

(SEE RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORDER SHEET

Original Application No : _____
Misc. Petition No. _____
Contempt Petition No. 1 / 03 in O.A. 283/2001
Review Application No. _____

Applicant(s): Swapan Biswas

- Vs. -

Respondent(s): (1) Ashok Dutta (2) A.K. Khan (3) K.K. Jangid

Advocate for the Applicant(s): Mr. S. Ali, Ms. B. Seal, Miss Rakhi Khatkhat

Advocate for the Respondent(s): Mr. A. Deb Roy, Sr. C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
<p>This Contempt Petition has been filed by the counsel for the petitioner praying for giving direction to the respondents/contumacious to promote them as per order dated 18.4.2002 passed by this Hon'ble Tribunal in O.A. 283/2001.</p> <p>Laid before the Hon'ble Bench for further orders.</p> <p><u>For Section Officer</u></p> <p><u>Secs & Encls taken. Notice prepared and sent to D/3 for giving the respondents No 1 to 3 to Regd. A.D.</u></p> <p><u>3/1/03</u></p> <p><u>Sl No 1-1-1/28 dtd 3/2/03</u></p>	<p>27.01.2003</p> <p>27.2.2003</p>	<p>Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.</p> <p>The Hon'ble Mr. S.K. Hajra Administrative Member.</p> <p>Heard Mr. S. Ali, learned Sr. counsel for the applicant.</p> <p>Issue notice to show cause as to why the contempt proceeding shall not be initiated.</p> <p>List on 27.2.2003 for orders.</p> <p><u>For</u> Member</p> <p><u>Vice-Chairman</u></p> <p>Mr. A. Deb Roy, learned Sr. C.G.S.C. has entered appearance on behalf of the respondent No.3 and prayed for time to file reply. List on 28.3.2003 for orders. The other respondents may also file reply, if any, within the aforesaid period.</p> <p><u>Vice-Chairman</u></p>

28.3.2003

On the prayer of Mr. A. Deb Roy, further four weeks time is allowed to the respondents to file reply. List on 2.5.2003 for orders.

No. reply has been filed

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26.2.03.

S. B. S.
Member

Vice-Chairman

mb

2.5.2003

Heard Mr. S. Ali, learned Sr. counsel for the applicant and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents at length.

No. reply has been filed.

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27.3.03.

Put up the matter again on 23.6.2003 for orders. On that day, the respondent No.1 is ordered to appear in person.

31.3.03

Short cause reply submitted by the Contemner No. 2 & 3.

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mb

Vice-Chairman

22.4.03

Reply submitted by the Contemner No. 1.

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Order dtd. 21/5/03
Communicated to
Respondent No. 1.
by Speed Post.

615 D/No _____
Dtd _____

Notes of the Registry	Date	Orders of the Tribunal
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	23.6.2003	
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Heard Mr. S. Ali, learned Sr. counsel for the applicant and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents. Mr. Ashok Datt, Under Secretary, Govt. of India, Central Water Commission, Sewa Bhawan is also present in Court.

Perused the order passed by this Tribunal in O.A. 283/2001 dated 18.4.2002. By the aforesaid order certain directions were issued to the respondents for consideration the case of the applicants for thier promotion- al prospects.

The under Secretary, Govt. of India, Central Water Commission Sri Ashok Datt was present today and submitted an affidavit on behalf of the respondents narrating the facts.

Upon hearing learned counsel for the parties and on consideration of materials on record I donot find any scope for continuance of the contempt proceeding.

Mr. S. Ali, learned Sr. counsel appearing on behalf of the applicants stated that while passing the order dated 25.9.2002 the respondent No.1 acted in wilful disregard of the directions issued in the O.A. I have also perused the order which indicated that the case of the applicants were reviewed and considered, however, in the absence of vacancy none of the applicants could be promoted. The Tribunal in its order directed the respondents to consider the case of the applicants. It thereby directed the respondents to exercise its

Contd/-

Notes of the Registry

Date

Orders of the Tribunal

14.7.2007

Copy of the order has been sent to the D/Sec. for issuing the time to applicant as well as to Resp No 1. and to the D/C. GSC.
GAT.

[Signature]

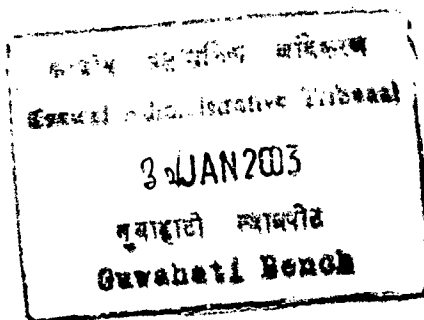
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discretion and consider the case of the applicant and take a decision. Such decision may not be correct in the eye of the Tribunal. If the exercise of the discretionary power is unlawful it may be subject to judicial review. But under no circumstances such actions can be labelled as contemptuous. To attract contempt the act alleged must bear the attribute of wilful defiance of the order. No such act is discernible warranting a contempt proceeding. The C.P. thus stands dismissed.

[Signature]
Vice-Chairman



Filed by:-
Rakhi Pathak
Advocate
03/01/2003

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GAUHATI BENCH
AT GUWAHATI.

Contempt Petition No. 1/2002.

IN THE MATTER OF :-

A contempt petition under section
12 of the Contempt of Courts Act,
1971.

-AND-

IN THE MATTER OF :-

Judgment and order dt. 18.4.2002
passed by the Hon'ble Central
Administrative Tribunal, Gauhati
Bench in O.A. No.283/2001.

-AND-

IN THE MATTER OF :-

1. Sri Swapan Biswas, Gauge
Reader, Site No.43, Central
Water Commission, P.O. SBC
Nagar, Belonia, Tripura (South).
2. Sri Rabindra Sinha, Gauge
Reader, Meghna Division No.II,
C.W.C., Nayapara, Dharmanagar,
Tripura (North).
3. Sri P.R. Ghosh Adhikari,
Gauge Reader, Meghna Division,
C.W.C., Link Road, Silchar-6,
Dist. Cachar, Assam.

Contd.....2

4. Subir Dhar, Gauge Reader,
Site No.54, C.W.C. P.O. -
Kailashahar, Tripura (North).

5. Fanindra Kumar Nath, Gauge
Reader, Site No.53, C.W.C.,
Natan Bazar, Tripura (North).

..... Petitioners.

-Versus-

1. Ashok Datt, Under Secretary,
Govt. of India, Central Water
Commission, Sewa Bhawan,
Room No.310(S), R.K. Puram, ,
New Delhi-66.

2. A.K. Khari, Superintending
Engineer, Meghna Circle, Central
Water Commission, 145 Panchayat
Road, Silchar-4, Cachar, Assam.

3. Kamal Kuwar Jangid,
Executive Engineer, Meghna
Division, Central Water Commission,
Link Road, Silchar-6, Assam.

.... Contemners

The humble petition of the petitioners
above-named,

MOST RESPECTFULLY SHEWETH:-

1. That your petitioners as applicants filed O.A.
No.283/2001 praying for giving direction to the respondents/
Contemners to promote them from the post of Gauge Reader to

Contd.....2

the post of Ferro Printers with pay scale of Rs.975/- to Rs.1540/- with effect from 30.8.86, ii) to redesignate the applicants/petitioners as Draftsman with effect from 9.11.87 with pay scale of Rs.1200/- to Rs.2040/- w.e.f. May, 1993, iii) to promote the applicants/petitioners from Draftsman Grade-III to Draftsman Grade-II w.e.f. May, 1996 as they have completed 12 years of service on that day with pay scale of Rs.4500/- to Rs.7000/-, iv) to pay arrears of pay w.e.f. 30.8.86 to 8.11.87 in the scale of Rs.1200/- to 2040/-, v) to pay the arrear pay scale of Rs.4500/- to Rs.7000/- w.e.f. May, 1996.

2. That the case was contested by the respondents and the Hon'ble Tribunal after hearing both sides in details was pleased to allow O.A. No.283/2001 with a direction to the respondents/contemners to consider the case of the petitioners/applicants for their promotion as indicated in judgement & order dated 18.4.2002 as per law within 3 months from the date of receipt of the order.

Annexure-1 is the photocopy of the judgment and order dated 18.4.2002 passed by the Hon'ble Tribunal in O.A. No.283/2001.

3. That after the judgement was delivered the copy of the same was sent to all the respondents/contemners and the petitioner No.1 Sri Swapan Biswas also submitted a representation before the Executive Engineer, Meghna Division C.W.C., Silchar, Assam praying for implementing the judgment and order dated 18.4.2002 on 30.8.2002. But uptil now no action was taken by the Contemners.

Annexure-2 is the photocopy of the representation dated 30.8.2002 submitted by the petitioner No.1 Sri Swapn Biswas before the Executive Engineer, Meghna Division, QWC, Link Road, Silchar-6, Assam Contemner No.3.

4. That it may be mentioned in this connection that the Hon'ble Tribunal was pleased to grant 3 months time to give all the reliefs granted by the Hon'ble Tribunal from the date of receipt of the judgment and order..

5. That the petitioners beg to state that instead of granting reliefs to the petitioners as per direction of the Hon'ble Tribunal in its judgment passed in O.A. No.283/2001 on 18.4.2002 the Under Secretary, Govt.of India, Contemner No.1 has written a letter dated 25.9.2002 stating that a proposal for promotion to Officers to the post of Ferro Printers in the feeder grades of Group-D staff was considered by a Review DPC held on 29.10.98 to fill up 7 vacancies for the period of 1986-1994 under 25% promotion quota provided under the then existing recruitment Rules for promotion of Group-D staff for the post of Ferro Printers. The authority responsible for implementation of CAT order in O.A. No.283/2001 has reviewed and reconsidered the promotion cases of the petitioners as per the provisions contained in the then Recruitment Rules of the erstwhile post of Ferro Printers. However, in the absence of vacancy none of the applicants/petitioners can be promoted.

In fact, the contemnners have deliberately did not promote the petitioners and other reliefs granted to them

by the Hon'ble Tribunal and judgment and direction has been completely refused. This has been done by the contemnors wilfully and deliberately thereby they have violated the clear and clean judgment passed by the Hon'ble Tribunal in favour of the petitioners/applicants and thereby they have disobeyed the judgment and order passed by the Hon'ble Tribunal and to implement the same deliberately and hence they are liable to be punished for committed contempt for the provisions of Section 12 of the Contempt of Courts Act.

Annexure-3 is the photocopy of the said letter dated 25.9.2002 contained in No.C-18014/1/2001-Estt.VIII/Estt.X/1442 issued by the Under Secretary, Govt.of India, CWC, New Delhi.

6. That the contemnors instead of implementing the judgment and direction given to them have deliberately ignored to implement the same and they have referred only something in their letter at Annexure-3 which are no way reliefs in connection with this case because they are to implement the judgment and order given by the Hon'ble Tribunal instead they have simply ignored and disobeyed the judgment and order dated 18.4.2002 passed by this Hon'ble Tribunal for which they are liable to be punished under section 12 of the Contempt of Courts Act.

7. That this petition is filed bonafide and for the ends of justice.

It is therefore, respectfully prayed
that the Hon'ble Tribunal may be pleased
to admit this contempt petition, issue
notice to the contemners to show cause
as to why they shall not be given
appropriate punishment under section 12
of the Contempt of Courts Act for wilful
and deliberate violation of the judgment
and order dated 18.4.2002 passed by
the Hon'ble Tribunal in O.A. No.283/2001.

And for this act of kindness, the petitioners as in duty
bound, shall ever pray.

Affidavit.....

DRAFT CHARGE

laid down before this Hon'ble Tribunal for willful non-compliance of Judgement and order dated 18-4-2002 passed in O.A. No. 283/2001. Therefore, the Hon'ble Tribunal would be pleased to impose penalty upon the alleged Contemners for non-compliance of the Judgement and order dated 18-4-2002 in O.A. No. 283/2001 and further be pleased to pass any other order/orders as deem fit and proper.

A F F I D A V I T

I, Shri Swapan Biswas, Gauge Reader
Son of Late Sachindra Biswas, aged about years,
resident of Silchar-48, C.W.C., P.O. - SBC Nagar,
Belonia, Tripura (South), do hereby solemnly affirm
and state as follows:-

1. That I am the petitioner No.1 of the
accompanying contempt petition and as such I am well
conversant with the facts and circumstances of the case.
I have been authorised to swear this affidavit on behalf
of the petitioners also.

2. That the statements made in this affidavit
and in paragraphs 1 (*in part*), 3, 6, 7 are true
to my knowledge and those made in paragraphs 2, 4, 5
being matter of records are true to my information derived
therefrom which I believe to be true and the rests are my
humble submissions made before this Hon'ble Tribunal. And I
sign this affidavit on the day of Dec'02.

Swapan Biswas

Deponent.

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.283 of 2001.

Date of Order : This the 18th Day of April, 2002.

THE HON'BLE MR JUSTICE D.N.CHOWDHURY, VICE CHAIRMAN.

THE HON'BLE MR.K.K.SHARMA, ADMINISTRATIVE MEMBER.

1. Sri Swapan Biswas, Gauge Reader
Site No.43, Central Water Commission
P.O:- SBC Nagar, Belonia
Tripura (South).
 2. Sri Rabindra Sinha, Gauge Reader
Meghna Sub-Division No.II, C.W.C.
Nayapara, Dharmanagar
Tripura (North).
 3. Sri P.R.Ghosh Adhikari, Gauge Reader
Meghna Division, C.W.C. Link Road
Silchar-6, Dist:- Cachar
Assam.
 4. Subir Dhar, Gauge Reader
Site No.54, C.W.C., P.O:- Kailashahar
Tripura (North).
 5. Fanindra Kumar Nath, Gauge Reader
Site No.53, C.W.C. Natun Bazar
Tripura (North).
- . . . Applicants.

By Sr. Advocate Mr.S.Ali & Ms. B.Seal.

- Versus -


1. The Union of India
Represented by the Secretary to the
Govt. of India, Ministry of Water Resource
Shram Shakti Bhawan
Rafi Marg, New Delhi-110 001.

The Chairman
Central Water Commission (NER)
R.K.Puram, Room No.705
New Delhi-66.

3. The Chief Engineer
Central Water Commission (NER)
Jamir Mansion, Nongshillong
shillong-14, Meghalaya.
4. Soperintending Engineer, Meghna Circle
Central Water Commission
145 Panchayat Road, Silchar-4
Cachar, Assam.

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Noted to be true copy
R. Pallab
03/04/02



W
5. The Executive Engineer, Meghna Division
Central Water Commission
Link Road, Silchar-6
Cachar, Assam.

. . . Respondents.

By Mr.A.Deb Roy, Sr.C.G.S.C.

O R D E R

CHOWDHURY J.(V.C.) :

The following are the reliefs sought for
in this application under section 19 of the
Administrative Tribunals Act, 1985 :-

"i) to promote the applicants from Gauge
Readers with effect from 30.8.86 to the
post of Ferro Printers with pay scale of
Rs.975-1540/-;

ii) to redesignate the applicants as
Draftman with effect from 9.11.87 with
pay scale of Rs.1200-2040/- with effect
from May, 1993, as they have completed 9
years of service in May, 1993.

iii) to promote the applicants from
Draftman Grade-III to Draftsman Grade-II
with effect from May, 1996 as they have
completed 12 years of service on that day
with pay scale of Rs.4500-7000/-;

iv) to pay arrears of pay with effect
from 30.8.86 to 8.11.87 in the scale of
pay Rs.1200-2040/-;

v) to pay the arrears pay scale of
Rs.4500-7000/- after setting aside the
impugned order;

vi) to grant adequate costs of the case;

vii) any other relief/reliefs as may deem
fit and proper by this Hon'ble Tribunal."

