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A

HIGH COURT OF UTTARAKHAND AT NAINITAL

SCRUTINY REPORT

1. Filed on.....
2. Case No.....3. CNR Number.....
4. Court Fees Paid and if sufficient.....
5. If No., Deficiency of.....
6. Limitation Began on.....Expired on.....
7. If barred by Limitation, there is delay of.....days
8. If Delay Condonation Application is filed.....
9. If any Caveat has been filed.....
If Yes by.....
10. Caveator served/ not served.....
11. Notice served on Opposite Party on.....
12. This is.....
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13. Defects, if any-
(1)
(2)
(3)
(4)
(5)
14. Remarks, if any.....

A.R.O./R.O./S.O.

S.O./A.R. (Stamp Reporting)

S.O./A.R. (Defects Scrutiny)

D.R.(Institution)

B

HIGH COURT OF UTTARAKHAND AT NAINITAL

PRESENTATION FORM
(To be filled up by the Party/Advocate)

1. Case Category- Writ Petition (S/B)
2. District- Dehradun
3. Titled as- Sunil Kumar Pokhriyal & Anr. Vs. State & Ors.
4. Name of Advocate(s) with Bar Council Registration Numbers, Contact Numbers, e-mail addresses etc.

Vinay Kumar,
Reg. No. UK-113/2017,
Mobile No. 9456555239,
Email ID- ujvnl_ptcul@rediffmail.com

5. Contact Number, e-mail addresses of Petitioner etc.

Contact No... 81718057157.....

6. Copies served on respondents- C.S.c

7. Mode of Service- Dist

8. Date of Service- 16/6/2025.....

9. Any other information - No -.....


Signature
Vinay Kumar
Advocate

Date: 15/06/2025
Place: Nainital

HIGH COURT OF UTTARAKHAND AT NAINITAL

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IN

CASE No..... CNR No.....

Sunil Kumar Pokhriyal & Anr.Petitioners

VERSUS

State of Uttarakhand & Ors. Respondents

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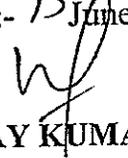
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Certified that entries in Serial No. 1 to Serial No.40 of this Index have been filled up by me.

Place: Nainital

Dated:- 15 June, 2025



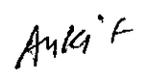
(VINAY KUMAR)
Advocate

Reg. No.UK-113/2017



(SUDHA TAMTA)
Advocate

Reg. No.UK-626/2016



(ANKIT BISHT)
Advocate

Reg No. D-7113/2023

Counsel for the Petitioners

D

HIGH COURT OF UTTARAKHAND AT NAINITAL

WRIT PETITION NO. OF 2025 (S/B)
(Under Article 226 of Constitution of India)
(District-Dehradun)

Sunil Kumar Pokhriyal & Anr.Petitioners

VERSUS

State of Uttarakhand & Ors. Respondents

COURT FEES

Place: Nainital

Dated:- June, 2025

(VINAY KUMAR)
Advocate

(SUDHA TAMTA)
Advocate

(ANKIT BISHT)
Advocate

Reg. No.UK-113/2017

Reg. No.UK-626/2016

Reg No. D-7113/2023

Counsel for the Petitioners

E₁

HIGH COURT OF UTTARAKHAND AT NAINITAL

DATES AND EVENTS

IN

WRIT PETITION NO. OF 2025 (S/B)
(Under Article 226 of Constitution of India)
(District-Dehradun)

Sunil Kumar Pokhriyal & Anr.Petitioners

VERSUS

State of Uttarakhand & Ors. Respondents

Dates	Events
1970	Appointment of Assistant Engineer in Uttarakhand Power Corporation Ltd. is governed by the provisions of the UPSEB Services of Engineer Regulations, 1970. Regulation 5 of the Service Regulation, 1970 provided that the appointment on the post of Assistant Engineer will be made by direct recruitment as well as by promotion from Junior Engineer in the selection grade as provided in Appendix-C. Regulation 19 deals with seniority to be determined on the basis of the date of the order of appointment to a particular post in the cadre of service. Appendix-B deals with procedure for direct recruitment on the post of Assistant Engineer, whereas Appendix-C deals with recruitment on the post of Assistant Engineer under promotional quota.
24.02.1998	UPSEB issued the Notification, whereby Uttar Pradesh State Electricity Board Servant Seniority Regulations, 1998 were notified. The said Regulations govern the determination of seniority of the persons appointed under the services of the State Electricity Board. Regulation 8 deals with determination of the seniority in case where appointments are to be made by promotion as well as by direct recruitment. Regulation 8(3) provides that where appointments are made both by promotion and direct recruitment on the result of any one selection, the seniority of promotees vis-a-vis direct recruits shall be determine in a cyclic order.

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30.03.2001	Uttar Pradesh Power Corporation Limited, issued an Office Memorandum whereby Regulation-5(1) of the Service of Engineer Regulation 1970 was amended. The substituted Regulation-5(1) provides that the total sanctioned post of Assistant engineer will be bifurcated in different categories for the purposes of recruitment in the services and in each year separate proceedings will be undertaken for recruitment/ promotion against the vacancies in each category. The recruitment /promotion will be made on the vacant post in the year in which the vacancy is available
31.03.2001	Office Memorandum was issued by the Managing Director, UPCL, wherein it was mentioned that till the Uttarakhand Power Corporation Ltd. frames its own separate regulations, orders or conditions governing service, till then Rules, Regulations, Orders and service conditions notified by Uttar Pradesh Power Corporation Ltd. will continue to be implemented in Uttarakhand Power Corporation Ltd. In view of the Office Memorandum dated 31.03.2001, the Engineers Service Regulations, 1970 and the Seniority Regulations, 1998 continued to be implemented in Uttarakhand Power Corporation Ltd.
05.12.2001	UPCL issued another order, wherein it has been clarified that no rules and regulations of Uttar Pradesh Power Corporation Ltd. enforced after 01.11.2001 will be applicable unless and until such rules and regulations are made applicable by the Corporation. Thus, the Corporation took a conscious decision that unless and until the Corporation adopts the regulations framed by UP Power Corporation the same will not be enforced in Uttarakhand Power Corporation Ltd.
18.12.2007	Office Order No. 8786 dated 18.12.2007, wherein it has been provided that since the U.P. Power Corporation Ltd. on 06.11.2007 has issued an order and hence in the same lines the order has been issued that the post of Junior Engineers (Selection Grade) is abolished as provided by the U.P. State Electricity Board Subordinate Electrical and Mechanical Engineers Service Regulation 1972, w.e.f. 14.02.2007. It has been provided in the aforesaid Office Order that the requisite

