damaged by stray cattle. To my mind the outturn of oats shall not be more than 10 tonnes per Hact.

BERSSEM :- The Crop is satisfactory but it is not being cut in time. In most of the fields the height of the crop was more than 1 1/2 feet. Therefore, the crop should have been cut before 10 days. When the Manager and Incharge Cultivation were asked the reasons for not cutting this crops in time it was told that about one tonne of berssem is being cut and issued to Cattleyard daily against the requirement of 2.5 MT. Reasons for less cutting was that the cutting rates sanctioned are too less. There upon the Manager was asked whether any representation has been made to the DDMF HQ Central Command or not. The reply was no. This indicates that neither the Manager nor the Incharge Cultivation are taking any interest in managing the cultivation section properly and to have better outturns.

SUN FLOWER :- The germination of recently sown sun flower crop is poor resulting into sparse plantation. Therefore, the crop is not likely to be good one. There is lot of grass in this crops which will effect the growth of plant.



उपनिदेशक सैन्य फार्म
मुख्यालय सैन्य फार्म
Deputy Director Mil Farms
HQ Central Command



EARLY MOONG:- The crop has been recently sown and was in the germination stage. Therefore, its condition can only be given after some time. However, keeping in view, lot of grass in the fields during the winter season, it appears that the land has not been tilled/prepared properly before sowing. Same goes to sun flower crop.

MAIZE:- The germination of recently sown maize is very very poor. The plantation is very sparse. As a matter of fact, the plant are located at the distance of 2 to 3 feet. This indicates that either less seed has been used or the same was of poor quality.

In the last 3-4 days there have been quite a good rains fulfilling the requirement of one irrigation, yet the fields of recently sown sun flower, early moong and wheat were being unnecessarily irrigated on 28th resulting into pool of water in the fields which will certainly spoil the crops.

27 Chowkidars plus their weekly relievers are still being employed which is considered very high. Therefore, after including the inputs and keeping in view the outturns the cost of production of all crops is going to be sky high which will invite criticism from all concerned and also bring a bad name to the professionalism of the Department.

CATTLEYARD:-

The weight of young stock is much below target and the reason for the same, I feel, are poor management and poor feeding. The Young Stock is though on 'C' scale but green fodder being fed only 1000 Kgs against the requirement of 2500 Kgs. Thus depriving the animals of green fodder as well as concentrate. If this state of management and feeding continues the Young Stock will further loose weight.

STACKYARD:-

The loose hay was scattered all around the stackyard. Therefore, this scattered and uncovered hay was in un-measurable state. The rain during the 3-4 days will certainly effect the quality. Not only this some hay was mixed with baroo. During my last visit also I had told the Manager as well as the Incharge Stackyard not to mix baroo with the hay as it will effect the quality and invite objections from consumer units. Despite this no action has been taken by the Manager. Incharge Section explained that he wanted to sort out the same but the Manager did not allow. As already submitted to your HQ there has been lot of baroo in the baled hay which has been despatched to this farm. The hay has already been harvested from the grass land yet two Chowkidars are still being employed to look after the grass land. This will have extra financial burden on the farm. When the reasons for the same were asked, it was explained that since the grass land is surrounded by the villagers, Chow have been kept to safe guard the trees. I have made it clear to both the Manager and Incharge Stackyard that your reason does

C.T.C



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C-7 (Contd)

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- 3 -

not hold good and if the Incharge takes one round daily that will be sufficient.

PLANT AND MACHINERY :- The maintenance of Tractor ,implements and other plant and machinery is very poor. I saw the harrow on a field. The ploughing with the harrow was not at all satisfactory. When the Tractor Driver was asked , he told that I have already pointed out this to the Manager as well as Foreman number of times but they have not taken any action to repairs it and I have been asked to use the same. In this harrow is used then two harrows will be equivalent to one. Thus there will be double expenditure on tillage.