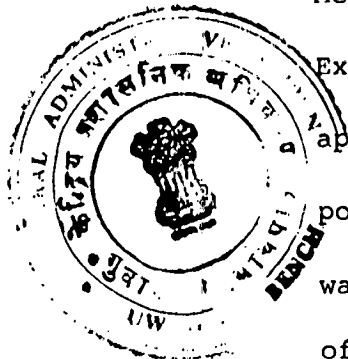
2. It is the second round of litigation. Five
applicants moved this Tribunal alongwith seven others
ventilating their grievances for non-consideration of
their case for promotion as well as to remove this
stagnation. The Tribunal directed the applicants to
submit representations to the competent authority with

Contd..3

a further direction on the respondents to dispose of the representation with a speaking order. By the impugned order dated 29.12.1999 the respondents turned down their representations. Hence this application.

3. In the applicants inter-alia pleaded that applicant Nos.1 & 2 are graduates in Arts. The applicant No.1 is also a member of Schedule Caste Community. The first applicant was initially appointed temporarily as Gauge Reader on 28.4.84 by the Executive Engineer, Agartala Division under J.R.C. Investigation Division, Central Water Commission, Agartala. The office of this Division was shifted to Silchar in 1996 and the same was designated as Meghna Division, CWC, Link Road, Silchar. The applicant No.2 was first appointed as Gauge Reader by the Executive Engineer, JRC Division, CWC, Shillong and was working as Gauge Reader in the office of the Executive Engineer, CWC, Shillong Division. He was transferred from Shillong to Meghna Division, CWC, Silchar under the control of the Executive Engineer, CWC at Silchar. The other applicant Nos.3, 4 & 5 were also appointed ^{as Gauge Reader} in 1984 and posted at Agartala Division. When the Agartala Division was shifted in 1996 they were ^{also} shifted along with their office. The applicants were given the pre-revised scale of pay of Rs.200-250/-. The services of the applicants was regularised after three years of continuous service and all the applicants are working as Gauge

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Reader till now. The applicants alongwith others approached this Tribunal for extension of benefit of revision of pay scale as was granted to the Gauge Reader of the CPWD with all consequential benefits of arrear in O.A. 40 of 1997. In the O.A. the respondents contested the case and submitted its written statement. In the written statement the respondents pleaded that the applicants were appointed as Gauge Reader in CWC in the pre-revised scale of pay of Rs.200-250/- strictly as per the recruitment rules in force. The pay of the applicants were fixed in the revised pay scale of Rs.775-1025/- w.e.f. 1.1.1990 as per the recommendation of the IV Pay Commission. It was further revised to pay scale of Rs.775-1025/- w.e.f. 1.4.95. They refuted the claim of the applicants in view of the fact that the award of re-categorisation/re-classification of Workcharged and Regular classified establishment of Central Public Works Department given on 31.1.88 as well as the judgment of the Hon'ble Delhi High Court in Writ Petition No.2792 of 1988 which was dismissed. The Tribunal by its decision dated 13.8.1999 asked the applicants to file representation within the prescribed time with a further direction on the respondents to consider the case of the applicants. The applicants accordingly submitted their representations and the respondents by the impugned order dated 29.12.1999 rejected the representations. The full text of the said order is reproduced below :-

The post of Gauge Reader (Group "D" post) in the scale pay of Rs.775-12-EB-14-1025/-merged in the scale of pay of Rs.775-12-871-14-955-15-1030-20-1150/- w.e.f.1.4.95 (and revised Rs.2610-60-3150-65-3540/- w.e.f.1.1.96) in the subordinate offices of CWC is filled on Direct Recruitment Basis through Employment Exchange. The basic Educational Qualification required for this post is 8th Standard pass whereas, the post of L.D.C. (Group "C" post) in the subordinate offices of Central Water Commission is filled through Regional Staff Selection Commission on All India Competition Basis and the basic qualification prescribed for the post of LDC is Matric with Typing speed @ 30 w.p.m. in English or 25 w.p.m. in Hindi. Thus there is no comparision between the post of Gauge Reader & L.D.C.

Recently the Ministry of Personnal, Public Grievances & Pension (DOP&T)'s vide O.M. dated 9.8.1999 has introduced the Assured Career Progression Scheme for all the Central Govt. Civilian Employees vide which two financial upgradations during the service career i.e. one on completion of 12 years and IInd on completion of 24 years service are to be considered. This is however, not applicable, where the Govt. servants have already got two prior promotions on on regular basis, during the prescribed tenure. Previously before revising the pay scale w.e.f.1.1.1996 the benefit of In situ promotion in the next higher scale was also available to the Gauge Readers of Central Water Commission.

Hence your claim for higher pay scale is not justified."

applicants are contended that they/are languishing in the same post for nineteen years and their case was not considered in the right perspective.

4. The respondents filed its written statement contesting the claim of the applicants. The respondents contended that as per the direction of the Hon'ble Tribuna Guwahati Bench given in O.A.40/97 the representations of the applicants were duly considered

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and then the same were rejected. In the written statement it was contended that the applicants are drawing pay in the new scale of Rs.2610-60-3150-65-3540/- w.e.f. 1.1.1996 as per the recommendation of the 5th Pay Commission. Further it was stated that the Group-"D" staff including Gauge Readers of CWC office who were having matriculation qualification from a recognised institution and having at least nine years of service were promoted against the 25% vacancies in the grade of Ferro Printers, a Group-"C" post in scale of ;.975-1560/- (pre-revised) depending upon their suitability etc. Seven number of Gauge Readers were promoted as Ferro Printers during the year 1993 to 1995 by CWC. Since then, the post of Ferro Printers ceased to exist and the same was redesignated as Draftman Grade-III by filling up 100% by Direct Recruitment. In view of the job requirement of the post of the Draftman Grade-III recruitment qualifications for that post was prescribed as (I) Matriculation or equivalent from a recognised University/Board and (ii) Diploma or Certificate in Draftmanship (Civil/Mechanical) from a recognised Institute/Board of not less than two years duration. These qualifications are much higher than those prescribed for Gauge Reader. Hence the question of promotion of the Gauge Readers to the post of Draftman Grade-III did not arise. However, the applicants are liable for two financial upgradations as per Rules under the Assured Career Progression.

5. From the materials on record it emerges that the applicants are working as Gauge Reader since 1984. They have claimed before the authority for the pay scale given to the L.D.C. The respondents did not exceed to the claim since the post of Gauge Reader cannot be equated to the post of L.D.C. which is a Grade-III post. The qualifications and methodology of recruitment are also different. The reasonings assigned by the respondents in not conferring the scale of L.D.C. as mentioned in the communication dated 29.12.1999 cannot, therefore, be faulted. In the representations the applicants^{had} also prayed for considering their case for promotion. The respondents confined its attention to the office memo dated 9.8.99 introducing the Assured Career Progression Scheme. The applicant pleaded that the Grade-IV staff including Gauge Readers of CWC Office, having matriculation qualification from a recognised institution and having at least ^{nine} 7 years of service were promoted against the 25% vacancies in the Grade of Ferro Printers, a Grade-III post in the scale of pay of Rs.975-1560/-. The applicants cited the examples of seven Nos. of Gauge Readers who were promoted as Ferro Printers during the years 1993 to 1995 by CWC. The respondents in the written statement did not dispute the fact that persons having matriculation qualification or having at least nine years of service were promoted against the 25% vacancies in the Grade of Ferro printers a Grade-III post. It however stated that since the post of Ferro Printers ceased to exist the same post was

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redesignated as Draftman Grade-III.

6. We have perused the office memorandum dated 30.5.1995. By the said office order the post of Ferro Printers were redesignated as Draftman Grade-III pursuant to the judgment and order dated 18.5.1994 delivered by the CAT Principal Bench in O.A.2114 of 1989. The redesignation came into force retrospectively w.e.f. 30.8.1986. The applicants completed nine years of service in the year 1993. The revision of pay scale of Draftman Grade-I, II & III in all Government of India Offices was allowed on the basis of Award of Board of Arbitration in the case of Central Public Works Department. The notification dated 19.10.1994 prescribed 7 years as minimum period of service for placement from the post carrying the pay scale of Rs.975-1540/- to Rs.1200-2040/-. The post of Ferro Printers was indicated in the Central Water Commission Ministerial (Group "C") posts Amendment Recruitment Rules, 1986. The said Rules also provided the rules of recruitment of Draftman Grade-II delineated as Gauge Readers, a non-Gazetted post. The post was a Non-Selection post filled up 100% by promotion from Draftman Grade-III. In Sl.No.11 of the Schedule mentioned the promotional avenue of Draftman Grade-III to Grade-II. In the column eligibility conditions were indicated that the post of Draftman Grade-II is to be filled by promotion from Draftman Grade-III having Diploma/Certificate of



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Draftmanship or equivalent from a recognised Institute/Board and having not less than three years of regular service in the Grade or Draftsman Grade-III not possessing Diploma/Certificate in Draftmanship or equivalent was also eligible for appearing the Departmental Examination after rendering three years of service in the Grade. Those who passed the examination would be eligible for promotion on completion of their six years of regular service in the Grade. The contention put forwarded by the respondents that Draftsman Grade-III under rules could not be appointed unless one passed the matriculation or equivalent examination from a recognised Institute/Board and also possess the Certificate or Diploma in Draftmanship (Civil/Mechanical) from a recognised Institute/Board. The column 11 against the post of Draftsman Grade-III the rule itself provided that a Ferro Printer with a minimum five years of regular service in the Grade subject to passing the Departmental Examination was also eligible to be appointed by transfer/promotion against 25% vacancies. The applicants attained its eligibility for consideration for promotion long before the redesignation of the post of Ferro Printers as Draftsman Grade-III vide order dated 30.5.1995, At any rate, the rules did not debar the respondents from considering their cases for the post of Ferro Printers as existed on or before 30.5.1995,

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redesignated as Draftsman Grade-III.

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7. In the set of circumstances, it cannot be said that the scope of promotion of these applicants as per the rules as was existed at the relevant time was totally closed. The respondents authority in rejecting the representations of the applicants failed to take the relevant consideration which effected in taking the appropriate decision on the matter. Considering all aspects of the matter, we are of the opinion that these applicants are entitled for consideration of their promotion as the Recruitment Rules from the post of Gauge Readers to the rank of Ferro Printers and thereafter to Draftsman, notwithstanding the Assured Progression Career Scheme as per the rules applicable when the posts were vacant.

In the face of the circumstances of the case, we, therefore, allow the application with a direction on the respondents to consider the case of the applicants for their promotion as indicated above as per law within three months from the date of receipt of the order.

The application accordingly stands allowed to the extent indicated above.

There shall, however, be no order as to

costs.
Certified to be true Copy
प्रमाणित प्रतिलिपि

Section Officer (J)

आधुनाय अधिकारी (न्यायिक शाखा)
Central Administrative Tribunal

केन्द्रीय प्रशासनिक अदालत
Guwahati Bench, Guwahati-8

गुवाहाटी बेंच, गुवाहाटी-8

Sd/ VICE CHAIRMAN
Sd/ MEMBER (A)

bb

To

The Executive Engineer,
Meghna Division, C.W.C. Link Road,
Silchar- 6, Assam.

Through the Proper Channel.

Sub :- Regarding for implementation of the order of
the Hon'ble CAT, Guwahati Bench failing which
may be proceed contempt to the judgment of
Court.

Respect Sir,

As regret, I would like to inform you that as per
order of the Hon'ble CAT, Guwahati Bench application No. 283 of 2001.
order dated 18/04/2002 it is being found that you are keeping silent
for taking necessary action against implementation of the Judgment
of the Hon'ble CAT for granting our promotion along with mentioned
pay scale and all other reliefs as per order of the Hon'ble CAT
till today.

For that reason, you are requested to take necessary
action for the implementation of our all reliefs as per judgment
of the Hon'ble CAT within 15(fifteen) days after receipts of this
letter failing which will be proceed for taking necessary action
against your deniedful activities of the order of the Court or the
judgment of the Hon'ble CAT where time-limit has already passed
away on 27/08/2002.

So, it is a serious offence and why not necessary
to take early action against you as to cause of action for initiating
contempt proceedings in this regards as per law.

So, I, therefore, pray and hope that you would be kind
enough to grant me by implementation of all mentioned reliefs as per
Judgment of the Hon'ble CAT as soon as possible with your kind
consideration and sympathically.

This for favour of your kind information and necessary
action please.

Yours faithfully,

Swapan Biswas.

(SWAPAN BISWAS)

Gauge Render, Meghna Site No. 43.
C.W.C. Belonia, South Tripura.

Dated :- 30/08/2002.

Place :- Belonia.

Copy to:-

1. The Superintending Engineer, Meghna Circle,
C.W.C. 145- Panchayet Road, Silchar-4,
Cachar, Assam, for your kind information and taking
necessary action please.
2. Self copy.
3. Advance Copy.

Attended To be true copy
R. Pallab
Advocate
03/01/2003

No.C-18014/1/2001-Estt.VIII/Estt.X/1442

Government of India
Central Water Commission

24

Room No. 310(S), Sewa Bhawan
R.K. Puram, New Delhi-66
Dated : 25th September, 2002

OFFICE MEMORANDUM

**Subject : Implementation of the CAT Order in OA No.283/2001
filed by Shri Swapan Biswas & Others Vs. Union of India.**

In the matter of OA No.283/2001 filed by Shri Swapan Biswas and others in Guwahati Bench of CAT, it has been directed that the applicants in the said OA may be considered for promotion to the (erstwhile) post of Ferro-Printer as per law. The competent authority responsible for the implementation of the CAT order has examined the case with the position emerging as under :-

A proposal for promotion of officers to the post of Ferro-Printer in the feeder grades of Group'D' staff was considered by a Review DPC held on 29.10.98 to fill up the 7 vacancies for the period 1986-1994 under 25% promotion quota provided under the then existing recruitment rules for promotion of Group'D' staff for the post of Ferro-Printer. The said DPC considered the integrated Seniority List of 24 persons. The names of applicants, S/Shri Swapan Biswas, Gauge Reader was at Sl.No.19 of the integrated Seniority List, Rabindra Sinha, Gauge Reader was at Sl.No.13, P.R. Ghosh, Gauge Reader was at Sl.No.15, Fanindra Kumar Nath, Gauge Reader was at Sl.No.16 of the said list. However, the name of Shri Subir Dhar was not included in the integrated Seniority List of 24 persons as he was too junior. The said DPC recommended 7 senior-most, eligible and willing persons for appointment to the post of Ferro-Printer exhausting all the vacancies under 25% quota meant for Group'D' staff. Further, vide O.M. No.C-18013/4/89-Estt.X dated 30.5.1995, the post of Ferro-Printer was declared as D'man Grade-III with retrospective effect from 30.8.1986. With the declaration of the post of Ferro-Printer as D'man Grade-III, the post of Ferro-Printer ceased to exist leaving no scope for any quota for Group'D' staff for promotion to the post of Ferro-Printer from 30.5.1995. It is, thus, seen that S/Shri Swapan Biswas, Rabindra Sinha, P.R. Ghosh, Fanindra Kumar Nath applicants and Gauge Readers except Shri Subir Dhar, who was too junior to be included in the integrated Seniority List, have already been considered but they could not

P.T.O.