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	exercise to carry out the necessary amendment in the Regulation shall be made.
30.06.2009	Managing Director, UPCL issued an Office Memorandum No. 0616, whereby the Junior Engineer (E&M) working in UPCL were promoted on the post of Assistant Engineer (E&M) under 40% promotion quota. The promotions were made on the terms and conditions mentioned in the Office Memorandum dated 30.06.2009. The said Office Memorandum contained the name of the petitioners at Serial Nos. 9 & 10. The Promotion Order mentioned that the promoted officers will be sent for training as per the letter dated 16.06.1995 issued by the UPSEB, after joining on the post of Assistant Engineer.
30.06.2009	Managing Director, UPCL issued the Office Memorandum No. 2570, whereby the Junior Engineer (Degree Holders) were promoted on the post of Assistant Engineer (E&M) under 8.33% promotion quota. The promotion order was subject to the condition that on joining on the promoted post of Assistant Engineer, the promotee will be sent for training as per the provision contained in Letter dated 16.06.1995 issued by the UPSEB.
31.12.2009	UPCL initiated the proceedings for appointment by direct recruitment on the post of Assistant Engineer (E&M). After conclusion of the selection process the Managing Director, UPCL issued the Appointment Order in favour of the selected candidates on 31.12.2009, which also included the name of respondent no. 6. The appointment order mentioned that the newly appointed Assistant Engineer (Trainee) will be on probation for a period of two years and they will have to undergo training of 12 months.
11.01.2011	Director (HR), UPCL issued an Office Memorandum, whereby the direct recruit Assistant Engineer (E&M) (Trainee) were given regular appointment on the post of Assistant Engineer (E&M) from the date mentioned against their name. The direct recruit Assistant Engineer (E&M) were given the date of substantive appointment in the month of December 2010 and January 2011.

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03.01.2015	Final Seniority List of Assistant Engineer (E&M) was issued by the UPCL in respect of the Junior Engineer, who were promoted on the post of Assistant Engineer (E&M) in the year 2007-2008 and 2008-2009 along with the direct recruit Assistant Engineer (E&M), who were appointed in the year 2008-2009.
07.11.2017	Final Seniority List came to be challenged before the Learned Uttarakhand Public Service Tribunal Bench at Nainital by the promotee Assistant Engineer (E&M) by way of Claim Petition No. 01/NB/DB/2015, "B.M. Bhatt & Ors. Vs. State & Ors." After exchange of the pleadings between the parties, the Claim Petition filed by Sri B.M. Bhatt & Ors. was allowed vide judgment and order dated 07.11.2017 and the Final Seniority List dated.03.01.2015 issued by the employer was set-aside and the UPCL was directed to prepare the fresh seniority list according to the rules and regulations.
2017	Judgment dated 07.11.2017 passed by the Learned Public Service Tribunal in Claim Petition No. 01/NB/DB/2015, "B.M. Bhatt & Ors. Vs. State & Ors.", came to be challenged in bunch of writ petitions leading writ petition being WPSB No. 579 of 2017, "Uttarakhand Power Corporation Ltd. Vs. B.M. Bhatt & Ors." and other connected writ petitions.
31.03.2023 And 19.04.2023	During the pendency of the Writ Petition (S/B) No. 579 of 2017 and other connected writ petitions, the coordinate bench of this Hon'ble Court passed an order on 31 st March 2023, directing for opening of the seniority list placed in sealed envelope and further director the Respondent UPCL to give effect to the same, without prejudice to the rights and contentions of the parties and subject to further orders in the writ petition. By the order dated 19 th April 2023, the Coordinate Bench of this Hon'ble Court directed the UPCL to give effect to the Seniority List with a further permission to the parties to the Writ Petition to obtain the copy of the Seniority List.
2023	In pursuance to the orders of the Hon'ble Court dated 31 st March 2023 and 19 th April 2023, the tentative seniority list of Assistant Engineer (E&M) of the year 2008-09, was provided to the Petitioners. Perusal of the

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	<p>tentative seniority list of Assistant Engineers (E&M) of the Year 2008-09 shows that the same has been prepared by excluding the period of training of the Assistant Engineers in the Petitioner No.01 was placed at Serial No.59 where as the Petitioner No.02 was placed at Serial No.62. The name of the Private Respondents did not figure in the tentative seniority list the name of the private respondents figured in the tentative seniority list of the Assistant Engineers (E&M) of the Year 2010-11.</p>
27.06.2024	<p>Writ Petition (S/B) No. 579 of 2017 and connected bunch of writ petitions were allowed by the Coordinate Bench of this Hon'ble Court vide judgment and order dated 27.06.2024 by directing the UPCL to fix the seniority after giving the benefit of seniority to all the Assistant Engineers in the year 2006-2007, 2007-2008 and 2008-2009 from the date of their joining in the Department and keeping in view the rota-quota between the direct recruits and the promotees. A further direction was issued to complete the exercise within a period of eight weeks from the date of production of certified copy.</p>
14.02.2025	<p>That after the judgment dated 27.06.2024, a Clarification Application was moved on behalf of UPCL and the respondent nos. 17, 19 & 22 in the WPSB No. 579 of 2017, whereby the clarification was sought regarding the Para No. 18, 20 and 22 of the judgment dated 27.06.2024. The Coordinate Bench of this Hon'ble Court by its order dated 14.02.2025 clarified the same by holding that rota-quota shall be given in accordance with the existing statutory rules/regulations.</p>
12.03.2025	<p>On the request of UPCL the State Government vide Office Memorandum constituted a Committee for complying the direction of this Hon'ble Court as contained in judgment dated 12th June 2024, and 14th February 2025. The committee was directed to examine and interpreting the rules and regulations pertaining to the inter-se Seniority dispute in the Uttarakhand Power Corporation Limited and providing directions and report to the Chairperson, UPCL.</p>

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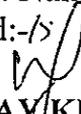
25.03.2025, 08.04.2025 &17.4.2025	In meetings of the Committee, the Committee took note of the Judgment dated 27.06.2024 & order dated 14 th February 2025, statutory Regulations and Report of the Committee. The Committee came to the conclusion that the combined list was required to be prepared as per Regulation 15 read with proviso 4 of Regulation 19. The Committee also opined that the position of the Seniority List of Direct recruits and promotees will be ascertained as per Regulations 8(3) of the Regulation of 1998. The Committee concluded so far as the inter-se seniority of the Year 2008-09 is concerned the same shall be made in such a manner that direct recruits against the advertisement of the February 2009 who joined in December 2009 and onwards will be amalgamated with the promotees of the Year 2008-09, as envisaged in the Regulation 8(3) of 1998. 03 Member Committee submitted its report to the Executive Director (HR)/Committee Coordinator, UPCL on 17 th April 2025. The Executive Director (HR) forwarded the report of the Committee to the Chief Secretary/Chairman, UPCL for further directions.
04.06.2025	Respondent UPCL issued the impugned Office Memorandum, whereby the Final Seniority List of Assistant Engineers (E&M) of the selection Year 2008-09 was issued. In the impugned Final Seniority List of the Year 2008-09, Petitioners have been placed at Serial No. 59 and 63 by showing the date of Appointment as 30 th June 2009; whereas the Private Respondents have been placed above the Petitioners by applying rota quota, even though the date of appointment is January 2010 and onwards.
	Impugned Office Memorandum dated 04.06.2025 issued by the UPCL, whereby the Final Seniority List of Assistant Engineer (E&M) of the year 2008-09 has been issued and the report of the 03 Member Committee is not sustainable for the reason that the same is contrary to the provisions of the Service Regulation of 1970 as well as the Seniority Regulations of 1998 as well as the judgment passed by the Coordinate Bench of this Hon'ble Court in WPSB No. 579 of 2017, wherein the Hon'ble Court directed for fixation of seniority on the basis of date of

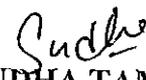
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appointment. Hence, the present Writ Petition.