2. The above points are submitted for the perusal and further necessary action of your H.Qrs.



(On Parkash)
Major
Officer Incharge

C.T.C

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मुख्यालय सैन्य कालोनी
मुख्यालय मध्य प्रदेश
Deputy Director Mily Farms
HQ Central Command

16/12

MI Tele/2762

8060286/MR/R/W-2

Oct 89

Headquarters
Central Command
Inchon-2

The Qc
MI Farm Khov

FIXATION OF PAY UNDER RPR-86 AND SUBSEQUENT GRANT OF INCREMENTS AS A RESULT OF THE RPR-86 PAY RATCHAY

1. Refer to your No. R-24 dated 20/10/89 to this HQ with copies endorsed to LAO Khov and Qc MI Farm.

2. Consequent to regularization of period of absence from 6/6/85 to 25/3/88 by grant of RPR, the date of next increment to above named member now falls on 21/4/88 which is to be initiated and paid by Qc MI Farm Station as the individual has been SOB of your farm ver 26/3/88. You are requested to issue LPC to MI Farm Station at the rates the individual was paid till 31/5/85 and take action to cancel the same.

(a) Increment already initiated vide your No. R/PS Ratchay/ Khov dated 21 May 88 and sanctioned vide this HQ endorsement No. 8060286/MR/R/W-2 dated 20/7/88, relating pay to R. 640/- ver 1/7/85.

(b) Pay fixation done in RPR-1986 which has been based on pay arrived in existing pay scale after granting of increment on 1/7/85. The pay in RPR-86 will be fixed on R. 620/- as basic pay.

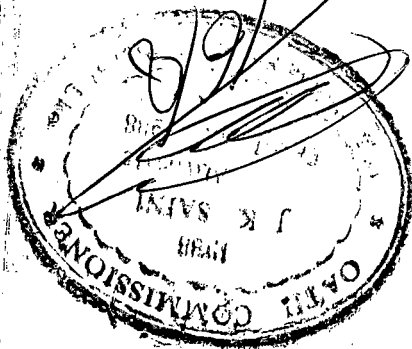
(c) Increments initiated vide your No. R/PS Ratchay/ Khov dated 31/8/88 and sanctioned vide this HQ No. 8060286/MR/R/W-2 dated 9/3/89, as a result of pay fixed in RPR-86.

3. Please also confirm that no pay and allowances, have been claimed and paid by you for the period 6/85 to 3/88.

4. Pl treat urgent.

(35 Xons)
Lt Col

Copy to -
The Qc
MI Farm Station - For info in continuation of this HQ No. 8060286/MR/R/W-2 dated 26/10/89.
Central Command Tabulapur - For info pl.
C-T-C



Headquarters
Central Command
Inchon-2
Deputy Director Military Arms
HQ Central Command

Annexure C-9 pgs.

C-9

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Telephone M11 2261

8060286/Mgr/E/MF-2

The Oic
Mil Farm Mhow

Headquarters
Central Command
Lucknow-2

23 Nov 89

FIXATION OF PAY UNDER RPR 86 AND SUBSEQUENT GRANT
OF INCREMENTS AS A RESULTS THEREOF, MGR PS RAGHAV

1. Reference this HQ even No dated 31-10-89 to you with copy
endered to Oic MF Sitapur.
2. Please intimate action taken on the subject.

(JS Kang)

Lt. Col

DADMF

For Dy Director of Mil Farms

Copy to:-

The Oic

Mil Farm Sitapur -

for information. Please intimate rates at
which the pay and allowances in respect of
Shri PS Raghav are being claimed and the
basis on which these are being claimed in
the absence of LFC.