Attached to be here copy
R. Pathak
Advocate
03/01/2003

be promoted in the absence of vacancies under 25% quota. Therefore, no vacancy exists for promotion from Group 'D' staff to Ferro-Printer for the period 1986 to 30.5.1995 under 25% promotion quota provided under the Recruitment Rules of the post of Ferro-Printer as existed upto 30.5.1995.

The authority responsible for implementation of the CAT Order in OA No.283/01 has reviewed and reconsidered the promotion cases of the applicants as per the provisions contained in the then Recruitment Rules to the erstwhile post of Ferro-Printer. However, in the absence of vacancy none of the applicants can be promoted.

The order of the Hon'ble CAT in OA No.283/01 is thus deemed to have been implemented.

(ASHOK DATTA)
Under Secretary
Tel.No.6103025

- To
- ✓ 1. Sh. Swapan Biswas, Gauge Reader, Site No.43, CWC, PO-SBC Nagar, Belonia, Tripura(South).
 2. Sh. Rabindra Sinha, Gauge Reader, Meghna Sub-Division No.II, CWC, Nayapara, Dharamanagar, Tripura (North).
 3. Sh. P.R. Ghosh, Gauge Reader, Meghna Division, CWC, Link Road, Distt. Cachar, Silchar-6, Assam.
 4. Sh. Fanindra Kumar Nath, Gauge Reader, Site No.53, CWC, Nutan Bazar, Tripura(North).
 5. Sh. Subir Dhar, Gauge Reader, Site No.54, CWC, PO-Kailashahar, Tripura(North).

Copy forwarded to the following with the request that a copy of this OM may be delivered to all applicants and their acknowledgement may be obtained and forwarded to this Office.

1. The Superintending Engineer, Meghna Circle, Central Water Commission, "Furkan Mansion," Panchayat Road, Silchar-788004.
2. The Superintending Engineer, Planning Circle, Central Water Commission, 1065-68, Type-V, NH IV, Faridabad-121001.
3. The Executive Engineer, Meghna Division, Central Water Commission, Link Road, Silchar-788006.

Copy also forwarded to the Under Secretary(IV), Central Water Commission, Sewa Bhawan, R.K.Puram, New Delhi for information.

21
Filed in Court on 28/3/2003
28/3
Filed by
28/3/03
(A. DEBROY)
Sr. C. C. S. C.
C. A. T. Guwahati Bench
28

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

C.P. No.1 OF 2003
IN O.A. No.283 OF 2001

Shri Swapan Biswas & Others

Petitioners

Vs

Shri A.K. Kharya & Others

Alleged contemnors
Respondents

I, A.K. Kharya, Superintending Engineer, HOC, CWC, Guwahati holding additional charge of Meghna Circle, Central Water Commission, "Furkan Mansion", Panchayat Road, Silchar, Cachar, Assam w.e.f. 18.10.2002 alleged contemnor No.2 do hereby solemnly affirm and declare as under:

1. That the deponent is fully conversant with the facts of the O.A. No.283/2001.
2. That the deponent has gone through the contents of the contempt petition and has understood the same.
3. That the deponent has the highest regard for the majesty and authority of the Hon'ble Tribunal and he respectfully submits as follows:
 - a. That he is not the decision taking officer, but mere a channel. In fact the implementation of directions of the Hon'ble Central Administrative Tribunal is beyond his powers.
 - b. That he was not the office bearer on the date of the judgement i.e. 18.04.2002. On 18.10.2002 he was given additional charge of the Meghna Circle, which is a short gap adjustment.

In view of the submissions made herein above, the alleged contemnor respectfully prays that, the present contempt proceedings be dismissed by discharging the notice.

The statements made above are true to my information and knowledge and I have not suppressed any fact.

And I sign this affidavit on this Monday the 24.03.2003.

Identified by

Advocate

Chale -

DEPONENT

Solemnly affirmed and declared by the deponent Shri A.K. Kharya, being identified by A. Deb Roy before me on this 21st day of March 2003.

A.K. Choudhury
Advocate

Arunesh Deb Ray, B.A. (Distn) LLB

Advocate, Gauhati High Court
Central Administrative Tribunal
Sr. Central Govt. Standing Counsel
Guwahati Bench, Guwahati - 781 005

Residence

Hengrabari Housing Colony
L.I.G. - 3 (Top floor)
Guwahati - 781 006
☎ : 265334(R), 221358 (C)

Ref. No.....

Date.....

To,

Shri *R. Pathak*
Advocate.

Sub: Copy to ~~written statement in O.A / M.P.~~ *reply in C.P. 1/2003*
(in O.A. 283/2001)

Sir,

Please find herewith a copy ^{*of reply*} which is being filed today.

Please acknowledge receipt.

Yours Sincerely,

Ary 28/3/03
(A. Deb Roy)
Sr.C.G.S.C.

C.A.T., Guwahati Bench.

Undertake to serve copy to Shri *R. Pathak, Adv.*

Ary 28/3/03
(A. Deb Roy)
Sr.C.G.S.C.

C.A.T., Guwahati Bench.

(22)

Central IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL

31 MAR 2003 GUWAHATI BENCH

GUWAHATI BENCH C. P. No.1 OF 2003
IN O. A. No. 283 OF 2001

Filed by
28/3/03
28/3

28/3/03
(A. DEB ROY)
Sr. C. J.
C. A. T. Guwahati Bench

Shri Swapan Biswas & Others

Petitioners

Vs

Shri Kamal Kumar Jangid & others

Alleged contemnors
Respondents

I, Kamal Kumar Jangid, Executive Engineer, North Eastern Investigation Division No.I, Central Water Commission, Jalbikashpur, Silchar-9 holding the additional charge of Meghna Division, Central Water Commission, Link road, Silchar-6, Cachar, Assam for the period from 06-06-2002 to 11-11-2002, alleged contemnor No.3, do hereby solemnly affirm and declare as under:

1. That the deponent is fully conversant with the facts of the O.A.No.283/2001.
2. That the deponent has gone through the contents of the contempt petition and has understood the same.
3. That the deponent has the highest regard for the majesty and authority of the Hon'ble Tribunal and he respectfully submits as follows:
 - i) That he is not the decision taking officer, but mere a channel. In fact the implementation of directions of the Hon'ble Central Administrative Tribunal is beyond his powers.
 - ii) That he was not the office bearer on the date of the judgement i.e 18-04-02. On 06-06-02 he was given additional charge of the Meghna Division which was a short gap adjustment. The same was relinquished on 12-11-02.

In view of the submissions made herein above, the alleged contemnor respectfully prays that, the present contempt proceedings be dismissed by discharging the notice.

The statements made above are true to my information and knowledge and I have not suppressed any fact.

And I sign this affidavit on this, the Twenty first day of March, 2003.

Identified by

Advocate *[Signature]* 01/03/03

[Signature: Kamal Jangid]
DEPONENT

Solemnly affirmed and declared by the deponent Shri Kamal Kumar Jangid, being identified by *[Signature: A. Deb Roy]* before me on this Twenty first day of March, 2003.

[Signature: A. K. Choudhary]
Advocate

Arunesh Deb Ray, B.A. (Distn) LLB

Advocate, Gauhati High Court
Central Administrative Tribunal
Sr. Central Govt. Standing Counsel
Guwahati Bench, Guwahati - 781 005

Residence

Hengrabari Housing Colony
L.I.G. - 3 (Top floor)
Guwahati - 781 006
☎ : 265334(R), 221358 (C)

29

Ref. No.....

Date.....

To,

Shri R. Palthak
Advocate.


Sub: Copy of ~~written statement in O.A / M.P.~~ reply in C.P. 1/2003
(in O.A - 283/2001)

Sir,

9 reply
Please find herewith a copy which is being filed today.


Please acknowledge receipt.

Yours Sincerely,

 28/3/03
(A. Deb Roy)
Sr.C.G.S.C.

C.A.T., Guwahati Bench.

Undertake to serve copy to Shri R. Palthak, Adv.

 28/3/03
(A. Deb Roy)
Sr.C.G.S.C.
C.A.T., Guwahati Bench.

Residence

Handwritten address and details within the Residence box.

Handwritten text at the top of the right-hand box.

Handwritten address and details within the right-hand box.

For

Handwritten text below 'For'.

Sub: Copy of ...

Sir,

Main body of the letter text.

Yours sincerely,

(A. Deb Roy)

Sd/- C.S.C.

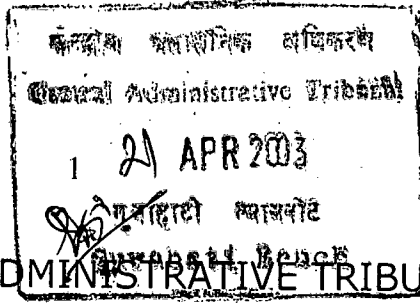
C. A. T. Choudhary Bhatia

(A. Deb Roy)

Sd/- C.S.C.

C. A. T. Choudhary Bhatia

- 23 -



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Filed by
17/4/03
(A. DEB ROY)
Sr. C. C.
A. A. T., Guwahati Bench

CONTEMPT PETITION No:- 1/2003
In O.A. No.283 of 2001

Shri Swapan Biswas & Others ... Petitioners

Versus

Shri Ashok Datt & Others ... Alleged contemnors
Respondents

I, Ashok Datt, Under Secretary, Central Water Commission, Room No.310(South), Sewa Bhawan, R.K. Puram, New Delhi-110066 alleged contemnor No.1 and on behalf of other alleged contemnors, do hereby solemnly affirm and declare as under :-

1. That the deponent is fully conversant with facts of the O.A. No.283/2001.
2. That the deponent has gone through the contents of the Contempt Petition and has understood the same.
3. That the deponent as well as the Union of India has the highest regard for the Majesty and authority of the Hon'ble Tribunal and he respectfully submits that there is no violation much less than the willful and intentional disobedience and violation to the direction and order passed on 18.4.2002 by this Hon'ble Tribunal in the

O.A. No.283/2001. A perusal of the said judgement. order would show that the direction passed by the Hon'ble Tribunal is "to consider the case of applicants for their promotion as per law".

4. That the deponent begs to state that in compliance of the judgement and order dated 18.4.2002 the respondent considered and examined the promotion case of the applicants.
5. That the deponent respectfully submits that as per the Central Water Commission (Non-Ministerial Group'C' Posts) Recruitment Rules, 1986 (Annexure-I), amended from time to time, there existed the post of Ferro-Printer. 75% of the posts were required to be filled by Direct Recruitment and 25% by promotion from Group'D' Staff (including Gauge Readers) failing which by Direct Recruitment. On the basis of the total number of vacancies for the period from 1986 to 1994 seven vacancies worked out under 25% of the promotion quota to be filled from the feeder grade of Group'D' staff (including Gauge Readers), which were finally filled up by Review DPC held on 29.10.1998. As a result of the implementation of the CAT judgement in O.A. No.2114/89 (Annexure-II), the post of Ferro-Printer was declared as Draftsman Grade-III with a retrospective effect from 30.8.1986 vide this

Commission's O.M. No.C-18013/4/89-Estt.X, dated 30.5.1995 (Annexure-III). Thus the post of Ferro-Printer ceased to exist on 30.5.1995. Therefore, the claim, if any, of the applicants in O.A. No.283/2001. being Group'D' staff also ceased to exist on 30.5.1995.

6. Now we come to the point of relief sought by the following members of Group'D' staff (Gauge Reader applicants relating to the Hon'ble CAT judgement in O.A. No.283/2001) :-

Sl.No.	Name	Designation
1.	Shri Swapan Biswas	Gauge Reader
2.	Shri Rabindra Sinha	Gauge Reader
3.	Shri P.R. Ghosh	Gauge Reader
4.	Shri Fanindra Kumar Nath	Gauge Reader
5.	Shri Subir Dhar	Gauge Reader

The first four persons, in fact, were considered for promotion to the post of Ferro-Printer by the Review DPC held on 29.10.1998 as would be seen from the Integrated Seniority List (Annexure-IV) considered by the aforesaid DPC. The names of applicants, S/Shri Swapan Biswas, Gauge Reader was at Sl.No.19 of the Integrated Seniority List; Rabindra Sinha, Gauge Reader was at Sl.No.13; P.R. Ghosh, Gauge Reader was at Sl.No.15 and Fanindra Kumar Nath, Gauge

Reader was at Sl.No.16 of the said list. However, the name of Shri Subir Dhar, Gauge Reader was not included in the Integrated Seniority List of 24 persons as he was too junior.

7. It is thus seen that the applicants have duly been considered for promotion. As there were only 7 vacancies under 25% fixed quota for Group'D' staff including Gauge Readers on the basis of total number of vacancies created for the period from 1986 to 1994, only 7 senior-most eligible and willing persons, out of Integrated Seniority List of 24 persons, could be promoted to the post of Ferro-Printer by the Review DPC held on 29.10.1998 covering the persons upto Sl.No.10 of the Integrated Seniority List as the vacancies were limited to 7 under 25% fixed quota. There was no possibility of covering the applicants at Sl.No.13, 15, 16 and 19 of the Integrated Seniority List. The applicant Shri Subir Dhar could not even find a place in the Integrated Seniority List as he was too junior. The post of Ferro-Printer ceased to exist w.e.f. 30.5.1995 as a result of the implementation of the Hon'ble CAT judgement in O.A. No.2114/89 declaring the post of Ferro-Printer as Draftsman Grade-III with retrospective effect from 30.8.1986, vide this Commission's O.M. No.C-18013/4/89-Estt.X, dated

30.5.1995 (Annexure-III). The mode of recruitment under the provisions of notified Recruitment Rules (Annexure-I) for the post of Draftsman Grade-III provides for the filling up the said post 95% by Direct Recruitment and 5% by transfer not providing any quota for Group 'D' staff including the Gauge Readers beyond 30.5.1995. The Recruitment Rules for Draftsman Grade-III (Annexure-V) notified last in 2002 provide only by Direct Recruitment.

8. The Hon'ble CAT in its Order dated 18.4.2002 (Annexure-I of the Contempt Petition No.1/2003) in O.A. No.283/2001 directed that the applicants may be considered for promotion to the post of Ferro-Printer as per law.
9. As a matter of the implementation of the order of the Hon'ble Tribunal in O.A. No.283/2001 the authority competent to consider the promotion cases in this case, examined and reviewed the already considered cases. However, in the absence of any additional vacancies during the specified period under promotion quota, no scope was available for the competent authority to promote the applicants to the erstwhile promotion post of Ferro-Printer. The fact of consideration of the applicants was conveyed to all the applicants in O.A. No.283/2001 by a speaking O.M.

No.C-18014/1/2001-Estt.VIII/Estt.X dated 25.9.2002
(Annexure-3 of Contempt Petition No.1/2003).