Place: Nainital

Dated: -/5/ June, 2025


(VINAY KUMAR)
Advocate


(SUDHA TAMTA)
Advocate


(ANKIT BISHT)
Advocate

Reg. No. UK-113/2017 Reg. No. UK-626/2016 Reg. No. D-7113/2023
Counsel for the Petitioners

1

HIGH COURT OF UTTARAKHAND AT NAINITAL

WRIT PETITION NO.....OF 2025 (S/B)

(Under Article 226 of Constitution of India)

(District- Dehradun)

1- Sunil Kumar Pokhriyal (Male), Aged about 48 years
S/o Sri Lalita Prasad,
R/o Lane No. 18, Tea Estate Banzarawala,
Dehradun, PIN-248001.

2- Khyali Datt Joshi (Male), Aged about years,
S/o Late Jai Datt Joshi,
R/o Lane No. 1, Vishnupuram Colony,
Mothrowala Road, Dehradun.

.....Petitioners

VERSUS

1. State of Uttarakhand through Secretary, Department of Energy, Government of Uttarakhand, Dehradun.
2. Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun through its Chairman.
3. Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun.
4. Director (HR), Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun.
5. Abhinav Rawat, S/o Sri Jagmohan Singh Rawat, Saket Colony, Lane No. 3, Ajabpur Kalan, Dehradun.
6. Rahul Channa S/o Sri Vishambar Nath Channa, R/o H.No. 1000, Street-14, Ramnagar, Roorkee, District Haridwar.
7. Shweta Dinkar Rautela, W/o Sri Dinkar Rautela, R/o Quarter No. 1, Type-3, Urja Bhawan, Kanwali Road, Dehradun.
8. Anuj Kumar Tripathi, S/o Budh Pal Sharma, H.N 18/3. Suresh Sharma Nagar, Bareilly, Uttar Pradesh.
9. Meenakshi Pant, W/o Sri Nikhil Khanna, R/o 39 Narendra Vihar Ext, Kaulagarh Road, Dehradun.
10. Prashant Mohan Joshi, S/o Sri G.C Joshi, R/o B-28, Shivlok Colony, Raipur Road, Dehradun.




(Sunil Kumar Pokhriyal)

11. Vipin Kumar S/o Sri Rabindra Prasad, R/o Quarter No. 28, Rajeshwari Puram, Jogiwala, Dehradun.
12. Arshad Ali, S/o Sri Shakeel Ahmed, R/o H.N 263/1, Aman Vihar, Lane 12, Turner Road, Dehradun
13. Gulshan Bulani, S/o Jeevan Lal Bulani, R/o 27/3 Rana Niwas, Near Uma Lodge, Kamprayag.
14. Rohitashu Pandey, S/o B. D Pandey, Sanjay Colony, R.K Tent House Road, Kusumkhera, Haldwani.
15. Himanshu Badoni, S/o Sri Dwarka Prasad Badoni, R/o 27-B, Garhi Cantt, Dehradun.
16. Dhananjay Kumar, S/o Umesh Prasad Singh, R/o Drona Vatika, Lane No 4, Sahastradhara Road, Dehradun.
17. Vivek Upadhyay, S/o Sri Mahesh Upadhyay, Sanjay Colony, R. K Tent House Road, Kusumkhera, Haldwani.
18. Manish Joshi, S/o Sri Bhuvan Chandra Joshi, R/o Joshi Niwas, Amoun, Near Mazar, Tanakpur Road, Khatima.
19. Santosh Agarwal, S/o Sri Panna Lal Agarwal, R/o 6-D/935, Awas Vikas Colony, Agra.
20. Puneet Kumar Srivastava, S/o Sri H.S. Srivastava, Rio 3-Model Colony, Rudrapur.
21. Vikas Bharti, S/o Sri Nand Ram, R/o Type IV/4 (FH), Urja Bhawan, Kanwali Road, Dehradun.
22. Sunil Kumar, S/o Sri Rajbir Singh, Village Gummawala, P.O Sohalpur, Roorkee.
23. Jaipriya, S/o Sri Rajkumar Arya, R/o Quarter No. 2. Type 3, Urja Bhawan, Kanwali Road, Dehradun.
24. Geeta Pathak, W/o Sanjay Tiwari, Rio Type-IV, Yamuna Colony. Dehradun.
25. Chandra Mohan, S/o Late Sri Shiv Lal, R/o 18, E. C. Road, Type 4/5 U.P.C.L. Colony, Dehradun.
26. Reeta Rajput, D/o Late Sri Gopal Chandra Rajput, R/o Village Chama, Post Bisa Bejerh, Dist Pithoragarh.
27. Lalit Mohan. S/o Sri Bishan Ram Arya, R/o Indira Colony, Gali No. 1. Rudrapur, U. S Nagar-263153.
28. Mukesh Kumar, S/o Late Sri Vijay Pal Singh, R/o C-109, Plot No. 40, New Vishnu Garden, P.O. Gurkul Kangri, Haridwar
29. Shilpi Saini, W/o Sri Ravikant Saini, R/o E.H.-19, Sector-6, B.H.E.L., Haridwar.



(Sunil Kumar Pokhriyal)

30. Monika Chunera, D/o Sri K. R. Chunera, Village Bhagirathi, P.O & Distt. Bageshwar.
31. Neeti Vishesh, W/o Sri Vishesh Kumar, J.T.O (Indoor), B.S.N.L. Telephone Exchange, Police Line, Pithoragarh-262501.
32. Pravesh Kumar, S/o Sri Jogendra Kumar, R/o Quarter No.-1. Type-IV, Hydrel Colony, Ranikhet.
33. Rakesh Singh Burfal, S/o Sri B.S. Burfal, R/o. Village Darathi, P.O Rathi, Distt. Munsiyari, Pithoragarh.

.....Respondents

To,

The Hon'ble the Chief Justice and his other companion judges of the aforesaid Court.