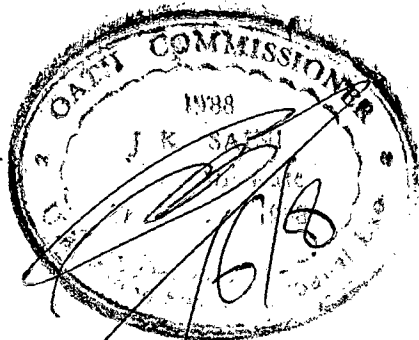
C-T. 2

Col

मुख्यमंत्री मेलन काम

मुख्यमंत्री मेलन काम

Deputy Director Milly farms
HQ Central Command



MESSAGE FORM
DATE TIME

FROM : CENTCOM (FARMS) UNCLAS
TO : MILFARM MHOW Q 3541
INFO : MILFARM SITAPUR (BY POST)

service book / leave account Manager PS Raghav (.)
refer your E-24 Oct 89 (.) consequent
regularisation period absence 6 Jun 85 to 25 Mar
88 date increment enhanced by 1024 days now
falls from twentyfirst April 88 (.) issue LRC
MF Sitapur immediately

Copy by post in confirmation.

8060286/Mgr/E/MF-2
HQ Central Command
Lucknow-226002

26 Oct 89

(JS Kang)
Lt Col
ADMF

For Deputy Director of Mil Farms

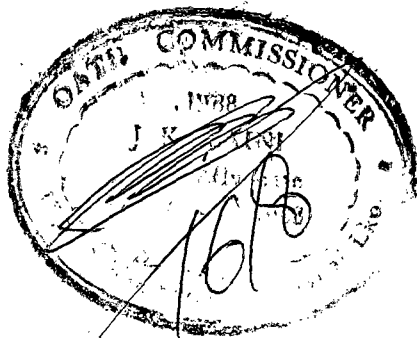
The Oic
Military Farm Mhow

Copy to:-
Read / Insured for Rs 100/-

The Oic
Military Farm Sitapur - Service Book in two parts alongwith
leave account duly audited, received under OIC MF Mhow No
E-24 dated 20 Oct 89, are forwarded herewith for further
action / record at your end.

2. Please ack.

C-T-C
Col
आनिदेशक सैन्य काम
मुख्य लय मध्य मान
Deputy Director Mil Farms
HQ Central Command



Annexure C-11/74
48

July 1974

9

CPRO

2. The Defence civilian employees posted in Mizoram, who retain the old scale of pay will also draw the allowance at above rates; but in their case 'pay' will include Dearness Pay, Dearness Allowance and Interim Relief at rates in force prior to 1-1-73.

3. This ad hoc allowance will be admissible for a period from 1-10-73 to 28-2-74. Further, it will be payable in addition to all other allowances admissible to them under orders issued by this Ministry or the Ministry of Finance (Deptt. of Expenditure).

4. This OM issues with the concurrence of the Ministry of Finance (Defence) vide their u.o. No. 1197/PB of 1974.

[Based on the Ministry of Finance (Deptt. of Expdr.) OM No. 23001/3/73/E.IV(B) dated 24-1-74].

Appendix to CPRO 61/74

Copy of Government of INDIA, Ministry of Defence Office Memorandum No 1(1)74/D(Civ-1) dated 18 Apr 74.

PROCEDURE FOR PAYMENT OF ARREARS OF PAY, ALLOWANCES ETC. OF A GOVERNMENT SERVANT TRANSFERRED FROM ONE DIVISION/OFFICE/DEPARTMENT TO ANOTHER IN RESPECT OF WHOM A LAST PAY CERTIFICATE HAS BEEN ISSUED—REGARDING

The undersigned is directed to state that it has been brought to the notice of this Ministry that the practice obtaining for the payment of arrears of pay and allowances etc of a Govt servant transferred from one Division/Office/Department to another and in respect of whom a last pay certificate has been issued, varies from office to office and that no uniform procedure is being followed in this regard. The question of evolving a uniform procedure has been under consideration of this Ministry for some time past. It has now been decided in consultation with the Comptroller and Auditor General of India that the following procedure may be adopted by all the offices in the matter of drawing the arrears claims of the Government servants who are working under their control.