REPLY ON MERIT

Para-1 : In reply to Para-I it is stated that the applicants (except the applicant Shri Subir Dhar who did not come under the zone of consideration being very junior) had already been considered for promotion to the erstwhile post of Ferro-Printer by the Review DPC held on 29.10.1998. As there were only seven vacancies for the period 1986-1994 under 25% fixed quota for Group'D' staff including Gauge Reader only 7 senior-most eligible and willing persons out of integrated seniority list of 24 persons could be promoted to the erstwhile post of Ferro-Printer by the Review DPC covering the persons upto Sl.No.10 of the integrated seniority list. The applicants who were at Sl.No.13, 15, 16 & 19 of the integrated seniority list could not be promoted due to the limited and fixed number of only 7 vacancies under 25% quota. As per the direction of the Hon'ble CAT in O.A. No.283/2001 the Appointing Authority again reviewed and reconsidered the applicants for promotion to the post of Ferro-Printer as per law

but they could not be promoted to the post of Ferro-Printer due to non-availability of additional posts under the promotion quota. The applicants have been informed vide O.M. No.C-18014/1/2001-Estt.VIII/ Estt.X dated 25.9.2002 (Annexure-3 of the Contempt Petition No.1/2003) issued by the Respondent No.1, explaining therein the facts of reconsideration for promotion to the erstwhile post of Ferro-Printer.

Para-2 : In reply to Para-2 of the Contempt Petition it is stated that the applicants were considered for promotion to the erstwhile post of Ferro-Printer as directed by the Hon'ble CAT in O.A. No.283/2001 and the outcome was conveyed to the applicants vide O.M. No.C-18014/1/2001-Estt.VIII/ Estt.X dated 25.9.2002 (Annexure-3 of the Contempt Petition No.1/2003) issued by the Respondent No.1.

Para-3 : In reply to Para-3, it is stated that it is wrong and denied that no action was taken on the representation submitted by Shri Swapan Biswas. As stated above the applicants were considered for promotion to the erstwhile post of Ferro-Printer and while intimating to the applicants the outcome of such consideration vide O.M. No.C-

18014/1/2001-Estt.VIII/ Estt.X dated 25.9.2002 (Annexure-3 of the Contempt Petition No.1/2003) issued by the Respondent No.1, the representation submitted by the Petitioner No.1 of the Contempt Petition was also taken into consideration.

Para-4 : In reply to Para-4, it is stated that all the applicants have already been considered for promotion to the post of Ferro-Printer prior to the expiry of three months as per directions of Hon'ble CAT in O.A. No.283/2001.

Para-5 : The averment made by the applicants is denied to the extent that the applicants have not been considered for promotion. As per direction of Hon'ble Tribunal in O.A. No.283/2001 the case of applicants have been considered but due to non-availability of vacancies under the 25% quota the applicants could not be promoted. It is submitted in this connection, that the Recruitment Rules are statutory in nature providing 25% fixed quota for the category to which the applicants belong. The reconsideration yielded no result in absence of even a single vacancy hence no contempt has been committed in the implementation of the order of the Hon'ble CAT.

Para-6 : The respondent acted upon the direction of the Hon'ble CAT in O.A. No.283/2001 and as per the direction of the Hon'ble CAT the applicants were considered for promotion to the erstwhile post of Ferro-Printer and the position was intimated to the applicants vide O.M. No.C-18014/1/2001-Estt.VIII/Estt.X dated 25.9.2002 (Annexure-3 of the Contempt Petition No.1/2003) issued by the Respondent No.1, hence no contempt has been made.

Para-7 : In reply to Para-7 of the Contempt Petition, it is stated that the direction of Hon'ble CAT have been complied with and after reconsidering the matter, the position has been intimated to the applicants. Therefore, the Contempt Petition No.1/2003 is liable to be dismissed with costs.

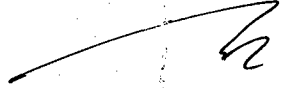
In view of the submissions made herein above, the alleged contemnor respectfully prays that, the present contempt proceedings be dismissed by discharging the notice.

The statements made above are true to my information and knowledge and I have not suppressed any fact.

And I sign this affidavit on this _____ day of _____ 2003.

Identified by

Advocate


DEPONENT
(ASHOK DATT)
 Under Secretary
 Central Water Commission
 New Delhi

Solemnly affirmed and declared by the deponent
 Shri Ashok Datt, being identified by _____ before
 me on this _____ day of _____ 2003.

Alexander
 Agent, D.S.A.
 H.C.D-II DTE, C.W.C.
 Room No. 627, Sewa Bhavan,
 R. C. Puram, New Delhi-110066



D.S.A. C.W.C.

भारत का राजपत्र The Gazette of India

प्रतिष्ठापित द्वारा प्रकाशित
 PUBLISHED BY AUTHORITY

पृ. 35] नई दिल्ली, शनिवार, अगस्त 30, 1986/भाद्र 8, 1908
 No. 35] NEW DELHI, SATURDAY, AUGUST 30, 1986/BHADRA 8, 1908

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
 रखा जा सके
 Separate Paging is given to this Part in order that it may be filed as a
 separate compilation

भाग II—खण्ड 3—उप-खण्ड (I) PART II—Section 3—Sub-section (I)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार की मंत्रालयों और (संघ राज्य क्षेत्र प्रसादों को छोड़कर)
 केंद्रीय अधिकारियों द्वारा विधि की अमर्त्य बनाए और जारी किए गए साधारण नियम
 जिनमें साधारण प्रकार के आदेश, उपनिर्देश आदि सम्मिलित हैं।
 General Statutory Rules (including Orders, By-laws etc. of a general character) issued
 by the Ministries of the Government of India (other than the Ministry of Defence) and
 the Central Authorities (other than the Administrations of Union Territories)

गृह मंत्रालय

नई दिल्ली, 28 जुलाई, 1986

सा.का.नि. 850—राष्ट्रपति, संविधान के अनुच्छेद 309 के प्रावधानों द्वारा प्रदत्त शक्तों का प्रयोग करते हुए, पुलिस गवेषणा और विकास भूटे
 (उप निदेशक) भर्ती नियम, 1973 में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, प्रस्तावित—
 1. (1) इन नियमों का नाम पुलिस गवेषणा और विकास भूटे (उप निदेशक) भर्ती (नवीकरण) नियम, 1986 है।
 (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
 2. पुलिस गवेषणा और विकास भूटे (उप निदेशक) भर्ती नियम, 1973 में विद्यमान अनुसूची के अंतर्गत निम्नलिखित अनुसूची रखी जाएगी,
 अर्थात्—

पद का नाम	पदों की संख्या	वर्गीकरण	वर्तमान	अन्य पद प्रयोज्य	सर्वोच्च भर्ती किए जाने वाले व्यक्तियों के लिए प्रावधान	सेवा में जोड़े गए पदों का कार्यवाही केंद्रीय सचिवता सेवा (पेंशन) नियम 1972 के नियम 30 के अंतर्गत अनुज्ञेय है या नहीं
1	2	3	4	5	6	7
उपनिदेशक	3*	साधारण केंद्रीय सेवा, समूह 'क' राज्यावधि	1. (1) भारतीय पुलिस सेवा के अधिकारियों के लिए	अन्य	मान्य नहीं होगा	मान्य नहीं होता

1 2 3 4 5 6

परिचय
दिया जा
सकता है।

को जा सकती है।
टिप्पण : आयुसीमा अवधारित
करने के लिए निर्णायक तारीख,
भारत के अध्यापियों से
(उनसे भिन्न जो प्रवर्तमान की
निकीबार दीप तथा सलाही
में है) भाषितन प्राप्त करने के
लिए निमत की गई अन्तिम
तारीख होगी।
टिप्पण : रोजगार कार्यालय के
माध्यम से की जाने वाली
निर्वाह की वृत्त में आयुसीमा
अवधारित करने के लिए
निर्णायक तारीख वृत्त अन्तिम,
तारीख होगी जिस तक रोजगार
कार्यालय से नाम भेजने के लिए
कहा गया है।

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- (1) किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड से
पदोन्नति या समतुल्य।
(2) किसी मान्यता प्राप्त संस्थान से नवप्रवर्तकी
में 2 वर्ष से अल्पतम अवधि का प्रमाणपत्र होना
चाहिए।

नहीं

ये वर्ग

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- (1) 95 प्रतिशत, सीधी भर्ती द्वारा
(2) 5 प्रतिशत, केरोमूद्रक में से
स्थानांतरण,
विभागीय परीक्षा उत्तीर्ण करने के
अधीन रहते हुए, ऐसा केरोमूद्रक, जिसने
उक्त क्षेत्रों में कम से कम 5 वर्ष नियमित
सेवा की है।

- (सीधे भर्ती किए जाने वाले व्यक्तियों की पुष्टि
के संबंध में विचार करने के लिए)
समूह "ग" विभागीय प्रोत्ति समिति :
1. निदेशक (प्रशासन)/मन्त्रि, केन्द्रीय जल
आयोग-अवकाश;
2. निदेशक, केन्द्रीय जल आयोग (जिसे
सहायित किया जाएगा)—सदस्य;
3. अपर सचिव, केन्द्रीय जल आयोग-सदस्य।

A. G. Alexander
President, D.S.A.
H.C.D-II/DTE, C.W.C.
Room No. 627, Sewa Bhavan,
R. K. Puram, New Delhi-110056.

MINISTRY OF WATER RESOURCES

New Delhi, the 6th August, 1986

G.S.R. 682.—In exercise of the powers conferred by the
proviso to article 309 of the Constitution, the President
hereby makes the following rules further to amend the
Central Water Commission, Non-Ministerial (Group C)
posts (Amendment) Recruitment Rules, 1982, namely:—

1. (1) These rules may be called the Central Water Com-
mission Ministerial (Group 'C') posts Amendment) Recruit-
ment Rules, 1986.

(2) They shall come into force on the date of their publi-
cation in the Official Gazette.

2. In the Schedule to Central Water Commission, Non-
Ministerial (Group 'C') posts Recruitment Rules, 1982, the

[सं. 72/86-एफ. 13/4/84-एफ. -I]
वार.सी. नार्म, डेस्क अधिकारी

Items 6, 19, 23 and 24, relating to the posts of Senior
Draftsman/Estimator, Junior Draftsman, Perro-Printer, and
Tracer, respectively, and the entries relating thereto, the
following items and entries thereof, shall be substituted, na-
mely:—

SCHEDULE

Foots Note.—The Central Water Commission, Non-
Ministerial (Group C) posts Recruitment Rules, 1982
were published in the Gazette of India, Part
II, Section 3(i) dated the 4th September, 1982, un-
der GSR Number 738/79-Ext. I dated 6th August, 1982
Notification number 39/8/79-Ext. I dated 6th August, 1982
and were amended vide Ministry of Irrigation, de-
Notification number 41/84-39/10/82-Ext. I dated the
8th June, 1984 published in the Gazette of India
under the GSR Number 668 on 30th June, 1984
aj page number 1381.

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Part II - Rule 3(1)

भारत का राजपत्र: मार्च 30, 1980/गजट: 8, 1980

A16

SCHEDULE

Name of post	No. of posts	Classification	Scale of pay	Whether Selection post or Non-Selection post	Age limit for direct recruits	Whether benefit of added years of Service admissible under rule 30 of the CCS (Pension) Rules, 1972.	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	6(a)	7
16. Draftsman Grade I	279* (1986)	General Central Service Group 'C' Non-Gazetted Non-Ministerial	Rs. 425-15-500-EB-15-560-20-700 and Rs. 330-10-380-EB-12-500-EB-15-560.	Non-Selection.	Not applicable.	No	Not applicable.
*subject to variation dependent on work load.							
(Two pay-scales as per recommendation of 3rd Pay Commission).							
Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotion.	Period of probation, if any.	Method of recruitment, by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods.	Whether In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made.	If a Departmental Promotion Committee exists, what is its composition.		Circumstances in which Union Public Service Commission is to be consulted in making recruitment.	
8	9	10	11	12		13	
Not applicable	Not applicable.	By promotion 100%	Draftsman Grade II who have rendered 8 years of regular service in that Grade.	Group 'C' Departmental Promotion Committee consisting of:- 1. Director (Adm.)/Secretary, Central Water Commission - Chairman. 2. Director, Central Water Commission (to be co-opted) - Member. 3. Under Secretary (C), Central Water Commission - Member.		Not applicable.	
1	2	3	4	5	6	6(a)	7
19. Draftsman Grade II.	323* (1986)	General Central Service Group 'C' Non-Gazetted Non-Ministerial	Rs. 330-10-380-EB-12-500-EB-15-560.	Non-Selection.	18 to 25 years. (Relaxable upto 35 years in the case of Government servant in accordance with the instructions issued by the Central Government).	No.	Essential: (i) Matriculation or equivalent from a recognised University/Board. (ii) Diploma/National Trade Certificate in Draftsmanship (Civil/Mech.) from a recognised Institute.
*subject to variation dependent on work load.							
Note 1: The crucial date for determining the age limit shall be the closing date for receipt							

Note 2: In case of appointment made through the Employment Exchange the crucial date for determining the age limit shall be the last date upto which the Employment Exchange is asked to submit the names.

No.	2 years (for direct recruits only)	100% by promotion from Draftsman Grade III failing which by direct recruitment.	Draftsman Grade III having Diploma/Certificate of Draftsmanship or equivalent from a recognised Institute/Board and should have rendered not less than 3 years of regular service in the Grade OR Draftsman Grade III not possessing Diploma/Certificate in Draftsmanship or equivalent shall be eligible for appearing in Departmental Examination after rendering 3 years service in the Grade. Those who pass the examination will be eligible for promotion on completion of their six years of regular service in the Grade.	Promotion Committee consisting of :— 1. Director (Adm.)/Secretary, Central Water Commission—Chairman. 2. Director, Central Water Commission (to be co-opted)—Member. 3. Under Secretary, Central Water Commission—Member.	Not applicable.		
21. Ferro Printers	37* (1986)	General Central Services Group 'C' Non-Gazetted Non-Ministerial	Rs.260-8-300-EB-8-340-10-380-EP-10-430.	Non-Selection.	18-25 years. (Relaxable upto 35 years in the case of Government servants in accordance with the instructions issued by the Central Government) Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from the candidates in India (other than those in the Andaman and Nicobar Islands and Lakshadweep).	No	Essential : 1. Matriculation or equivalent from a recognised University/Board. 2. Two years experience of operating ferro machines. Preferable Person qualified from recognised Institute

*subject to variation dependent on workload.