The humble petition of the above named Petitioner *Most Respectfully Showeth* as under:-

1. That this is the first writ petition filed by the Petitioners for the present cause of action before this Hon'ble Court and no other writ petition has been filed by the Petitioners before this Hon'ble Court or any other Court of law for the same cause of action.
2. That the petitioners, who are presently posted as promotee Assistant Engineers (E&M) in the Uttarakhand Power Corporation Ltd., are aggrieved by the Office Memorandum dated 04.06.2025 issued by the respondent no. 3 in compliance of the judgments passed by the Division Bench of this Hon'ble Court in WPSB No. 579 of 2019 (UPCL Vs. B.M. Bhatt & Ors) and other connected writ petitions, whereby the Final Seniority List of Assistant Engineers (E&M) has been published in violation of the provisions of Uttar Pradesh State Electricity Board Servant Seniority Rules, 1998, inasmuch as the respondents have prepared the Seniority List on the basis



[Signature]
(Sunil Kumar Pochargal)

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of the Office Memorandum No. 2646 dated 30.06.2016 of Uttar Pradesh Power Corporation Ltd., which is not applicable in the Uttarakhand Power Corporation Ltd.

Relief sought by the Petitioners is to quash the impugned Final Seniority List dated 04.06.2025 of Assistant Engineer (E&M), UPCL, so far as it determine the inter-se seniority between the petitioners and private respondents by wrongly relying on the Office Memorandum No. 2646 dated 30.06.2016 and in violation of Rule 8(3) of the Uttar Pradesh State Electricity Board Servant Service Rules, 1998, wherein it has been specifically provides that where appointments are made both by way of promotion and by direct recruitment, then the inter-se seniority of promotee and direct recruits will be determined according to the prescribed quota and admittedly in the present case the petitioners and the private respondents were appointed in different selection. years and hence; rota-quota could not have been applied inter-se between the petitioners and private respondents for determining their inter-se seniority.

3. That before dealing with the controversy involved in the present writ petition it would be necessary to bring on record the Rules governing the service conditions of Assistant Engineer to be appointed in Uttarakhand Power Corporation Ltd. The appointment of Assistant Engineer in Uttarakhand Power Corporation Ltd. (hereinafter to be referred in short as 'UPCL') is




(Sund Kumar Pokhriyal)

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governed by the provisions of the UPSEB Services of Engineer Regulations, 1970 (hereinafter referred in short as 'Regulation of 1970') framed in exercise of powers conferred under Section 79(c) of the Electricity Supply Act, 1948. After bifurcation of the State and formation of Uttarakhand Power Corporation Ltd. the said Regulations came to be applicable on the employees of UPCL.

4. That Regulation 5 of the Service Regulation, 1970 deals with source of recruitment on the post of Assistant Engineer and other posts in the cadre. It has been provided that the appointment on the post of Assistant Engineer will be made by direct recruitment as well as by promotion from Junior Engineer in the selection grade as provided in Appendix-C. Regulation 7 provides for determination of the vacancies. Regulation 15 deals with preparation of combined waiting list of Assistant Engineers and as per the said regulation a combined waiting list will be prepared on the basis of the list received under Rule 6 of Appendix-B and select list referred to in Rule 7 of Appendix-C. Regulation 19 deals with seniority to be determined on the basis of the date of the order of appointment to a particular post in the cadre of service. Appendix-B deals with procedure for direct recruitment on the post of Assistant Engineer, whereas Appendix-C deals with recruitment on the post of Assistant Engineer under promotional quota. True/correct typed version/copy of the Service Regulations, 1970 is being annexed as Annexure No.-1 to this petition.
5. That on 30th March 2001, the Uttar Pradesh Power Corporation Limited, issued an Office Memorandum whereby Regulation-5(1) of the Service of Engineer Regulation 1970 was amended. The



Kul
(Suresh Kumar Potharayal)

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substituted Regulation-5(1) provides that the total sanctioned post of Assistant engineer will be bifurcated in different categories for the purposes of recruitment in the services and in each year separate proceedings will be undertaken for recruitment/promotion against the vacancies in each categories. The recruitment/promotion will be made on the vacant post in the year in which the vacancy is available. True/ correct typed version/copy of the office Memorandum dated 30th March 2001, is being annexed as Annexure No.-2 to this petition.

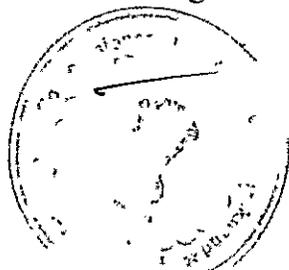
6. That on 24.02.1998 the erstwhile Uttar Pradesh State Electricity Board issued the Notification in exercise of power under Section 79(c) of the Electricity Supply Act, 1948, whereby Uttar Pradesh State Electricity Board Servant Seniority Regulations, 1998 were notified. The said Regulations govern the determination of seniority of the persons appointed under the services of the State Electricity Board. The said Regulations have an overriding effect over the Service Regulations framed by the Board under Section 79(c) of the Electricity Supply Act. Regulation 8 deals with determination of the seniority in case where appointments are to be made by promotion as well as by direct recruitment. Regulation 8(3) provides that where appointments are made both by promotion and direct recruitment on the result of any one selection, the seniority of promotees vis-a-vis direct recruits shall be determine in a cyclic order. True/ correct typed version/ copy of the Uttar Pradesh State Electricity Board Servant Seniority Regulations, 1998 is being annexed as Annexure No.-3 to this petition.



[Signature]
(Sanjay Kumar Poulhraj)

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7. That after creation of the State of Uttarakhand and formation of the Uttarakhand Power Corporation Ltd., an Office Memorandum dated 31.03.2001 was issued by the Managing Director, UPCL, wherein it was mentioned that till the Uttarakhand Power Corporation Ltd. frames its own separate regulations, orders or conditions governing service, till then Rules, Regulations, Orders and service conditions notified by Uttar Pradesh Power Corporation Ltd. will continue to be implemented in Uttarakhand Power Corporation Ltd. In view of the Office Memorandum dated 31.03.2001, the Engineers Service Regulations, 1970 and the Seniority Regulations, 1998 continued to be implemented in Uttarakhand Power Corporation Ltd. True/ correct typed version/ copy of the Office Memorandum dated 31.03.2001 is being annexed as Annexure No.-4 to this petition.
8. That on 05.12.2001, the UPCL issued another order, wherein it has been clarified that no rules and regulations of Uttar Pradesh Power Corporation Ltd. enforced after 01.11.2001 will be applicable unless and until such rules and regulations are made applicable by the Corporation. Thus, the Corporation took a conscious decision that unless and until the Corporation adopts the regulations framed by UP Power Corporation the same will not be enforced in Uttarakhand Power Corporation Ltd.
9. That it is most respectfully submitted that no such amendment even as on date has been made by the Uttarakhand Power Corporation Ltd., either in 1970 Regulations or in 1972 Regulations, nor the post of Junior Engineer (Selection Grade) in 1972 Regulations, were abolished nor in the year 1970 Regulation,



(Sund Kumar Poudyal)

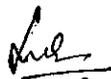
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from the zone of eligibility within the feeding cadre, the Junior Engineers working in the Selection Grade has not been deleted.