2. The drawing and disbursing officer of the office in which the Government servant is currently working, may prepare a "Due and Drawn Statement" in respect of arrears of pay and allowances of such a Government servant and send it to his

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रक्षा सेवा काम
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Deputy Director Military Arms
HQ Central Command

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C-11 (Contd)

49

CPRO

CPRO

10

July 1974

earlier office(s)/parent office as the case may be for verification of the claim. The latter office may check these statements, make entries in their record (i.e. in the office copies of the bills) and return to the concerned drawing officer with a certificate that the arrears relating to the Government servant have been noted in the relevant office copies of the bills. On receipt of the 'Due and Drawn Statement', duly vetted by the earlier/parent office, the drawing and disbursing officer may prepare the arrears bills of the Government servant in the proper forms, record the necessary certificate as required under the rules and draw the bills from the treasury and disburse the arrears to him on proper acquittance. The expenditure in this behalf may be debited to the budget provision of his office.

3. In the case of Govt servants working in Civil Deptts/Railways/P & T and other Governments transferred to Deptts paid from Defence Services Estimates and vice-versa, the procedure referred to in para 2 above is further modified to the extent that while accepting the "Due and Drawn Statement" of arrear claims, the concerned office should also accept the debit thereof, record the classification and return it to the Drawing and Disbursing Officer of the office in which the Government servant is currently working for drawal of arrears and payment to him.

4. This OM issues with the concurrence of Ministry of Finance (Defence) vide their u.o. No. 972/PB of 1974.

[Based on the Ministry of Finance, Department of Economic Affairs OM No F 10(49)/E/73, dated the 7 Jan 74].

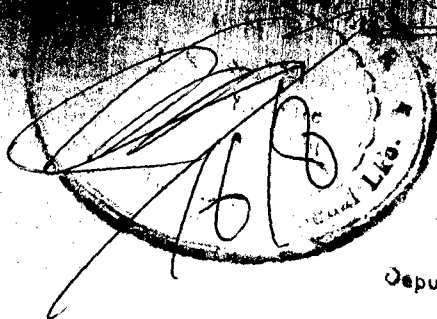
Appendix to CPRO 62/74

Copy of Government of INDIA, Ministry of Defence Office Memorandum No 1(3)73/D(Civ-I), dated 21 May 1974.

PROVISIONAL PAYMENT OF SALARY IN CONJUNCTION WITH PAY FIXED UNDER CIVILIANS IN DEFENCE SERVICES (REVISED PAY) RULES, 1973.

The undersigned is directed to refer to this Ministry's Office Memorandum of even number dated 8-1-74 and to say that the orders revising the rates of Compensatory (city) and House Rent Allowances on the basis of the revised pay scales have not yet been issued. It has accordingly been decided that the salary for the month of May, 1974 also may be drawn and disbursed subject to the same conditions as mentioned in the Office Memorandum dated 8-1-74 referred to above.

L B(N)30



उप-निदेशक सैन्य काम
मुख्य सैन्य काम
Deputy Director Mil. Affs
HQ Central Command

Annexure C-12

Agg. C-12

50

Tele : 606611/242

Upmaha Nideshalaya Sainya Farms(MF-1)
Quartermaster General Shakha
Sena Mukhyalaya
Dy Dte Gen of Military Farms(MF-1)
Quartermaster General's Branch
Army Headquarters
West Block III, RK Puram
New Delhi-110066
12-Apr 89

A/60429/Q/MF-1

DDSMF
HQ Southern Command
HQ Eastern Command
HQ Western Command
HQ Central Command
HQ Northern Command
Comdt
MF School & Res Centre
Meerut Cantt

OIC
MF Records
Delhi Cantt-10

PERMANENT POSTING OF MF PERSONNEL

1. The subject of postings of MF personnel has been examined in entirety, in the wake of past experience and the recommendations of Departmental Study Group-1988, besides the views of DDSMF Commands/Commandant MF School & Res Centre and directions of QMG. With immediate effect, following policy would be adopted. This supersedes all previous communications on the subject.