No.	2 years.	(i) By direct recruitment—95% (ii) By transfer from Ferro Printer—5%.	Ferro Printer with a minimum of 5 year's regular service in the grade subject to passing of the Departmental Examination.	Group 'C' Departmental Promotion Committee (for considering confirmation of direct recruit) 1. Director (Adm.)/Secretary, Central Water Commission—Chairman. 2. Director, Central Water Commission (to be co-opted)—Member. 3. Under Secretary, Central Water Commission—Member.	Not applicable
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(No. 72/86/ F.13/14/84-Estt.)
R. C. SHARMA, Desk Officer

नई दिल्ली, 14 अगस्त, 1986

भा. का. नि. 683—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक प्राप प्रवर्तन विधियों का प्रयोग करते हुए केन्द्रीय मृदा और सामग्री अनुसंधानालया, नई दिल्ली (समूह क) पद पर्वी नियम, 1983 का धोर सुधार करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्—

1. (1) इन नियमों का नाम केन्द्रीय मृदा और सामग्री अनुसंधानालया, नई दिल्ली (समूह क) पद पर्वी (संगोचन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय मृदा और सामग्री अनुसंधानालया, नई दिल्ली (समूह क) पद पर्वी नियम, 1983 की अनुसूची में—

(1) ज्येष्ठ अनुसंधान अधिकारी के पद से संबंधित क्रम संख्या 3 के (क) स्तम्भ 2 के नीचे प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

19*
(1986)

*कार्यभार के आधार पर परिवर्तन किया जा सकता है।

(ख) स्तम्भ 3 के नीचे प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

मायु । नहीं

वैशिक अर्हताएं हैं।

(ii) अनुसंधान अधिकारी के पद से संबंधित क्रम सं. 4 के सामने

(क) स्तम्भ 3 के नीचे प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

31*

(1986)

30-संशोधन

वैशिक

ऐक्य सं. 31 में पर्वी की कुल संख्या और इंजीनियरी तथा वैशिक पर्वी के बीच उमका वितरण आवश्यकता की ध्यान में रखते हुए समबलन पर परिवर्तन के अधीन होगा।

(ख) स्तम्भ 3 के नीचे प्रविष्टि में 30 वर्ष से अधिक उम्र के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

"वैशिक नहीं"

(ग) स्तम्भ 4 के नीचे प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

प्रायः नहीं।

वैशिक अर्हताएं : नहीं, किन्तु, योग्यता, किसी मान्यताप्राप्त विश्वविद्यालय से कम से कम (विज्ञान) में कोई डिग्री या इंजीनियरिंग में कोई डिप्लोमा या समतुल्य अर्हता होनी चाहिए।

(सं. 6/86/का. सं. 2(5)/84-ई-II)

वी. के. साधु, प्रवर सचिव

मृदा नियम, भारत के राजपत्र में ता.का.नि. सं 984 तारीख 1 नवम्बर 1983 को प्रकाशित किए गए थे। ये नियम ता.का.नि. सं 104 तारीख, 22-4-85 द्वारा संशोधित किए गए हैं।

New Delhi, the 14th August, 1986.

G.S.R. 683.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Soil and Materials Research Station, New Delhi (Group A) posts Recruitment Rules, 1983, namely :—

(1) These rules may be called the Central Soil and Materials Research Station, New Delhi (Group A) posts Recruitment (Amendment) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Central Soil and Materials Research Station, New Delhi (Group A) posts Recruitment Rules, 1983,—

(i) against serial number 3 relating to the post of Senior Research Officer

(a) for the entry under column 2, the following entry shall be substituted, namely :—
19*
(1986)

* Subject to variation dependent on workload;

(b) for the entry under column 3, the following entry shall be substituted, namely :—
"Age : No."

Educational : Yes."

(ii) against serial number 4 relating to the post of Research Officer

(a) for the entry under column 2, the following shall be substituted, namely :—

31
(1986)

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ANNE ANNEX II

Annex II

1/28

Central Administrative Tribunal
Principal Bench: New Delhi.

48

Faridkot House,
Copernicus Marg,
New Delhi.

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Oct. 7 / 1994

From:

The Registrar,
Central Adm. Tribunal,
Principal Bench,
New Delhi.

To,

1. Shri A. K. Bhargava, Counsel for Petitioners

Shri Vinod Kumar, Delhi 803

R/o XII/984, A.K. Puri, New Delhi

2. Shri K. L. Bhargava, Counsel for Respondents,
B-6/C, Safdarjung Enclave, New Delhi

Shri A. K. Bhargava, Counsel for Petitioners Applicant(s) UA No. 2114/82

Versus

Union of India Respondents

Sir,

I am directed to forward herewith a copy of order/judgment
dt. 28/9/94 passed by this Tribunal in the above mentioned
case for information and necessary action, if any.

Please acknowledge the receipt.

Yours faithfully,

[Signature]

(SECTION OFFICER J-1)
FOR REGISTRAR.

Received on 13/6/94
AS by no. (PB) to sec
in the place of

19/10/94
19/10/94
19/10/94

Accepted subject to the terms of the fees.

Advocate

Client

Client

OA No. 2114/89

New Delhi this the 10th Day of May, 1994.

Sh. M.V. Krishnan, Vice-Chairman (A)
Smt. Lakshmi Swaminathan, Member (B)

1. Dinosh Chandra Dabral
S/o Shri S.H. Dabral
R/o Sector XII/954, R.K. Puram
New Delhi
2. Dhillat Ram
S/o Shri Sumar Singh
R/o 126, Masjid Moha
New Delhi
3. Ishwar Das
S/o Late Shri Jagat Ram
R/o D-878, Netaji Nagar
New Delhi
4. Kartar Chand
S/o Shri Ragha Ram
O/o Executive Engineer & Bursar
Div. CWC Patel Nagar, Canal Road
Tulab Tillo- Jammu (J&K)
5. Ghanshyam Singh
S/o Shri Sugam Singh
R/o A-212, Minto Road
New Delhi
6. J.P. Sharma
S/o Shri Indraj Sharma
R/o Village Narlyala
P.O. Fatehpur Billoch
Faridabad

----- Applicants

(By Advocate Sh. S.K. Bisaria)

Versus

1. Union of India
through
Secretary
Ministry of Water Resources
Sharan Shakti Bhavan
New Delhi
2. Chairman
Central Water Commission
Sewa Bhavan
R.K. Puram
New Delhi

----- Respondents

(By Advocate Sh. P.L. Bhambhala)

ORDER (ORAL)

Mr. M.V. Krishnan:-

The applicants who are Ferro Printers in the
Central Water Commission (CWC) are aggrieved by the

41- 2- (19) 130
discriminatory treatment meted out to them as compared to Tracers in the Department, while amending the recruitment rules in 1986.

2. It is stated that the applicants who are all Ferro Printers had the same grade of pay, i.e., Rs.260-430 as the other group of persons called the Tracers. Both the Ferro Printers and Tracers were eligible for promotion to the next higher grade of Junior Draftsman in the pay scale of Rs.330-560 in accordance with the recruitment rules of 1982, extracts from the schedule to which have been reproduced at Annexure-2. These rules provided that the posts of Junior Draftsman would be filled up by direct recruitment to the extent of 25%. The remaining 75% would be filled up by transfer failing which by promotion. The transfer was restricted to Ferro Printers in other establishments. In so far as promotion is concerned, both Ferro Printers and Tracers were treated on par and made eligible for promotion subject to fulfilling the eligibility conditions.

3. While so, a departmental examination for promotion of Tracers and Ferro Printers to the Grade of Junior Draftsman was held on 10th and 11th December, 1983. The results were announced on 16.1.84 (Annexure-1). The enclosure thereto has been produced by the applicants which shows the names of all the six applicants before us along with the names of others who are Tracers. It is stated that none of the applicants have been promoted as Junior Draftsman.

4. In the meanwhile, the recruitment rules were amended by the notification dated 6.8.82

- 42 - 20

(Annexure-2). By the amended entries in the schedule relating to recruitment to the posts of Senior Draftsman, Junior Draftsman and Tracer were substituted. The posts were referred to, after amendment, as Draftsman Grade I, Draftsman Grade II and Draftsman Grade III. Two other changes were made. Firstly, the lowest grade of Draftsman, designated as Draftsman Grade-III in the pay scale of Rs.260-430, is to be filled up by direct recruitment to the extent of 95% and the remaining 5% is, strangely enough, to be filled up by transfer of Ferro Printers. The respondents have not filed any copy of the amended rules. It thus appears that the remaining 5% vacancies will be filled up by transfer of Ferro Printers from establishments outside the C.W.C., where the applicants were working. Secondly, there is no mention in these amended rules to the Tracers at all. The reason is that, by a separate order dated 26.9.86 (also Annexure-2), the respondents have re-designated the posts of Senior Draftsman, Junior Draftsman, and Tracer respectively as Draftsman Grade I, Draftsman Grade II and Draftsman Grade III. The learned counsel for the respondents submits that the applicants are entitled to be promoted to 5% of the posts of Draftsman Grade-III.

5. The revised pay scale corresponding to the pay scale Rs.260-430, which applies both to Ferro Printers and Tracers, is Rs.975-1540 from 1.1.86. The pay scale of Tracers, redesignated as Draftsman Grade-III, has been upgraded by a separate order to Rs.1200-2040 from 9.11.87. The Draftsman Grade-III are, according to the recruitment rules, eligible for promotion as Draftsman Grade-II. The result is that while all the erstwhile Tracers automatically

-4- (21)

become eligible for promotion as Draftsman Grade-II, the Ferro Printers (i.e., the applicants) will first have to be promoted as Draftsman Grade-III to 5% of the posts and thereafter, seek promotion to the next grade of Draftsman Grade-II.

6. The applicants further complain that 81 persons have been promoted to the next grade from 29.9.87 (i.e. Draftsman Grade III) but none from the category of Ferro Printers was promoted.

7. It is in the light of this discriminatory treatment that the applicants have sought a declaration that they stand promoted as Draftsman Grade-II w.e.f. 29.9.87. (i.e., the date on which persons junior to them working as Tracers have been promoted to that grade) with all consequential benefits and also to declare that the recruitment rules (Annexure A-2) relating to promotion to the posts of Draftsman Grade-III and Grade-II are illegal.

8. The respondents have filed a reply contending that the O.A. is barred by limitation inasmuch as the recruitment rules had already come into force in 1986 and the O.A. was filed only on 16.10.89. It is also contended that in terms of the recruitment rules notified on 6.8.86 (Annexure A-2), the applicants are not entitled for direct promotion as Draftsman Grade-II. The respondents further state that the posts of Tracer, Junior Draftsman and Senior Draftsman which existed earlier, were redesignated as Draftsman Grade-III, Draftsman Grade-II, and Draftsman Grade-I respectively. They, however, do not explain why, in this redesignation, they have left out the Ferro Printers, who claim that until the recruitment rules were

44 - 22
amended in 1986, they were at par with the Tracers. The respondents further state that the question of considering promotion from 29.9.87 does not arise because the applicants are not eligible for such promotion.

9. The applicants have made a specific averment in para 4(e) of the O.A. that vacancies (i.e. of Junior Draftsman) existed in 1986 before the amendment of the recruitment rules and as such, they are entitled to be promoted as Junior Draftsman in accordance with the unamended rules. To this the respondents have not given any specific reply.

10. We have heard the learned counsel for the parties. The learned counsel for the applicants submitted that no reason has been assigned as to why the Ferro Printers have been left out of consideration while granting benefits to Tracers only. He relied on the judgement of the Supreme Court in Y.P. Rangiah and Others v. Srinivas Rao & Others - AIR 1983 (3) SCC 284.

11. The learned counsel for the respondents merely reiterated what has been mentioned in the reply. He produced for our perusal an office memorandum of the Ministry of Finance dated 13.3.84. This refers to the revised scales of pay allowed to the Draftsman Grade-I, Grade-II and Grade-III in the C.P.W.D. on the basis of an award of the Board of Arbitration. It communicates the decision of the Government of India that the revised grades may also be allowed to Draftsman Grade-III, Grade-II and Grade-I in all offices of the Government of India, subject to the fulfilment of the conditions mentioned therein. The

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of the Constitution and that

45- (23) 52-134-
posts in the Department were redesignated because of this O.M. He was, however, unable to explain why the Tracers only were designated as Draftsman Grade-III and not the Ferro Printers. He submitted that the duties of these two categories of persons are different and hence the distinction.

12. We have carefully considered the rival contentions and perused the records. There is no dispute that according to the 1982 recruitment rules, the Ferro Printers were placed on par with the Tracers in the matter of promotion to the next higher grade of Junior Draftsman vide the schedule at Annexure-1. In the circumstances, that parity ought to have continued even if the recruitment rules were amended, unless the respondents could cite some basic difference on the basis of which the distinction was made. By a mere declaration made on 26.9.86 (Annexure A-2) Tracers as a group were redesignated as Draftsman Grade-III and Ferro Printers have been left high and dry or at best, made eligible to 5% of the posts of Draftsman Grade-III. No reasons whatsoever have been given either in the reply or in any other annexure as to why Ferro Printers have been deliberately discriminated, though, until the recruitment rules were amended on 6.8.86, these two categories were at par with each other.

13. We also notice another anomaly in the amended Annexure-2 recruitment rules. The schedule provides that the Draftsman Grade-III in the grade of Rs.260-430 will be filled up to the extent of 6% by transfer of Ferro Printers. The respondents have not questioned

-46- (24)

the corrections of the Annexure A-2 produced by the applicants. It is clear that only outsider Ferro Printers can be taken on transfer. The learned counsel for the respondents suggests that this should be treated as a reference to the promotion of the Ferro Printers of the C.W.C. who are already on the pay scale of Rs.260-430. If we have to accept this contention, it would lead to the absurd situation that the persons in the pay scale of Rs.260-430 are to be promoted in the same grade. It appears to us that if the recruitment rules as produced by the applicants are read properly, no provision whatsoever has been made for the promotion of Ferro Printers.

14. In either case, we are unable to understand why this discrimination had been made. We are, therefore, satisfied that this decision is arbitrary and is violative of Article 14 of the Constitution of India.

15. In the circumstances, we dispose of this O.A. with the following directions/order:-

1) We declare that the schedule as substituted by the Central Water Commission Non-Ministerial (Group 'C') posts (Amendment) Recruitment Rules, 1986 (Annexure 2) in so far as it relates to the posts of Draftsman Grade-III does not provide that 5% of the posts are to be filled by promotion from Ferro Printers in the C.W.C.

11) We further declare that the order dated 26.9.1986 (Annexure 2), in so far as it remains the posts of Tracer only as Draftsman Grade-III is discriminatory and violative of Article 14 of the Constitution and that

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-R-

its validity can be maintained only by reading it down to indicate the posts of Ferro Printers also, along with Tracers and accordingly we declare that Ferro Printers are to be treated as Draftsman Grade-III from 30.8.86, along with Tracers.

- iii) In the light of the above declaration the applicants are entitled to get the upgraded pay scale made applicable to the Tracers from the same date.
- iv) The applicants shall be considered for promotion to the posts of Draftsman Grade-II in the light of this order.
- v) The respondents shall consider applying these orders to all Ferro Printers instead of restricting it to the applicants before us.

16. The O.A. is allowed with the aforesaid directions. No costs.

(Smt. Lakshmi Swaminathan)
Member(J)

'Sanju'

(H.V. Krishnan)
Vice-Chairman (A)

3/4/77

48 - 22 (Issue) 26
ANNEXURE - III
131
232
No.C-18013/4/89-Estt.X
Government of India
Central Water Commission

Room No.310, Sewa Bhawan,
R.K. Puram, New Delhi-66.


Dated the 30th May, 1995

OFFICE MEMORANDUM

Subject : Redesignation of the post of D/men/Ferro-Printer
in Central Water Commission.