10. That further the Uttarakhand Power Corporation Ltd. has issued an Office Order No. 8786 dated 18.12.2007, wherein it has been provided that since the U.P. Power Corporation Ltd. on 06.11.2007 has issued an order and hence in the same lines the order has been issued that the post of Junior Engineers (Selection Grade) is abolished as provided by the U.P. State Electricity Board Subordinate Electrical and Mechanical Engineers Service Regulation 1972, w.e.f. 14.02.2007. It has been provided in the aforesaid Office Order that the requisite exercise to carry out the necessary amendment in the Regulation shall be made. True/ correct typed version/ copy of the Office Order dated 18.12.2007 is being annexed as Annexure No.-5 to this petition.

11. That on 30.06.2009, the Managing Director, UPCL issued an Office Memorandum No. 0616, whereby the Junior Engineer (E&M) working in UPCL, were promoted on the post of Assistant Engineer (E&M) under 40% promotion quota. The promotions were made on the terms and conditions mentioned in the Office Memorandum dated 30.06.2009. The said Office Memorandum contained the name of the petitioners at Serial Nos. 9 & 10. The Promotion Order mentioned that the promoted officers will be sent for training as per the letter dated 16.06.1995 issued by the UPSEB, after joining on the post of Assistant Engineer. True/ correct typed version/ copy of the Office Memorandum No. 0616 dated 30.06.2009 is being annexed as Annexure No.-6 to this petition.




(Anil Kumar Poozharyal)

12. That on 30.06.2009, the Managing Director, UPCL issued the Office Memorandum No. 2570, whereby the Junior Engineer (Degree Holders) were promoted on the post of Assistant Engineer (E&M) under 8.33% promotion quota. The promotion order was subject to the condition that on joining on the promoted post of Assistant Engineer, the promotee will be sent for training as per the provision contained in Letter dated 16.06.1995 issued by the UPSEB. True/ correct typed version/ copy of the Office Memorandum No. 2570 dated 30.06.2009 is being annexed as Annexure No.-7 to this petition.
13. That the UPCL initiated the proceedings for appointment by direct recruitment on the post of Assistant Engineer (E&M). The written examination of the same was held on 09.08.2009 and the interview was held between 23.11.2009 and 26.11.2009. After conclusion of the selection process the Managing Director, UPCL issued the Appointment Order in favour of the selected candidates on 31.12.2009. The appointment order dated 31.12.2009 mentioned that the selected candidates are appointed on the post of Assistant Engineer(E&M) (Trainee) on the terms and conditions mentioned in the appointment order. The appointment order mentioned that the newly appointed Assistant Engineer (Trainee) will be on probation for a period of two years. It further mentioned that the Assistant Engineer (Trainee) will undergo training for a period of 12 months. True/ correct typed version/ copy of the appointment order dated 31.12.2009 of respondent no. 6 is being annexed as Annexure No.-8 to this petition.



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(Sund Kumar Polshreyal)

14. That on 11.01.2011, the Director (HR), UPCL issued an Office Memorandum, whereby the direct recruit Assistant Engineer (E&M) (Trainee) were given regular appointment on the post of Assistant Engineer (E&M) from the date mentioned against their name. The direct recruit Assistant Engineer (E&M) were given the date of substantive appointment in the month of December 2010 and January 2011. True/ correct typed version/ copy of the Office Memorandum dated 11.01.2011 is being annexed as Annexure No:-9 of the petition.
15. That on 03.01.2015, a Final Seniority List of Assistant Engineer (E&M) was issued by the UPCL in respect of the Junior Engineer, who were promoted on the post of Assistant Engineer (E&M) in the year 2007-2008 and 2008-2009 along with the direct recruit Assistant Engineer (E&M), who were appointed in the year 2008-2009. The Final Seniority List dated 03.01.2015 came to be challenged before the Learned Uttarakhand Public Service Tribunal Bench at Nainital by the promotee Assistant Engineer (E&M) by way of Claim Petition No. 01/NB/DB/2015, "B.M. Bhatt & Ors. Vs. State & Ors." In the said Claim Petition, the Assistant Engineer (E&M), who were promoted in the selection year 2008-2009 also intervened. After exchange of the pleadings between the parties, the Claim Petition filed by Sri B.M. Bhatt & Ors. was allowed vide judgment and order dated 07.11.2017 and the Final Seniority List dated 03.01.2015 issued by the employer was set-aside and the UPCL was directed to prepare the fresh seniority list according to the rules and regulations. True/correct

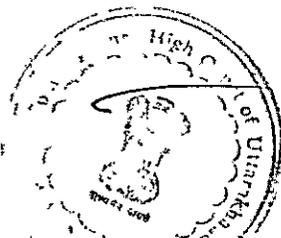


[Signature]
(Sunit Kumar Panchyogal)

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typed/version copy of the judgment dated 07.11.2017 is being annexed as Annexure No.-10 to this petition.

16. That the judgment dated 07.11.2017 passed by the Learned Public Service Tribunal in Claim Petition No. 01/NB/DB/2015, "B.M. Bhatt & Ors. Vs. State & Ors.", came to be challenged in bunch of writ petitions leading writ petition being WPSB No. 579 of 2017, "Uttarakhand Power Corporation Ltd. Vs. B.M. Bhatt & Ors." and other connected writ petitions.
17. That during the pendency of the Writ Petition (S/B) No. 579 of 2017 and other connected writ petitions, the coordinate bench of this Hon'ble Court passed an order on 31st March 2023, directing for opening of the seniority list placed in sealed envelope and further director the Respondent UPCL to give effect to the same, without prejudice to the rights and contentions of the parties and subject to further orders in the writ petition. By the order dated 19th April 2023, the Coordinate Bench of this Hon'ble Court directed the UPCL to give effect to the Seniority List with a further permission to the parties to the Writ Petition to obtain the copy of the Seniority List. True/ correct typed version/ copy of the order dated 31st March 2023 and 19th April 2023 is being annexed as Annexure No.-11 to this petition.
18. That in pursuance to the orders of the Hon'ble Court dated 31st March 2023 and 19th April 2023, the tentative seniority list of Assistant Engineer (E&M) of the year 2008-09, was provided to the Petitioners. Perusal of the tentative seniority list of Assistant Engineers (E&M) of the Year 2008-09 shows that the same has been prepared by excluding the period of training of the Assistant

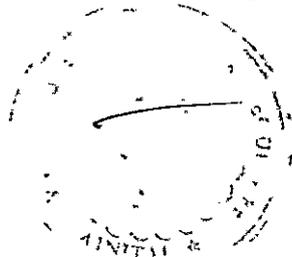



(Sunil Kumar Pothrayal)

Engineers in the Petitioner No.01 was placed at Serial No.59 where as the Petitioner No.02 was placed at Serial No.62. the name of the Private Respondents did not figure in the tentative seniority list the name of the private respondents figured in the tentative seniority list of the Assistant Engineers (E&M) of the Year 2010-11. True/ correct typed version/ copy of the tentative seniority list of Assistant Engineers of 2008-09 & 2010-11 is being annexed as Annexure No.-12 to this petition.