Period of postings

2. As far as possible, maximum numbers of postings during a year shall be issued by end February, and moves completed by end June of each year.

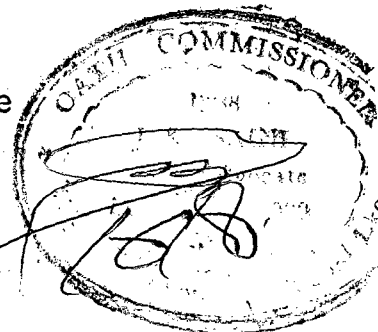
Competent Authority

3. The authorities who shall issue postings will be as under :-

- | | |
|---|-------------------------------|
| (a) Service Officers | - MS Branch(as now) |
| (b) Civilian personnel Gp 'A', 'B' & Managers of Gp 'C'. | - D DG MF, Army HQ |
| (c) Civilian personnel Gp 'C' other than Managers but including Gp 'C' not borne on PE. | - Officer Incharge MF Records |
| (d) Civilian personnel Gp 'D' (inter Command only) | - OIC MF Records. |
| (e) Civilian personnel Gp 'D' (within Command) | - DDSMF of respective Command |

Note: SHO MF Records can sign the posting orders approved by OIC MF Records.

C. T. C.



C.T.C.
उपनिदेशक सैन्य काम
मुख्यालय नया दिल्ली
Deputy Director Mily Arms

Note: The lower appointments (ADMF to FO) at MF School or Frieswal Project will for the purpose of turn over be considered along with Sub Para (i) above.

(b) Executive Staff

(i) Managers/Supervisors as OsIC Farms/OsIC Depots

(aa) Cattle Farms .. 2 to 3 years

(bb) Non Cattle Farms/Depots .. 2 to 3 years

(ii) Managers, Supervisors, Asstt Suprs, SAS, LDSK, UDSM (in subordinate positions i.e. not as OIC of Farms/Depots).

(aa) Cattle Farms/RVC/MF School- 3 to 4 years
Frieswal Project/those not mentioned at (bb) below

(bb) Non Cattle Farms/Depots + 2 to 3 years

(c) Clerical Staff

(i) Office Supdt

(aa) Cattle Farms, Command HQ - 4 to 5 years
MF School & Res Centre,
MF Records, MF Dte or any other un-specified assignment.

(bb) Non cattle farm/depot - 2 to 3 years

✓(ii) UDCs, IDCs

(aa) Cattle farm, MF Dte, Com- 4 to 5 years
mand HQ, MF School, MF Records and other non specified assignment.

✓(bb) Non cattle farm/Depot - 2 to 3 years

(d) Other Gp 'C' staff

(i) Foreman, Asstt Foreman

(aa) Cattle Farm - 4 to 5 years

(bb) Non Cattle Farm/Depot - 2 to 3 years

(e) Group 'C' Staff not borne on PE

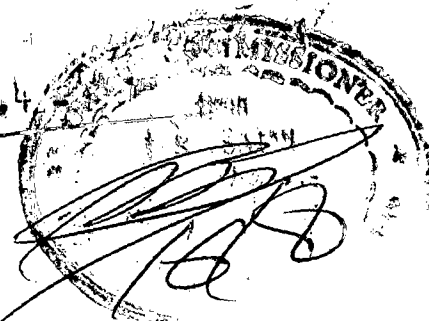
(MF Drivers, Tractor Drivers Machine Hands)

- Not more than three postings in the career subject to administrative re-posting.

C.T.C

651

Deputy Director MF Farms
HQ Central Command



- 5 -
- (a) MFD Poonch
 - (b) MFD Mondhar
 - (c) An assignment at Leh
 - (d) MF Bir Sarangwal
 - (e) MF Bir Dhantauri
 - (f) MF Manjri
 - (g) MFD Tornagallu
 - (h) MF Port Blair
 - (j) Assignment at Dharchula
 - (k) MFED Baragad
 - (l) Assignment at Tenga Valley

As far as possible, personnel posted at hard stations may be given a choice posting or nearest thereto. However, they shall indicate a choice of not less than three stations and those being posted from non cattle/non production farm establishments at hard stations may not be posted to another non production unit even if opted by them or encouraged to stay beyond tenure laid down for non production/non cattle farms/depos.