..... Hon'ble
In pursuance of the orders of the CAT, Principal Bench, New Delhi, contained in their Judgement dated 18.5.94 delivered in O.A. No.2114/89 filed by Shri D.C. Dabral and others Versus Union of India, the Commission's Order No. A-11012/8/86-E.IV dated 26th September, 1986 is hereby partially modified and all the posts of Ferro-Printers are hereby re-designated as D/man, Grade III alongwith erstwhile Tracer. This order will take retrospective effect from 30.8.86.

2. This re-designation of the post of Ferro-Printer is however, subject to the fulfilment of the conditions laid down in the Ministry of Finance, Department of Expenditure O.M. No.13(1)-IC/91 dated 19th October, 1994.


(J.L. CHUGH)
Under Secretary(M)
Tele: 604068

Copy to :-

1. MOWR, SSB, New Delhi (Sh. A.K. Barua, US(E)).
2. PPS to Chairman, CWC, New Delhi.
3. PPS to Members, CWC, New Delhi.
4. All Chief Engineers, CWC, New Delhi.
5. All Superintending Engineers, CWC, New Delhi.
6. All Executive Engineers, CWC, New Delhi.
7. All Under Secretaries/Accounts Officer /Senior Analyst/
Pay & Accounts Officer, CWC, New Delhi.
8. All Section Officers/Directorates/Units of CWC, N.D.
9. Drawing Staff Association, CWC, New Delhi.
10. Notice Board.
11. Spare copies (40 copies)
12. All Ferro-Printers/Personal Files

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ANNEXURE IV

Integrated Seniority List of eligible Group 'D' employees working in Central Water Commission for consideration by Review DPC for promotion in the grade of F/Printer (now D'man Grade-III) against backlog vacancies as on 25.3.94

Annexure-A

Name	Designation	Educational Qualification	Pay Scale	Date of birth	Date since when working in the present grade	R E M A R
S/Shri						
2.	3.	4.	5.	6.	7.	8.
1. T.E. Thomas	Gauge Reader-I	SSLC Passed	Rs.775-12-871- EB-14-1023/-	18.5.36	15.7.68	Not willing to
2. Satya Ranjan Deb	Gauge Reader-I	HSLC	- do -	7.3.47	23.7.68	
3. H.N. Singh	Daftry	Xth	Rs.775-12-871- EB-14-1023/-	5.1.36	1.8.78	Not willing to
4. Debasish Dutta	Gauge Reader-I	HSLCE	Rs.775-12-871- EB-14-1023/-	1.11.55	7.8.78	
5. Gaur Mohan Barman (ST)	Gauge Reader-I	HSLCE	- do -	23.5.56	11.5.79	
6. Sukhari Ram	Gauge Reader-I	B.A. II	- do -	2.2.55	23.10.83	
7. S.R. Paul	Gauge Reader-I	HSSLC	- do -	17.8.57	23.10.83	
8. Tapash Kr. Ghosh	Gauge Reader-I	HS	- do -	17.5.56	8.11.83	
9. Gagan Singh	Gauge Reader-I	HS	- do -	1.4.59	8.11.83	
10. Anandi Chaudhary (SC)	Gauge Reader-I	ISC	- do -	9.1.54	5.12.83	
11. P.C. Chakraborty	Gauge Reader-I	HSLC	- do -	30.10.56	13.4.84	

contd. p/2

28 50- 4

(11)

-139-

Name	Designation	Educational Qualification	Pay Scale	Date of birth	Date since when working in the present grade	REMARK
2.	3.	4.	5.	6.	7.	8.
1. S.K. Dass	Gauge Reader-I	HSLC	Rs.775-12-871- EB-14-1025/-	25.11.56	18.4.84	
13. Ravindra Sinha	Gauge Reader-I	B.A.	- do -	25.3.58	24.4.84	
14. Sajal Chakraborty	Gauge Reader-I	XI	- do -	15.8.64	1.5.84	
15. P.R. Ghosh Adhikari	Gauge Reader-I	HSLC	- do -	1.1.60	4.5.84	
16. F.K. Nath	Gauge Reader-I	Matric	- do -	13.3.51	7.5.84	
17. Sujit Chakraborty	Gauge Reader-I	XI	- do -	9.9.53	7.5.84	
18. Dilip Das	Gauge Reader-I	HSLC	- do -	26.2.58	11.5.84	
19. Swapan Biswas (SC)	Gauge Reader-I	B.Com. Fail	- do -	6.2.60	14.5.84	
20. Prasad Sen	Gauge Reader-I	HSLC	- do -	30.8.60	14.5.84	
21. Pradeep Bhattacharjee	Gauge Reader-I	HSLC	- do -	30.8.58	16.5.84	
22. Harendra Ch. Das	Gauge Reader-I	HSLC	- do -	10.12.54	18.5.84	
23. Upendra Acharjee	Gauge Reader-I	HSLC	- do -	3.6.61	24.5.84	
24. Samir Bhattacharjee	Gauge Reader-I	Xth	- do -	15.3.62	24.5.84	

अन्य समाधान संशोधन

नई दिल्ली, 16 मई, 2002

संविधान 217.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और (1) केन्द्रीय जल आयोग (अनुसूचितीय समूह 'ग' पद) भर्ती नियम, 1982 जहाँ तक उनका संबंध कनिष्ठ इंजीनियर (सिविल/मैकेनिकल), नवशानवीस श्रेणी-II, नवशानवीस श्रेणी-III और सर्वेक्षक के पदों से है, और (2) केन्द्रीय जल आयोग वायरलेस मैकेनिक और वायरलेस प्रचालक (समूह 'ग' पद) भर्ती नियम, 1995 को उन बातों के सिवाए अधिस्त करते हुए, जिन्हें ऐसे अधिस्तन से पहले किया गया है या करने में लोप किया गया है, केन्द्रीय जल आयोग के अनुसूचितीय समूह 'ग' पद (इंजीनियरी सविसेज) के पदों पर भर्ती की पद्धति का विनियमन करने के लिए निम्नलिखित नियम बनाने हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारंभ :—(1) इन नियमों का संक्षिप्त नाम केन्द्रीय जल आयोग अनुसूचितीय समूह 'ग' पद (इंजीनियरी सविसेज) भर्ती नियम, 2002 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. पद-संख्या, वर्गीकरण और वेतनमान :—उक्त पदों की संख्या, उनका वर्गीकरण और उनके वेतनमान ये होंगे, जो इन नियमों से उपाबद्ध अनुसूची के स्तंभ 2 में स्तंभ 4 में विनिर्दिष्ट हैं।

3. भर्ती की पद्धति, आयु-सीमा और अन्य शर्तें :—उक्त पदों पर भर्ती की पद्धति, आयु-सीमा, शर्तें और उनसे संबंधित अन्य बातें ये होंगी जो उक्त अनुसूची के स्तंभ 5 से स्तंभ 14 में विनिर्दिष्ट हैं।

4. निरुद्धता :—यह व्यक्ति—

(क) जिसने ऐसे व्यक्ति से जिसका पति या जिसकी पत्नी जीवित है, विवाह किया है, या

(ख) जिसने अपने पति या अपनी पत्नी के जीवित रहते हुए किसी व्यक्ति से विवाह किया है,

उक्त पदों पर नियुक्ति का पात्र नहीं होगा।

परन्तु यदि केन्द्रीय सरकार का समाधान हो जाता है कि ऐसा विवाह ऐसे व्यक्ति और विवाह के अन्य पक्षकारों का गैर स्वीय विधि के अधीन अनुज्ञेय है और ऐसा करने के लिए अन्य आधार हैं तो वह किसी व्यक्ति को इन विनियमों के प्रवर्तन से छूट दे सकेगी।

5. शिथिल करने की शक्ति :—जहाँ केन्द्रीय सरकार की यह राय है कि ऐसा करना आवश्यक या समीचीन है, वहाँ वह उसके लिए जो कारण है उन्हें लेखबद्ध करके इन नियमों के किसी उपबंध को किसी वर्ग या प्रवर्ग के व्यक्तियों की भावना, आदेश द्वारा शिथिल कर सकेगी।

6. व्यापृति :—इन विनियमों की कोई बात, ऐसे आदेश, आयु-सीमा में छूट और अन्य शिथिलताओं पर प्रभाव नहीं डालेगी, जिनका केन्द्रीय सरकार द्वारा इन संबंध में समय-समय पर निरूपित गए आदेशों के अनुसार अनुसूचित जातियों, अनुसूचित जनजातियों, अन्य पिछड़े वर्गों, अनुसूचित श्रेणियों और अन्य विशेष प्रवर्ग के व्यक्तियों के लिए उपबंध करना समीचीन है।

अनुसूची

पद का नाम	पदों की संख्या	वर्गीकरण	वेतनमान
1	2	3	4
1. कनिष्ठ इंजीनियर (सिविल और मैकेनिकल)	681* (2002) *कार्यभार के आधार पर परिवर्तन किया जा सकता है।	माधारण केन्द्रीय सेवा, समूह 'ग' सराजपत्रित अनुसूचितीय	5000-150-8000 रु.

अथवा अथवा पद सीधे भर्ती किए जाने वाले व्यक्तियों के लिए आयु-सीमा सेवा में जोड़े गए वर्षों का अनुभव है या नहीं

5	6	7
अथवा	20-28 वर्ष सरकारी सेवाओं के लिए 40 वर्ष तक शामिल की जा सकती है।	लागू नहीं होता
	टिप्पण 1: केन्द्रीय सरकार द्वारा समय-समय पर यथा प्र- सूचित अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़े वर्गों और प्रतिपक्ष अन्य प्रवर्गों के लिए शिक्षण की जा सकती है।	
	टिप्पण 2: अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़े वर्गों के लिए किसी अन्य आयु की शिथिलता के साथ संबंधी रूप से शिक्षण की जा सकती है।	
	टिप्पण 3: आयु-सीमा अवधारित करने के लिए निर्णायक तारीख भारत में अभ्यर्थियों से आवेदन प्राप्त करने के लिए नियत की गई अंतिम तारीख होगी। न कि वह अंतिम तारीख जो असम, मेघालय, प्रशासन प्रदेश, मिजोरम मणिपुर, नागालैंड, त्रिपुरा, सिक्किम, जम्मू-कश्मीर राज्य के सदृश क्षेत्र, हिमाचल प्रदेश के लाहौल और स्पिति जिले तथा चम्पा-जिले के पांगी उपखंड अंदमान और निकोबार द्वीप या लक्षद्वीप के अभ्य- र्थियों के लिए विहित की गई है।	
	टिप्पण 4: रोजगार कार्यालयों के माध्यम से की जाने वाली नियुक्ति की दशा में, आयु-सीमा अवधारित करने के लिए निर्णायक तारीख वह अंतिम तारीख होगी जिस तक रोजगार कार्यालयों में नाम भेजने के लिए बंद रखा गया है।	

सीधे भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षित शैक्षिक और अन्य अर्हताएं	सीधे भर्ती किए गए जाने वाले व्यक्तियों के लिए विहित आयु और शैक्षिक अर्हताएं प्रोन्नत व्यक्तियों की दशा में लागू होगी या नहीं	परिदीक्षा की अवधि, यदि कोई हो
8	9	10
किसी मान्यता प्राप्त विश्वविद्यालय/संस्थान से सिखित या तकनीक इंजीनियरी में डिग्री या डिप्लोमा।	नहीं	सीधे भर्ती किए जाने वाले व्यक्तियों के लिए दो वर्ष।

भर्ती की पद्धति : भर्ती सीधे होगी या प्रोन्नति द्वारा या प्रतिनिधित्व/सामेलन द्वारा तथा विभिन्न पद्धतियों द्वारा भरे जाने वाले पदों की प्रतिशतता	प्रोन्नति/प्रतिनिधित्व/सामेलन द्वारा भर्ती में की दशा में वे श्रेणियां जिससे प्रोन्नति/ प्रतिनिधित्व/सामेलन किया जाएगा	11	12
(i) 95 प्रतिशत सीधी भर्ती द्वारा। ऐसे विभागीय अभ्यर्थियों के लिए कोई बाधा नहीं है जो केन्द्रीय जल आयोग में विभिन्न श्रेणियों में कार्य कर रहे हैं और जिनके पास विचार	प्रोन्नति : ऐसे सर्वश्रेष्ठ जिनमें उम्र श्रेणी में आठ वर्ष नियमित सेवा की है और जिनके पास स्तर 8 में सीधी भर्ती के लिए विहित शैक्षिक अर्हता है या ऐसे सर्वश्रेष्ठ जिनमें उम्र श्रेणी में आठ वर्ष नियमित सेवा की है और जिनमें विभागीय परीक्षा उत्तीर्ण की है; या ऐसे सर्वश्रेष्ठ जिनमें उम्र श्रेणी में बारह वर्ष नियमित सेवा की है।		

- में लिए जाने के लिए विहित अर्हताएं टिप्पण : जहां ऐसे कनिष्ठ व्यक्तियों के संबंध में जिन्होंने अपनी अर्हक/पात्रता सेवा पूरी कर ली है प्रोन्नति के लिए विचार किया जा रहा हो जहां उनके ज्येष्ठ व्यक्तियों के संबंध में भी विचार किया जाएगा परन्तु यह तब जब कि उसके द्वारा की गई ऐसी अर्हक/पात्रता सेवा, प्रोक्षित अर्हक/पात्रता सेवा के आधे से अधिक से या दो वर्षों में, इनमें से जो भी कम हो, कम न हो और उन्होंने अपने ऐसे कनिष्ठ व्यक्तियों सहित उनकी उच्चतर श्रेणी में प्रोन्नति के लिए अपनी परिचीक्षा की अवधि सफलतापूर्वक पूरी कर ली है, जिन्होंने ऐसी अर्हक/पात्रता सेवा पहले ही पूरी कर ली है।
- (ii) 3 प्रतिशत प्रोन्नति द्वारा ।

यदि विभागीय प्रोन्नति समिति है, तो उसकी संरचना

भर्ती करने में किन परिस्थितियों में संघ लोक सेवा आयोग से परामर्श किया जाएगा

13

14

विभागीय प्रोन्नति समिति समूह 'ग' (प्रवनुसचिवीय) :

लागू नहीं होता।

1. सचिव/निदेशक (प्रशासन)/निदेशक (स्थापना),
केन्द्रीय जल आयोग --प्रध्यक्ष
2. किसी अन्य तकनीकी निदेशालय का निदेशक/
उप निदेशक --सदस्य
3. अवर सचिव, केन्द्रीय विद्युत प्राधिकरण --सदस्य
4. अवर सचिव, केन्द्रीय जल आयोग --सदस्य

1	2	3	4
2. नवशानवीस श्रेणी-II	302* (2002) *कार्यभार के आधार पर परिवर्तन किया जा सकता है	साधारण केन्द्रीय सेवा, समूह 'ग' पराजपित प्रवनुसचिवीय	5000-150-8000 *