19. That the Writ Petition (S/B) No. 579 of 2017 and connected bunch of writ petitions were allowed by the Coordinate Bench of this Hon'ble Court vide judgment and order dated 27.06.2024 by directing the UPCL to fix the seniority after giving the benefit of seniority to all the Assistant Engineers in the year 2006-2007, 2007-2008 and 2008-2009 from the date of their joining in the Department and keeping in view the rota-quota between the direct recruits and the promotees. A further direction was issued to complete the exercise within a period of eight weeks from the date of production of certified copy. True/ correct typed version/ copy of the judgment and order dated 27.06.2024 is being annexed as Annexure No.-13 to this petition.

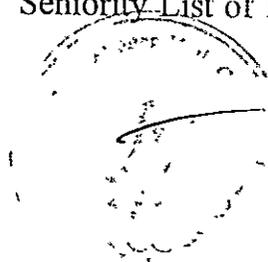
20. That after the judgment dated 27.06.2024, a Clarification Application was moved on behalf of UPCL and the respondent nos. 17, 19 & 22 in the WPSB No. 579 of 2017, whereby the clarification was sought regarding the Para No. 18, 20 and 22 of the judgment dated 27.06.2024. The Coordinate Bench of this Hon'ble Court by its order dated 14.02.2025 clarified the same by holding that rota-quota shall be given in accordance with the



(Sund Kumar Pol-haryal)

existing statutory rules/ regulations. True/ correct typed version/ copy of the Order dated 14.02.2025 is being annexed as Annexure No.-14 to this petition.

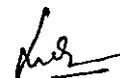
21. That on the request of UPCL the State Government vide Office Memorandum 17/I(2)/2025-05-52/2016 dated 12 March, 2025 constituted a Committee for complying the direction of this Hon'ble Court as contained in judgment dated 12th June 2024, and 14th February 2025. The committee was directed to examine and interpreting the rules and regulations pertaining to the inter-se Seniority dispute in the Uttarakhand Power Corporation Limited and providing directions and report to the Chairpersons, UPCL.
22. That the first meeting of the Committee was held on 25th March 2025 and thereafter on 08th April 2025 and 17th April 2025. The Committee took note of the Judgment of the Coordinate Bench of this Hon'ble Court dated 27.06.2024 and order dated 14th February 2025. The Committee also took note of the provisions of Regulations 15 & 19 of the UPSEB Services of Engineers Regulations, 1970 as well as Regulation 8(3) of UPSEB Servant Seniority Regulations 1998. The Committee also took note of the OM No. 2646 dated 30-06-2016 of Uttar Pradesh Power Corporation Ltd. The Committee also recorded its observation that Regulations are same in UPCL and UPPCL.
23. That perusal of the report of 03 member Committee shows that the Committee came to the conclusion that the combine list was require to be prepared as per Regulation 15 red with proviso 4 of Regulation 19. The Committee also opined that the position of the Seniority List of Direct recruits and promotees will be ascertained



(Sunil Kumar Polhargal)

as per Regulations 8 (3) of the Regulation of 1998. The Committee concluded so far as the inter-se seniority of the Year 2008-09 is concerned the same shall be made in such a manner that direct recruits against the advertisement of the February 2009 who joined in December 2009 and onwards will be amalgamated with the promotees of the Year 2008-09, as envisaged in the Regulation 8(3) of 1998. 03 member Committee submitted its report to the Executive Director (HR)/Committee Coordinator, UPCL on 17th April 2025. The Executive Director (HR) forwarded the report of the Committee to the Chief Secretary/Chairman, UPCL for cognizance and for further directions. True/ correct typed version/ copy of the Communication dated 15.05.2025 along with report of 03 member Committee is being annexed as Annexure No.-15 to this petition.

24. That after receipt of the report of 03 member Committee by the Chief Secretary/Chairman UPCL, no tentative seniority list of Assistant Engineer (E&M) of the Selection Year 2008-09, was issued by the UPCL inviting objections from the Petitioners or similarly situated persons, as is required under the provisions of UPSEB Servants Regulation 1998, the Respondent UPCL issued the impugned Office Memorandum dated 04th June 2025, whereby the Final Seniority List of Assistant Engineers (E&M) of the selection Year 2008-09 was issued. In the impugned Final Seniority List of the Year 2008-09. The Petitioners have been placed at Serial No. 59 and 63 by showing the date of Appointment as 30th June 2009 whereas the Private Respondents have been placed above the Petitioners by applying rota quota, even though


(Samir Kumar Pokhriyal)

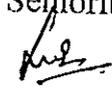
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the date of appointment is January 2010 and onwards. True/ correct typed version/ copy of the impugned Office Memorandum dated 04th June 2025 is being annexed as Annexure No.-16 to this petition.

25. That the impugned Office Memorandum dated 04.06.2025/ Final Seniority List of Assistant Engineer (E&M) of the year 2008-09 is not sustainable for the reason that the same has been issued in contravention of the Seniority Regulations, 1998, wherein it has been specifically provided that before issuing the Final Seniority List, the Appointing Authority will issue the Tentative Seniority List inviting objection on the same.
26. That the respondent UPCL had issued the Tentative Seniority List in compliance of the interim order of the Hon'ble Court dated 13.12.2017, wherein the name of the petitioners were placed above the private respondents, but after the final judgment dated 27.06.2024, the respondent UPCL has not issued any Tentative Seniority List and therefore, the respondent UPCL has violated Regulation 9 of the Seniority Regulations, 1998.
27. That the WPSB No. 579 of 2017 and other connected writ petitions were decided on 27.06.2024 by directing the respondent UPCL to fix the seniority on the basis of date of joining and on the basis of rota-quota, therefore, the respondent UPCL was required to issue the Tentative Seniority List based on the report of 03 Member Committee before issuing the impugned Office Memorandum dated 04.06.2025, more so when in the Tentative Seniority List the petitioners were placed in the Selection Year 2008-09 and the private respondents were placed in Selection Year 2010-11.