Posting on Adverse Reports

9. Individuals while on probation and when placed on adverse ICR/ICR report/adverse probation reports both by the Initiating/ Reviewing officers will be posted out immediately unless the administrative authority is apprehending a transfer of the Initiating Officer on the other grounds. However, in case the Reviewing Officers's report is not adverse, individuals may not be posted.

Appeal against posting

10. ^{normally} With effect from 1st Jul 1989 no appeal/appeals on postings will be considered after the posting orders are issued. In this context orders issued vide this HQ letter No. A/60429/Q/MF-1 dated 03 May 88 or earlier thereto on this subject stand cancelled. However, individuals having genuine grounds both, for "not being posted out" or "to be posted out" on or before completion of tenure, or on basis of any other considerations of postings specified earlier above, may still appeal in advance to the D DG MF with sufficient and well elaborated grounds together with proofs thereof, through their respective OIC and DDMF concerned by 30 Oct each year (in respect of postings to be considered and ordered during following annual posting season/year - refer para 5 above). The same would be considered on merit alongwith other posting cases of the ensuing posting year.

*As a memorandum with
DD & MF MF MF HQ
even no. 211
26 Apr 89.*

....6/-

[Signature]

- 7 -

(e) This HQ/Mil Farms Records shall obtain the decision and orders from the appropriate authority and communicate the same to all concerned as early as possible.

(f) No moves will be withheld/delayed unless procedure as above has been followed and clear orders to withhold move have been obtained from OIC Record or this HQ.

14. The above orders will be brought to the notice of all MF employees liberally and repeatedly (if needed) to cover those on leave/course or fresh recruits etc. A copy of this policy letter will also be put in the IIF.

15. The contents of this policy letter are guidelines on the subject and have been approved by the MG.

(KA Patil)
Brig
D DG MF

Copy to :-

All Military Farms/Depots

Comdt, GRTU Raiwala

Comdt, RIS&D Hempur/Saharanpur

Comdt EBS Hissar/Babugarh

OIC Frieswal Project, C/o MF Meerut

OIC FRL Leh

R&D Orgn/Dte of A & B, Sena Bhawan

- request inform/apprise
all Mil Farms
employees suitably

C-T.C

Col

Deputy Director Mil. Farms
HQ Central Command



Annexure C-13

C-13

Civil Tele No. 2681

E-24

The DDMF
HQ Central Command
Lucknow-226002

Military Farm
Mhow (MP)
06 Dec 88

57

POSTING/TRANSFER : MANAGERS

1. Refer to your letter No 630403/1/E/MF-2 dated 22 Nov 88.
2. Fortnightly report of cases in respect of Manager Prem Singh Raghav (8060286) is as under :-

- (a) It is submitted that Manager Prem Singh Raghav (8060286) was SOS from this farm on 26 Mar 88 on permanent posting from Military Farm Mhow to Military Farm Sitapur vide DDGMF Army HQ letter No 35710/J/MF-1 dated 09 Feb 88. He earned leave is in credit of the individual. On medical leave from the period from Jun 85 to Aug 85, arrears of pay and allowances has been claimed and forwarded to AAO CDA CC Jabalpur for admitting in audit and passing the bill at the earliest for making the payment to the individual. Service alongwith pay fixation proforma under RPR-1986 in respect of the individual has already been forwarded to AAO CDA CC Jabalpur for fixation of pay under RPR-1986 in Manager Grade. Further action will be taken on receipt of service alongwith pay fixation proforma, pay fixed in Manager Grade.
- (b) It is also submitted that an advance of TA/DA Rs 3890.00 and one month of pay of Rs 620.00 has already been paid to the individual during the month of May 88 preceding on permanent posting to Military Farm Sitapur.