5	6	7
अचयन	18 से 25 वर्ष	लागू नहीं होता
संयोजी सेवाओं के लिए 40 वर्ष तक शिथिल की जा सकती है।		
टिप्पण 1: केन्द्रीय सरकार द्वारा समय-समय पर यथा अधिमूचित अनुमूचित जाति/अनुमूचित जनजाति/ अन्य पिछड़े वर्गों और कतिपय अन्य वर्गों के लिए शिथिल की जा सकती है।		
टिप्पण 2: अनुमूचित जाति/अनुमूचित जनजाति/अन्य पिछड़े वर्गों के लिए किसी अन्य आयु की शिथिलता के साथ संश्लेषण से शिथिल की जा सकती है।		
टिप्पण 3: आयु-सीमा अवधारित करने के लिए निर्धारक तारीख भारत में अश्विनियों में आये दिन प्राप्त करने के लिए नियम की गई अंतिम तारीख होगी न कि वह अंतिम तारीख जो असार, मेघलय, अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, सिक्किम, जम्मू-कश्मीर राज्य के लद्दाख		

खंड, हिमाचल प्रदेश के लाहौल और स्पीति जिले तथा चम्पा जिले के पांगी उपखंड, ग्रंदमान और निकोबार द्वीप या लक्षद्वीप के अभ्यर्थियों के लिए विहित की गई है।

टिप्पण 4: रोजगार कार्यालयों के माध्यम से की जाने वाली नियुक्ति की दशा में, आयु सीमा अवधारित करने के लिए निम्नलिखित तारीख वह अंतिम तारीख होगी जिस तक रोजगार कार्यालयों से नाम भेजने के लिए के लिए कहा गया है।

8	9	10
आवश्यक :	नहीं	केवल सीधे भर्ती किए जाने वाले व्यक्तियों के लिए दो वर्ष।
1. किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड में मैट्रिक या समतुल्य।		
2. किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड में नवशान-नवीणी (सिविल/मैकेनिकल) जिसकी अवधि दो वर्ष से कम न हो, में डिप्लोमा/राष्ट्रीय व्यवसाय पाठ्यक्रम और डिप्लोमा/पाठ्यक्रम लेने के पश्चात् किसी स्थापित संगठन में उस क्षेत्र में कम से कम तीन वर्ष का व्यवहारिक अनुभव।		
11	12	
प्रार्थना विनियमन से हो सकती है पर सीधी भर्ती द्वारा।	प्रार्थना : ऐसे नवशानवीणी श्रेणी-III जिनके पास किसी मान्यता प्राप्त संस्थान/बोर्ड में नवशानवीणी (सिविल/मैकेनिकल) जिसकी अवधि दो वर्ष से कम न हो, में डिप्लोमा, राष्ट्रीय व्यवसाय पाठ्यक्रम या समतुल्य है और जिन्होंने उम श्रेणी में आठ वर्ष नियमित सेवा की है, या ऐसे नवशानवीणी श्रेणी-III जिनके पास नवशानवीणी (सिविल/मैकेनिकल) जिसकी अवधि दो वर्ष है, में डिप्लोमा/राष्ट्रीय व्यवसाय पाठ्यक्रम नहीं है, जिन्होंने उम श्रेणी में तेरह वर्ष नियमित सेवा की है और जिन्होंने विभागीय परीक्षा उत्तीर्ण की है। ऐसे नवशानवीणी श्रेणी-III जिनके पास नवशानवीणी (सिविल/मैकेनिकल) में डिप्लोमा/राष्ट्रीय व्यवसाय पाठ्यक्रम नहीं है वे उम श्रेणी में केवल आठ वर्ष नियमित सेवा करने के पश्चात् विभागीय परीक्षा में बैठने के लिए पात्र होंगे।	
13	14	
विभागीय प्रार्थना समिति समूह 'ग' (अनुसूचित)	नाम नहीं होता।	
1. सचिव/निदेशक (प्रशासन)/ निदेशक (स्थापना) केन्द्रीय जन आयोग --अध्यक्ष		
2. किसी तत्कालीन निदेशालय का निदेशक/ उप निदेशक केन्द्रीय जन आयोग --सदस्य		
3. अवर सचिव, केन्द्रीय विद्युत प्राधिकरण --सदस्य		
4. अवर सचिव, केन्द्रीय जन आयोग --सदस्य		

3. नवजातबालक श्रेणी-III

* 66

(2002)

कार्यभार के आधार पर परिश्रम
किया जा सकता है।साधारण केन्द्रीय सेवा, समूह 'ग'
अराजकपत्रित अनुसूचितीय

4000-100-6000 रु.

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नागू नहीं होता

6

18 से 25 वर्ष

सरकारी सेवाओं के लिए 40 वर्ष तक शिथिल की जा सकती
है।

7

नहीं

टिप्पण:

1. केन्द्रीय सरकार द्वारा समय-समय पर यथा अधि-
युक्त अनुयुक्त जाति/अनुयुक्त जनजाति/अन्य
पिछड़े वर्गों और कतिपय अन्य प्रवर्गों के लिए
शिथिल की जा सकती है।
2. अनुयुक्त जाति/अनुयुक्त जनजाति/अन्य पिछड़े वर्गों
के लिए किसी अन्य आयु की शिथिलता के साथ
संचयी रूप से शिथिल की जा सकती है।
3. आयु-सीमा अवधारित करने के लिए निर्णायक
तारीख भारत में अभ्यर्थियों में आवेदन प्राप्त करने
के लिए नियत की गई अंतिम तारीख होगी। न
कि वह अंतिम तारीख जो असम, मेवालय,
अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड,
त्रिपुरा, सिक्किम, जम्मू-कश्मीर राज्य के लद्दाख
खंड, हिमाचल प्रदेश के लाहौल और स्पीति
जिले तथा चम्पा-जिले के पांगी उपखंड, अंदमान
और निकोबार द्वीप या लक्षद्वीप के अभ्यर्थियों के
लिए विहित की गई है।
4. राजपत्र कार्यालयों के माध्यम से की जाने वाली
नियुक्ति की दशा में, आयुसीमा अवधारित करने के
लिए निर्णायक तारीख वह अंतिम तारीख होगी
जिस तक राजपत्र कार्यालयों में नाम भेजने के
लिए कहा गया है।

8

1. किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड से मैट्रिक या
समतुल्य।

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नहीं

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दो वर्ष

2. किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड से नवजा-
तबालक (सिविल/मैकेनिकल) जिसकी अवधि दो वर्ष
से कम नहीं, में डिप्लोमा/राष्ट्रीय व्यवसाय पाठ्यक्रम।

11

सीधी भर्ती

12

नागू नहीं होता

विभागीय प्रोन्नति समिति समूह 'ग' (अनुसूचित)

लागू नहीं होता

1. सचिव/निदेशक (प्रशासन)/निदेशक (स्थापना), केन्द्रीय जल आयोग --प्रध्यक्ष
2. किसी तकनीकी निदेशालय का निदेशक/उप निदेशक, केन्द्रीय जल आयोग --सदस्य
3. अवसर सचिव, केन्द्रीय विद्युत प्राधिकरण --सदस्य
4. अवसर सचिव, केन्द्रीय जल आयोग --सदस्य

1	2	3	4
4. सर्वेक्षक	17* (2002) *कार्यभार के आधार पर परिवर्तन किया जा सकता है।	साधारण केन्द्रीय सेवा, समूह 'ग' अराजपत्रित अनुसूचित	4000-100-6000 रु.

5	6	7
लागू नहीं होता	25 वर्ष से अधिक नहीं। सरकारी सेवाओं के लिए 40 वर्ष तक शिथिल की जा सकती है।	लागू नहीं होता

टिप्पण :

1. केन्द्रीय सरकार द्वारा समय-समय पर यथा अधिसूचित अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़े वर्गों और कतिपय अन्य प्रवर्गों के लिए शिथिल की जा सकती है।
2. अनुसूचित जाति/अनुसूचित जनजाति अन्य पिछड़े वर्गों के लिए किसी अन्य आयु की शिथिलता के साथ संघीय रूप से शिथिल की जा सकती है।
3. आयु-सीमा अवधारित करने के लिए निर्णायक तारीख भारत में अभ्यर्थियों से आवेदन प्राप्त करने के लिए नियत की गई अंतिम तारीख होगी। न कि वह अंतिम तारीख जो असम, मेघालय, अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, सिक्किम, जम्मू-कश्मीर राज्य के लद्दाख खंड, हिमाचल प्रदेश के लाहौल और स्पीति जिले तथा चम्पा-जिले के पांगी उपखंड, अंदमान और निकोबार द्वीप या लक्षद्वीप के अभ्यर्थियों के लिए विहित की गई है।
4. रोजगार कार्यालयों के माध्यम से की जाने वाली नियुक्ति की दशा में, आयुसीमा अवधारित करने के लिए निर्णायक तारीख वह अंतिम तारीख होगी जिस तक रोजगार कार्यालयों में नाम भेजने के लिए कहा गया है।

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1-चड 3 (i)]

भारत का राजपत्र: जून 15, 2002/जुलै 25, 1924

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आवश्यक :

लागू नहीं होता

दो वर्ष

1. *क्षम गंवावय द्वारा लिया गया सर्वेक्षण में किसी मान्यताप्राप्त संस्थान में डिप्लोमा या राष्ट्रीय व्यवसाय प्रमाणपत्र ।
2. पीता, चन, दिग्भूचक, उपस्करों और उनके जंसां के प्रयोग के साथ भूमि सर्वेक्षण पद्धतियों के साथ परिचित होना चाहिए और सड़कों, पाइपलाइन और समरूप परियोजनाओं से संबंधित कपरेखा सर्वेक्षण को करने में समर्थ होना चाहिए ।

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सीश्री शर्ती

लागू नहीं होता

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विभागीय प्रोजेक्ट समिति समूह 'ग' (अननुसचिवीय)

लागू नहीं होता

1. सचिव निदेशक (प्रशासन)/निदेशक (स्थापना), केन्द्रीय जल आयोग ---ग्रध्यक्ष
2. किसी तकनीकी निदेशालय का निदेशक/उप निदेशक, केन्द्रीय जल आयोग ---सदस्य
3. अवसर सचिव, केन्द्रीय विद्युत प्राधिकरण ---सदस्य
4. अवसर सचिव, केन्द्रीय जल आयोग ---सदस्य

1

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3

4

5. वायरलेस आपरेटर 171* (2002) साधारण केन्द्रीय सेवा, समूह 'ग'. 4000-100-6000 रु. भराजपत्रित अननुसचिवीय
*कार्यभार के आधार पर परिवर्तन किया जा सकता है ।

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लागू नहीं होता

18 और 25 वर्ष के बीच ।
सरकारी सेवकों के लिए 40 वर्ष तक शिथिल की जा सकती है ।

लागू नहीं होता

टिप्पण :

1. केन्द्रीय सरकार द्वारा समय-समय पर यथा अधि-युचित अनुयुचित जाति/अनुयुचित जनजाति/अन्य पिछड़े वर्गों और कतिपय अन्य प्रवर्गों के लिए शिथिल की जा सकती है ।
2. अनुयुचित जाति/अनुयुचित जनजाति/अन्य पिछड़े वर्गों के लिए किसी अन्य आयु की शिथिलता के साथ संबंधी रूप से शिथिल की जा सकती है ।

3. आयु-सीमा अवधारित करने के लिए निर्णायक तारीख भारत में अभ्याशियों में आवेदन प्राप्त करने के लिए नियत की गई अंतिम तारीख होगी। न कि वह अंतिम तारीख जो असम, मेघालय, अरुणाचल प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, सिक्किम, जम्मू-कश्मीर राज्य के लद्दाख खंड, हिमाचल प्रदेश के लाहौल और स्पीति जिले तथा चम्पा-जिले के पांगी उपखंड, अंदमान और निकोबार द्वीप या लक्षद्वीप के अभ्याशियों के लिए विहित की गई है।
4. रोजगार कार्यालयों के माध्यम से की जाने वाली नियुक्ति की दशा में, आयुसीमा अवधारित करने के लिए निर्णायक तारीख वह अंतिम तारीख होगी जिस तक रोजगार कार्यालयों में नाम भेजने के लिए कहा गया है।

8	9	10
(1) किसी मान्यताप्राप्त बोर्ड/विश्वविद्यालय से मैट्रिक या समतुल्य।	लागू नहीं होगा	दो वर्ष
(2) संचार मंत्रालय द्वारा जारी वायरलेस ऑपरेटर का द्वितीय वर्ग का प्रवीणता प्रमाणपत्र, या सशस्त्र बल में वायरलेस ऑपरेटर के क्षेत्र में पांच वर्ष की सेवा (सशस्त्र बल में भूतपूर्व सैनिकों और सेवानिवृत्त कर्मियों को लागू होगा)।		
11	12	
सीधी भर्ती	लागू नहीं होगा	
13	14	
विभागीय प्रोन्नति समिति समूह 'ग' (अननुसूचित)	लागू नहीं होता	
1. सचिव/निदेशक (प्रशासन)/निदेशक (स्थापना), केन्द्रीय जल आयोग	—अध्यक्ष	
2. किसी तकनीकी निदेशालय का निदेशक/उप निदेशक, केन्द्रीय जल आयोग	—सदस्य	
3. अवर सचिव, केन्द्रीय विद्युत प्राधिकरण	—सदस्य	
4. अवर सचिव, केन्द्रीय जल आयोग	—सदस्य	

सापेक्षता में

42*

साधारण केन्द्रीय सेवा, समूह 'ग'

1000-100-6000 रु.