(Sunil Kumar Pokhriyal)

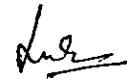
28. That the impugned Final Seniority List dated 04.06.2025 is not sustainable for the reason that the impugned Final Seniority List of Assistant Engineer (E&M) of the year 2008-09 has been prepared in violation of the directions given in the judgment dated 27.06.2024, wherein it has been categorically directed that the seniority has to be prepared from the date of joining on the post and admittedly the petitioners have joined on the promoted post on 30.06.2009, whereas the private respondents have been appointed by direct recruitment on 30.12.2009 and thereafter.
29. That the impugned Final Seniority List dated 04.06.2025 of Assistant Engineer (E&M) of the year 2008-09 is not sustainable for the reason that the petitioners have been promoted as Assistant Engineer on 30.06.2009, whereas the private respondents were appointed by direct recruitment on 30.12.2009 and thereafter and hence the Selection Year of the petitioner is 2008-09 and that of the private respondent is 2009-10.
30. That since the selection year of the petitioners is 2008-09 and that of the private respondents is 2009-10 and therefore, the respondent UPCL could not have applied the rule of rota-quota in respect of two different set of persons, inasmuch as the same would amount to retrospective seniority to the private respondents who were even not born in the cadre when the petitioners were promoted.
31. That perusal of the impugned Final Seniority List dated 04.06.2025 shows that the respondent UPCL has applied the rule of rota-quota between the promotee Assistant Engineer of the year 2008-09 with the direct recruits of selection year 2009-10, which is in violation of Regulation 8(3) of the Seniority Regulations, 1998


(Sumit Kumar Polshreyal)

as the same would amount to granting the seniority to the private respondents based on the vacancy instead of from the date of appointment on the post.

32. That the impugned Office Memorandum dated 04.06.2025 issued by UPCL is not sustainable for the reason that the Seniority Regulations, 1998 specifically provides that in Regulation 8(1) that the seniority of an employee appointed or promoted, will be determined from the date of their substantive appointment and admittedly the date of substantive appointment of the petitioners and the private respondents fall in different selection years.
33. That respondent UPCL has wrongly applied Regulation 8(3) of the Seniority Regulations, 1998; while issued the impugned Final Seniority List dated 04.06.2025 inasmuch as Regulation 8(3) provides for applicability of rule of rota-quota, where the promotion and direct recruitment will be made by way of single selection and admittedly the appointment by direct recruitment of private respondents and the promotion of the promotee Assistant Engineer (E&M) has not been held in the same selection year or by same selection.
34. That in the present matter the Hon'ble Court has directed for preparation of Final Seniority List on the basis of date of joining on the post and therefore, in the present case Regulation 8(2) of the Regulations of 1998 will be applicable in case of direct recruits and the promotee Assistant Engineer (E&M) and not the Regulation 8(3).




(Sumit Kumar Pokhrayat)

42. That the impugned Office Memorandum dated 04th June 2025 and the Report of 03 Member Committee is not sustainable for the reason that the same has not taken into consideration, the Office Memorandum dated 30th March 2001 issued by the UPPCL, which is applicable in UPCL, where it has been specifically provided that the exercise of recruitment/promotion will be under taken separately in each year.
43. That the impugned Final Seniority List dated 04.06.2025 and the Report of the Committee are not sustainable by applying the rule of rota-quota by relying on Regulation 15 inasmuch as the principle of rota-quota as provided in Regulation 15 has to be read in consonance with the proviso 4 to Regulation 19 and the Regulation 8(3), and therefore, the Regulation 8(3) deals with a situation where there is inter-mixing of directly recruited candidates and departmental promotees in a particular year and post.
44. That the impugned Office-Memorandum dated 04.06.2025 and the Report of 03 Member Committee are not sustainable to the extent it has relied on proviso 4 of Regulation 19 of the Service Regulation, 1970 inasmuch as if the same is sustained it will establish that the cyclic order is inflexible to the extent seniority from the date of vacancy can be given, which is against the law that the seniority has to be counted from the date of appointment and not from the date of vacancy.
45. That if the impugned Final Seniority List is permitted to sustain it will be contrary to the law laid down by the Hon'ble Apex Court in various judgments that the seniority cannot be given from



(Sunit Kumar Porchayal)

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retrospective date, which law has also been relied in the judgment dated 27.06.2024, where the Division Bench directed for preparation of seniority from the date of joining on the post.

46. That the preparation of the impugned Final Seniority List by applying rota-quota based on the date of advertisement by relying on proviso 4 to Regulation 19 and Regulation 15 of the Service Regulation, 1970 is not sustainable inasmuch as the same has been done without evaluating the overriding effect of 2 proviso of Regulation 8(3) of the Seniority Regulation, 1998.
47. That there is no other efficacious remedy except to approach this Hon'ble Court under Article 226 of the Constitution of India.
48. That being aggrieved inaction of the Respondents, the Petitioners are preferring the present Writ Petitions inter alia on the following:

GROUND

- A. Because, impugned Office Memorandum dated 04.06.2025/ Final Seniority List of Assistant Engineer (E&M) of the year 2008-09 is not sustainable for the reason that the same has been issued in contravention of the Seniority Regulations, 1998, wherein it has been specifically provided that before issuing the Final Seniority List, the Appointing Authority will issue the Tentative Seniority List inviting objection on the same.
- B. Because, respondent UPCL had issued the Tentative Seniority List in compliance of the interim order of the Hon'ble Court dated 13.12.2017, wherein the name of the petitioners were placed above



the
(Sund Kumar Potchayal)

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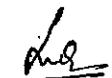
the private respondents, but after the final judgment dated 27.06.2024, the respondent UPCL has not issued any Tentative Seniority List and therefore, the respondent UPCL has violated Regulation 9 of the Seniority Regulations, 1998.

C. Because, WPSB No. 579 of 2017 and other connected writ petitions were decided on 27.06.2024 by directing the respondent UPCL to fix the seniority on the basis of date of joining and on the basis of rota-quota, therefore, the respondent UPCL was required to issue the Tentative Seniority List based on the report of 03 Member Committee before issuing the impugned Office Memorandum dated 04.06.2025, more so when in the Tentative Seniority List the petitioners were placed in the Selection Year 2008-09 and the private respondents were placed in Selection Year 2010-11.

D. Because, impugned Final Seniority List dated 04.06.2025 is not sustainable for the reason that the impugned Final Seniority List of Assistant Engineer (E&M) of the year 2008-09 has been prepared in violation of the directions given in the judgment dated 27.06.2024, wherein it has been categorically directed that the seniority has to be prepared from the date of joining on the post and admittedly the petitioners have joined on the promoted post on 30.06.2009, whereas the private respondents have been appointed by direct recruitment on 30.12.2009 and thereafter.

E. Because, impugned Final Seniority List dated 04.06.2025 of Assistant Engineer (E&M) of the year 2008-09 is not sustainable for the reason that the petitioners have been promoted as Assistant Engineer on 30.06.2009, whereas the private respondents were appointed by direct recruitment on 30.12.2009 and thereafter and




(Sumit Kumar Pokhriyal)

hence the Selection Year of the petitioner is 2008-09 and that of the private respondent is 2009-10.