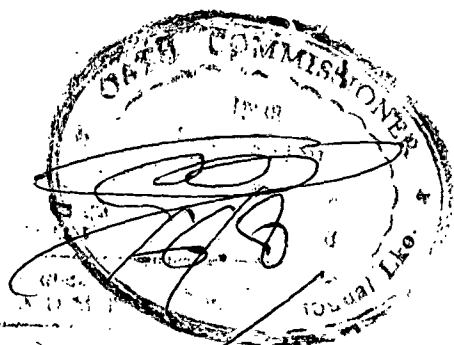
M. Rathee

(PS RATHEE)
MANAGER
OFFICER INCHARGE

Copy to :-

The DDGMF
Army Headquarters
Quartermaster General's Branch
DHQ PO NEW DELHI-110063

The Officer Incharge
Military Farm
Sitapur



C.T.C.
[Signature]
9/12
उपनिदेशक सैन्य कामें
मुख्यालय न. य. कान
Deputy Director Mil. Works
HQ Central Command

A104

208

NO EVENT ORDER ON CASUALTY REPORT

1. Rank, Name and No : Para Officer Gulab Chand (806986)
2. Unit : Military Para Bhopal
3. Proceeding from : Military Para Bhopal
4. Proceeding to : Military Para Sitapur
5. Date of occurrence : 27 Jun 90 (A/N)
6. Nature of occurrence : SOS on permanent transfer to Military Para Sitapur
7. Authority : DDMF Army HQ letter No 25711/Q/W.R.1 dated 28 Mar 90.
8. Date of Pay : Basic Pay Rs: 1800.00
DA Rs: 684.00
C.C.A Rs: 20.00
H.R.A Rs: 489.00
Rs: 2993.00
9. Deductions : GPF contribution Rs 50/- PM
AIC No 60996
CMLB Rs 33/- PM
Motor Cycle Ad Rs 50/- PM
Recovery Rs 500/-
Total advance Rs 3500/-
Recovered upto Jun 90 Rs 2700/-
Balance Rs 800/-
10. Date upto which and for which paid : Jun 90
11. Total casual leave availed : 8 (Eight) days only
12. Advance of TA/DA paid : Rs 6000/- (Six thousand only)
13. Date of next increment : 31.12.90

Submitted to the OLC WF Records, Delhi Cantt.

No L-3
MILITARY PARA
BHO PAL

26 JUN 90

Distribution

1. Para Officer Gulab Chand - As no event order
2. DDMF Army HQ (WG's Mr R A P uran New Delhi - 22)
3. DDMF HQ Central Command Lucknow - 2
4. OLC WF Sitapur
5. The AGO, (CDA CC) Jabalpur

(S P Jaitly)
Manager
Officer Incharge
Military Para Bhopal

C-T-C

उपनिदेशक सैन्य काम
मुख्यलय मध्य प्रदेश
Deputy Director Mil. Affairs
HQ Central Command



RESTRICTED

Telephone Mil 2261

Headquarters
Central Command
Lucknow-226002

660403/1/2/MT-2

17 May 90

The Oic
Military Farm SITAPURAPPEAL AGAINST POSTING : MANAGER PS RAGHAV
MILITARY FARM SITAPUR

1. Reference your No N-2 dated 2 Apr 90 to this HQ with copy endorsed to DDGMF Army HQ.

2. Appeal dated 2 Apr 90 in respect of Manager PS Raghav against his posting to MF Daghhai has been considered and rejected by the DDGMF Army HQ.

3. Manager PS Raghav will hand over charge of the farm to next senior and will be relieved on his permanent posting to MF Daghhai forthwith.