(2002)

अराजपतिन अन्तर्गत

*कार्यभार के आधार पर परिवर्तन
किया जा सकता है।

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नाए नहीं होता

18 और 25 वर्ष के बीच।

नाए नहीं होता

सरकारी सेवाओं के लिए 40 वर्ष तक शिथिल की जा
सकती है।

टिप्पण:

1. केन्द्रीय सरकार द्वारा समय-समय पर यथा अधि-
गृहीत अनुसूचित जाति/अनुसूचित जनजाति/अन्य
पिछड़े वर्गों और कमिथम अन्य प्रवर्गों के लिए
शिथिल की जा सकती है।
2. अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़े
वर्गों के लिए किसी अन्य आयु की शिथिलता के
साथ संश्लेष रूप में शिथिल की जा सकती है।
3. आयु-सीमा अवधारित करने के लिए निम्नलिखित
तारीख भारत में अभ्यर्थियों में आवेदन प्राप्त करने
के लिए नियत की गई अंतिम तारीख होगी। न
कि वह अंतिम तारीख जो असम, मेघालय, मणिपुर, मिजोरम,
प्रदेश, मिजोरम, मणिपुर, नागालैंड, त्रिपुरा, मिजोरम,
जम्मू-कश्मीर राज्य के लद्दाख खंड, हिमाचल प्रदेश के
लाहौल और स्पीति जिले तथा चम्पा-जंते के पोंगी
उपखंड, मंदमान और निकोबार द्वीप या लक्षद्वीप के
अभ्यर्थियों के लिए विहित की गई है।
4. रोजगार कार्यलयों के माध्यम से की जाने वाली
नियुक्ति की दशा में, आयुसीमा अवधारित करने के लिए
निर्णायक तारीख वह अंतिम तारीख होगी जिस तक
रोजगार कार्यलयों से नाम भेजने के लिए कहा गया है।

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(i) किसी मान्यताप्राप्त विश्वविद्यालय/बोर्ड में मैट्रिक या
समतुल्य अर्हता।

नाए नहीं होता

दो वर्ष

(ii) केन्द्रीय सरकार द्वारा मान्यताप्राप्त किसी तक-
नीकी संस्थान में विद्युत/रेडियो दूर संचार या
इलेक्ट्रॉनिक्स में डिप्लोमा और राज्य तकनीकी
शिक्षा बोर्ड द्वारा प्रदत्त मान्य करने वाले आवश्यक
उपकरणों और सैटियों के रखरखाव करने और

वायव्य सैद्य के समायोजनों/मरम्मतों को कार्यान्वित करने में दिव्योपा सहित छह महीने का प्रयास,

या

किसी औद्योगिक तकनीकी संस्थान में विद्युत/रेडियो तकनीकियों में शिक्षता का प्रमाणपत्र/राज्य परिषद द्वारा प्रदत्त व्यवसायिक व्यापार में प्रशिक्षण का प्रमाणपत्र सहित माप करने वाले आवश्यक उपकरणों और बैटिरियों का रखरखाव करने और वायव्य सैद्य के समायोजनों/मरम्मतों को कार्यान्वित करने में एक वर्ष का अनुभव,

या

किसी निजी/पब्लिक उपकरणों वा सार्वजनिक संगठनों से इलेक्ट्रॉनिकी उपकरणों और संबंधित उपकरणों के रखरखाव और मरम्मत करने में पांच वर्ष का अनुभव

या

किसी मान्यताप्राप्त माध्यमिक शिक्षा बोर्ड में इलेक्ट्रॉनिकी/रेडियो प्रौद्योगिकी में व्यवसायिक पाठ्यक्रम का प्रमाणपत्र ।

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सोझी भर्ती

नागू नहीं होता

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विभागीय प्रोत्तति समिति समूह 'ग' (अननुगचिगी)

नागू नहीं होता

1. सचिव/निदेशक (प्रशासन)/निदेशक (स्थापना), केन्द्रीय जल आयोग — अध्यक्ष
2. किसी तकनीकी निदेशालय का निदेशक/उप निदेशक, केन्द्रीय जल आयोग — सदस्य
3. अवर सचिव, केन्द्रीय विद्युत प्राधिकरण — सदस्य
4. अवर सचिव, केन्द्रीय जल आयोग — सदस्य

[मं. 8/2002/का.सं. 35/8/2000-स्था.-1]

प्रशोक झा, अवर सचिव

MINISTRY OF WATER RESOURCES

New Delhi, the 16th May, 2002

G.S.R.217 . In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of :

(1) Central Water Commission (Non-Ministerial Group 'C' posts), Recruitment Rules, 1982 in so far as it relates to the posts of Junior Engineer (Civil and Mechanical), Draftsman Grade-II, Draftsman Grade-III and Surveyor; and

(2) Central Water Commission, Wireless Mechanic and Wireless Operator (Group 'C' posts), Recruitment Rules, 1995.

Except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the Non-Ministerial Group 'C' posts (Engineering Services) of Central Water Commission namely :-

1. (1) Short title and Commencement. --These rules may be called the Central Water Commission Non-Ministerial Group 'C' posts (Engineering Services) Recruitment Rules, 2002.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts, classification and scale of pay. --The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in column 2 to 4 the Schedule annexed to these rules.

3. Method of recruitment, age limit and other qualifications. --The method of recruitment to the said posts, age limit, qualifications and other matters relating thereto shall be as specified in column 5 to 14 of the said Schedule.

4. Disqualification:--No person,

(a) Who has entered into or contracted a marriage with a person having a spouse living, or

(b) Who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the said post.

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such persons and other party to the marriage and that there are other grounds for so doing exempt any person from the operation of this rule.

5. Power to relax. --Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order, and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. Savings. --Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Casts, the Schedule Tribes, Other Backward Classes, Ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

SCHEDULE

Name of post	Number of post	Classification	Scale of pay	Whether selection or non-selection post
1	2	3	4	5
1. Junior Engineer (Civil and Mechanical)	681* (2002) *Subject to variation dependent on work load.	General Central Service Group 'C' Non-Gazetted Non-ministerial	Rs. 5000-150-8000	Non-selection

Are limit for direct recruits	Whether benefit of added years of service admissible	Educational and other qualification required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees
-------------------------------	--	--	---

6	7	8	9
20-28 years (Relaxable for Government servants upto 40 years). Note 1: Relaxable for Schedule Castes/Scheduled Tribes/Other Backward Classes and certain other categories as notified by the Central Government from time to time. Note 2: Relaxable cumulatively with any other age relaxation for Schedule Castes/Schedule Tribes/other Backward Classes. Note 3: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshadweep). Note 4: In respect of posts the appointments to which are made through Employment Exchange, the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.	Not applicable "	Degree or Diploma in Civil or Mechanical Engineering from a recognised University/Institution	No

Period of probation, if any	Method of recruitment. Whether by direct recruitment or by promotion or by deputation/absorption and percentage of the posts to be filled by various methods.	In case of recruitment by promotion/deputation/absorption/grade from which promotion/deputation/absorption to be made
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10	11	12
2 years for direct recruits	(i) 95% by direct recruitment. There being no bar to the departmental candidates working in various grades in the Central Water Commission and possessing prescribed qualifications being considered. (ii) 5% by promotion.	Promotion : Surveyor with 8 years regular service in the grade and possessing educational qualification prescribed for direct recruits as in column 8. OR Surveyor with 8 years regular service in the grade and having passed the departmental examination. OR Surveyor with 12 years regular service in the grade. Note : Where juniors who have completed their

qualifying eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service.

If a Departmental Promotion Committee exists what is its composition

13

Circumstances in which the Union Public Service Commission is to be consulted in making recruitment

14

Not applicable

Departmental Promotion Committee Group 'C' (Non-ministerial)

1. Secretary/Director (Administration)/Director (Establishment), Central Water Commission

---Chairman

2. Director/Deputy Director of any technical directorate, Central Water Commission

---Member

3. Under Secretary Central Electricity Authority

---Member

4. Under Secretary, Central Water Commission

Member

2. Draftsman Grade-II

302*

(2002)

*Subject to variation dependent on work load.

General Central Service Group 'C' Non-Gazetted Non-ministerial

Rs. 5000-150-8000

Non-selection

18 to 25 years (Relaxable for Government servants upto 40 years).

Note 1 : Relaxable for Scheduled Castes/Scheduled Tribes/Other Backward Classes and certain other categories as notified by the Central Government from time to time.

Note 2 : Relaxable cumulatively with any other age relaxation for Schedule Castes/Schedule Tribes/Other Backward Classes.

Note 3 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim,

Not applicable

Essential :

1. Matriculation or equivalent from a recognised University/Board.

2. Diploma/National Trade Certificate in Draftsmanship (Civil/Mechanical)

of not less than 2 years duration from a recognised Institute/Board and practical experience of at least 3 years in the line in an Organisation of repute after getting the Diploma Certificate.

- Ladakh Division of Jammu & Kashmir state, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakhsadeep).

Note 4 : In respect of posts, the appointments to which are made through Employment Exchange, the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.

10	11	12		
2 years for direct recruits only	Promotion failing which by direct recruitment	Promotion : Draftsman Grade-III possessing Diploma/National Trade Certificate in Draftsmanship (Civil/Mechanical) of not less than 2 years duration or equivalent from a recognised Institute/Board with 8 years regular service in the grade. OR Draftsman Grade-III, not possessing Diploma/National Trade Certificate in Draftsmanship (Civil/Mechanical) of 2 years duration, with 13 years regular service in the grade and having passed the departmental examination. The Draftsman Grade-III not possessing Diploma/National Trade Certificate in Draftsmanship (Civil/Mechanical) shall be eligible for appearing in the departmental examination only after rendering 8 years regular service in the grade.		
	13	14		
	Departmental Promotion Committee Group 'C' (Non-ministerial) 1. Secretary/Director (Administration)/Director (Establishment), Central Water Commission —Chairman 2. Director/Deputy Director of any technical directorate, Central Water Commission —Member 3. Under Secretary, Central Electricity Authority —Member 4. Under Secretary, Central Water Commission —Member.	Not applicable		
1	2	3	4	5
3. Draftsman Grade III	66* (2002) *Subject to variation dependent on workload.	General Central Services Group 'C' Non-Gazetted Non-Ministerial	Rs. 4000-100-6000/-	Not applicable

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मिशन का गठन: 15, 2002/मिशन 25, 1924

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6		7		8		9	
18 to 25 years (Relaxable for Government servants upto 40 years). Note 1 : Relaxable for Scheduled Castes/ Scheduled Tribes/ Other Backward Classes and Certain other categories as notified by the Central Government from time to time. Note 2: Relaxable cumulatively with any other age relaxation for Schedule Castes/ Schedule Tribes/ Other Backward Classes. Note 3 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir state, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshadweep). Note 4: In respect of posts the appointments to which are made through Employment Exchange, the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.		No		(i) Matriculation or equivalent from a recognised University /Board. (ii) Diploma/National Trade Certificate in Draftsmanship (Civil/ Mechanical) of not less than 2 years duration from a recognised Institute/ Board.		No	
10		11		12			
2 years		Direct recruitment		Not applicable			
		13		14			
		Departmental Promotion Committee Group 'C' (Non-ministerial)		No- applicable			
		1. Secretary/Director (Administration)/Director (Establishment). Central Water Commission-- --Chairman					
		2. Director Deputy Director of any technical directorate. Central Water Commission --Member					
		3. Under Secretary, Central Electricity Authority--Member					
		4. Under Secretary Central Water Commission - Member					
1		2		3		4	
4. Surveyor		17* (2002) *Subject to variation dependent on workload.		General Central Service, Group 'C' Non-Gazetted Non-ministerial.		Rs. 4000-100-6000/- Not applicable	

Not exceeding 25 years (Relaxable for Government servants upto 40 years)
 Note 1: Relaxable for Scheduled Castes/Scheduled Tribes/Other Backward Classes and certain other categories as notified by the Central Government from time to time.

Note 2: Relaxable cumulatively with any other age relaxation for Scheduled Castes/Scheduled Tribes/Other Backward Classes.

Note 3: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh, Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshadweep).

Note 4: In respect of posts, the appointments to which are made through Employment Exchange the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.

Not applicable

Essential

Not applicable

- (1) Diploma in Surveying of a recognised institute or National Trade Certificate in Surveying awarded by the Ministry of Labour.
- (2) Should be familiar with land surveying method with the use of tapes, chains compasses, instruments and the like and should be able to do contour surveying in connections with roads, pipeline and similar projects.

10	11	12		
2 years	Direct recruitment	Not applicable		
13	14			
Departmental Promotion Committee Group 'C' (Non-ministerial)	Not applicable			
1. Secretary Director (Administration)/Director (Establishment), Central Water Commission —Chairman				
2. Director/Deputy Director of any technical directorate, Central Water Commission —Member				
3. Under Secretary, Central Electricity Authority —Member				
4. Under Secretary, Central Water Commission —Member				
1	2	3	4	5
5. Wireless Operator	171* (2002) *Subject to variation dependent on work load	General Central Service, Group 'C' Non-Gazetted Non-ministerial	Rs. 4000-100-6000	Not applicable

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Between 18 and 25 years.

(Relaxable for Government servants upto 40 years).

Note 1 : Relaxable for Scheduled Castes/ Scheduled Tribes/Other Backward Classes and certain other categories as notified by the Central Government from time to time.

Note 2 : Relaxable cumulatively with any other age relaxation for Scheduled Castes/ Scheduled Tribes/Other Backward Classes.

Note 3 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State, Lahaul and Spiti District and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshadweep).

Note 4 : In respect of posts the appointments to which are made through Employment Exchanges, the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.

Not applicable

(i) Matriculation of equivalent from a recognised Board/University.

(ii) Second Class Certificate of proficiency of Wireless Operators issued by the Ministry of Communications.

Not applicable

OR

Five years service in the Armed Forces in the line of Wireless Operators (Applicable to Ex-servicemen and serving personnel in the Armed Forces).

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2 years

Direct recruitment

Not applicable

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Group 'C' Departmental Promotion Committee (Non-ministerial).

Not applicable

1. Secretary/Director Administration/Director (Establishment).
Central Water Commission —Chairman
2. Director Deputy Director of any Technical directorate,
Central Water Commission — Member
3. Under Secretary, Central Electricity Authority —Member
4. Under Secretary, Central Water Commission —Member

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6. Wireless Mechanic

42* (2002) *Subject to variation dependent on work load.

General Central Service, Group 'C' Non-Gazetted Non-ministerial

Rs. 4000-100-6000

Not applicable

Between 18 and 25 years

(Relaxable for Governments servant upto 40 years).

Note 1 : Relaxable for Scheduled Castes/ Scheduled Tribes/Other Backward Classes and certain other categories as notified by the Central Government from time to time.

Note 2 : Relaxable cumulatively with any other age relaxation for Scheduled Castes/ Scheduled Tribes/ Other Backward Classes.

Note 3 : The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu & Kashmir State Lahaul and Spiti District and Pangl Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island or Lakshadweep).

Note 4 : In respect of posts the appointments to which are made through Employment Exchange, the crucial date for determining the age limit, in each case be the last date upto which the employment exchanges are asked to submit the names.

Not applicable

(i) Matriculation or equivalent qualification from recognised University/Board.

(ii) Diploma in Electrical/ Radio Telecommunication or Electronic from any Technical Institute recognised by the Central Government and Diploma awarded by State Board of Technical Education with six month experience in maintaining necessary measuring instruments and batteries and carrying out adjustments/ repairs to the Wireless sets.

Or

Apprenticeship certificate in Electrical/Radio Technician from any Industrial Technical Institute/ Certificate awarded by National Council for Training in Vocational Trade with one year experience in maintaining necessary measuring instruments and batteries and carrying out adjustments /repairs to the Wireless sets.

OR

5 years experience from any private/Public Undertakings or/Public organisations in maintenance and repairs of electronics equipments and allied accessories.

OR

Certificate of Vocational Courses in Electronics/Radio/ Technology from a recognised Board of Secondary Education.

Not applicable

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2 years

Direct recruitment

Not applicable

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Not applicable

Group 'C' Departmental Promotion Committee (Non-ministerial)

1. Secretary/Director Administration/Director (Establishment).
Central Water Commission. — Chairman

2. Director/Deputy Director of any Technical Directorate Central Water Commission — Member

3. Under Secretary, Central Electricity Authority — Member

4. Under Secretary, Central Water Commission — Member

[No. 8/2002/F. No. 35/8/2000-Estt. I]
ASHOK JHA, Under Secy.

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Arunesh Deb Ray, B.A. (Distn) LLB

Advocate, Gauhati High Court
Central Administrative Tribunal
Sr. Central Govt. Standing Counsel
Guwahati Bench, Guwahati - 781 005

Residence

Hengrabari Housing Colony
L.I.G. - 3 (Top floor)
Guwahati - 781 006
☎ : 265334(R), 221358 (C)

Ref. No.

Date.

To,

Shri
Advocate.

Sub: ~~Copy to written statement in O.A M.P~~ of reply in C.P. 1/2003
(in O.A 283/2002)

Sir,

Please find herewith a copy ^{of reply} which is being filed today.

Please acknowledge receipt.

Yours Sincerely,



(A. Deb Roy)
Sr. C.G.S.C.

C.A.T., Guwahati Bench.

Undertake to serve copy to Shri



(A. Deb Roy)
Sr. C.G.S.C.

C.A.T., Guwahati Bench.