(Bil Datt)

Col

Deputy Director of Mil Farms

Copy to:-

The Dy Director General of Mil Farms

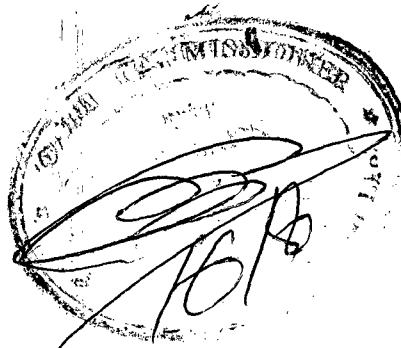
Army Headquarters (MT-1)

Quartermaster General's Branch

RK Puri New Delhi-110066 - for info w/r to his No 85560/Q/MT-1 dated 10 May 90

RESTRICTED

C.T.C

उपनिदेशक सैन्य फार्म
मुख्य सैन्य फार्म
Deputy Director Mil Farms
HQ Central Command

APD7

C-16

(60)

Tele : 606611/212

SP IMMEDIATE
 Lt Col Nideshalaya Sainya Farms(MF-1)
 Quartermaster General Shakha
 Sena Mukhyalaya
 Dy Dte Gen of Military Farms(MF-1)
 Quartermaster General's Branch
 Army Headquarters
 West Block III, RK Puram
 New Delhi-110066

17 May 90

A/32546/Q/MF-1

Deputy Director
 Military Farms

HQ Southern Command
 HQ Eastern Command
 HQ Western Command
 HQ Central Command
 HQ Northern Command

PEACE ESTABLISHMENT : MILITARY FARMS

Under the powers vested in the Deputy Director General of Military Farms vide the General note No. 1 in the PE No. VI/219/1977/1 (page 7 thereof) Military Farms, circulated under AG's Branch letter No. 13420/Org 1(Pers)(a) dated 06 Apr 78 with the approval of competent higher authority, the establishment of under mentioned Military Farms is being varied and the entitlements changed as indicated in the list below opposite each farm. It is confirmed that the total establishment sanctioned for each grade on All India basis is not exceeded :-

S.No.	Name of farm	Rank of OIC as per PE	Rank of OIC varied now
1.	YSF Manjri	Manager	Farms Officer
2.	MF Panagarh	Supervisor	Farms Officer
3.	MF Binaguri	Manager	Farms Officer
4.	MF Nankum	Manager	Farms Officer
5.	MF Maow	Manager	Farms Officer
6.	YSF Sitapur	Manager	Farms Officer
7.	MF Yol	Supervisor	Manager
8.	Br MF Dalhousie	Supervisor	Manager
9.	MF 80 Inf Bde (MF Naushera)	Supervisor	Manager
10.	MF Udhampur	Supervisor	Manager

Copy to :-

All concerned farms

CDA Southern/Eastern/Western/Central/Northern Commands

OIC MF Records

Lt Col Gen of Mil Farms

C.T.C

उपनिदेशक सैन्य फार्म
 मुख्यालय मध्य कमान
 Deputy Director Mily Farms
 HQ Central Command

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW
Misc. Application No. _____ of 1990.

in re: C.A. No. 208 of 1990(L)

Prem Singh Raghav

... Applicant

-versus-

Union of India and Others

... Respondents / ~~Applicants~~

APPLICATION FOR VACATION OF STAY.

The ~~applicant~~/Respondent beg to submit as under:-

1. That for the facts, reasons and circumstances stated in the accompanying counter affidavit it is expedient in the interest of justice that the stay granted in the aforesaid C.A No. 208 of 1990 (Prem Singh Raghav-vs- Union of India and Others) by this Hon'ble CAT may kindly be vacated.

P R A Y E R.

It is, therefore, most humbly prayed that this Hon'ble CAT may be pleased to vacate the stay granted in the Original Application No. 208 of 1990(L) (Prem Singh Raghav-vs- Union of India and Others) in the interest of justice.

(VK Chaudhary)

(VK CHAUDHARI)

Addl Standing Counsel for Central Government
(Counsel for the Respondent)

Lucknow,

Dated: 17 August, 1990.

*Recd Cpm
18/8*

*Filed today
17/8*