F. Because, selection year of the petitioners is 2008-09 and that of the private respondents is 2009-10 and therefore, the respondent UPCL could not have applied the rule of rota-quota in respect of two different set of persons, inasmuch as the same would amount to retrospective seniority to the private respondents who were even not born in the cadre when the petitioners were promoted.

G. Because, impugned Final Seniority List dated 04.06.2025 shows that the respondent UPCL has applied the rule of rota-quota between the promotee Assistant Engineer of the year 2008-09 with the direct recruits of selection year 2009-10, which is in violation of Regulation 8(3) of the Seniority Regulations, 1998 as the same would amount to granting the seniority to the private respondents based on the vacancy instead of from the date of appointment on the post.

H. Because, impugned Office Memorandum dated 04.06.2025 issued by UPCL is not sustainable for the reason that the Seniority Regulations, 1998 specifically provides that in Regulation 8(1) that the seniority of an employee appointed or promoted, will be determined from the date of their substantive appointment and admittedly the date of substantive appointment of the petitioners and the private respondents fall in different selection years.

I. Because, respondent UPCL has wrongly applied Regulation 8(3) of the Seniority Regulations, 1998, while issued the impugned Final Seniority List dated 04.06.2025 inasmuch as Regulation 8(3)



(Sund Kumar Potharayal)

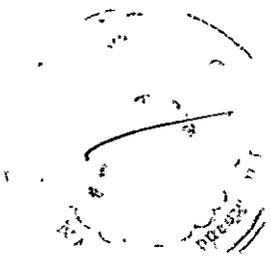
provides for applicability of rule of rota-quota, where the promotion and direct recruitment will be made by way of single selection and admittedly the appointment by direct recruitment of private respondents and the promotion of the promotee Assistant Engineer (E&M) has not been held in the same selection year or by same selection.

- J. Because, in the present matter the Hon'ble Court has directed for preparation of Final Seniority List on the basis of date of joining on the post and therefore, in the present case Regulation 8(2) of the Regulations of 1998 will be applicable in case of direct recruits and the promotee Assistant Engineer (E&M) and not the Regulation 8(3).
- K. Because, impugned Office Memorandum dated 04.06.2025 is not sustainable for the reason that the rule of rota-quota can be applied only in case where the promotees and direct recruits are appointed in the same selection year and the rule of rota-quota cannot be applied where the appointments by direct recruitment and promotion is made in different selection years, inasmuch as the same would amount to granting retrospective seniority from the date prior to the date of appointment as mentioned in the appointment letter.
- L. Because, impugned Office Memorandum dated 04.06.2025 as well as the report of 03 Members Committee is not sustainable for the reason that the same is based on the Office Memorandum No. 2646 dated 30.06.2016 issued by Uttar Pradesh Power Corporation Ltd., which the best knowledge of the petitioners, has not been adopted by UPCL, more particularly when the same is not the basis of issuance of the Tentative Seniority List.



(Sunil Kumar Polcharya)

- M. Because, Office Memorandum No. 2646 dated 30.06.2016 issued by UPPCL has not been adopted by respondent UPCL, as the same has also not been mentioned in the Tentative Seniority List or in the Report of 03 Member Committee, the respondent UPCL could not have placed the said Office Memorandum before 03 Member Committee for taking cognizance of the same.
- N. Because, report of 03 Member Committee constituted by the State Government cannot be accepted for the reason that the Committee has not given any finding on the applicability of Seniority Regulations of 1998 over the provisions of Regulation 15 and 19(4) of the Service Regulations of 1970, when the Seniority Regulations are specific and has an overriding effect over the provisions of the Service Regulations, 1970.
- O. Because, Report of 03 Member Committee cannot be accepted so far as it pertains to applicability of Regulation 15 of the Service Regulation, 1970 is concerned, inasmuch as Regulation 15 of the Service Regulations provides for preparation of combined waiting list of Assistant Engineer, but the said provision has to be read in consonance and harmoniously with the Seniority Regulations of 1998, which specifically deals with the determination of seniority of the employees.
- P. Because, impugned Office Memorandum dated 04.06.2025 and the Report of 03 Member Committee is not sustainable for the reason that proviso 4 to the Regulation 19 of the Service Regulations, 1970 stands overridden by the Regulation 8(3) of the Seniority Regulations, 1998.



Sub
(Sumit Kumar Polcharya)

Q. Because, Report of 03 Member Committee is not sustainable so far as it relies on Regulation 15 of Service Regulations, 1970 for preparation of combined waiting list for preparation of seniority list of Assistant Engineer (E&M) of the year 2008-09 as per Regulation 8(3) is not sustainable inasmuch as Regulation 15 provides for rotational filling of the post of Assistant Engineer, but the combined reading of the Service Regulations and the Seniority Regulations shows that rota-quota rule is not inflexible and can be relaxed according to the requirement of Regulation 8(3) of the Seniority Regulations.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to issue:-

- I. Issue a writ, order or direction in the nature of Certiorari calling for the record and to quash the impugned Office Memorandum dated 04.06.2025 issued by the Respondent No. 3 (Annexure No...¹⁶ to the writ petition), whereby the Final Seniority List of Assistant Engineer (E&M), UPCL has been published, wherein the private respondents have been placed above the petitioners in contravention of provisions of Uttar Pradesh State Electricity Board Servant Seniority Rules, 1998, as applicable in the Uttarakhand Power Corporation Ltd.
- II. Issue a writ, order or direction in the nature of Certiorari calling for the record and quashing the report of 03 Members Committee constituted by the Government, which has been submitted by communication dated 15th May 2025, (Annexure



(Sunil Kumar Kohliyer)

No. 15th to the Writ Petition), on the basis of which the impugned final seniority list dated 04th June 2025 of the Assistant Engineer (E&M) has been published, inasmuch as the said report is contrary to the provisions of Services Regulations (Annexure No. 1 to the Writ Petition) and Seniority Regulation 1998 (Annexure No. 3rd to the Writ Petition)

III. Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to redraw the Final Seniority List of Assistant Engineer (E&M) UPCL strictly in accordance with the provisions of the Uttar Pradesh State Electricity Board Servant Seniority Rules, 1998, as applicable in the Uttarakhand Power Corporation Ltd., by placing the name of the petitioners above the private respondents in the Seniority List.

IV. To pass any such other orders/directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case;

V. Award the cost of writ petition to the Petitioners.

Place: Nainital

Dated:- 17 June, 2025

(VINAY KUMAR)
Advocate

Sudha
(SUDHA TAMTA)
Advocate

Ankit
(ANKIT BISHT)
Advocate

Reg. No. UK-113/2017 Reg. No. UK-626/2016 Reg. No. D-7113/2023
Counsel for the Petitioners



Sud
(Sud Kumar Pochheryal)

HIGH COURT OF UTTARAKHAND AT AINITAL

AFFIDAVIT

IN

WRIT PETITION NO.....OF 2025 (S/B)

(Under Article 226 of Constitution of India)

(District-Dehradun)

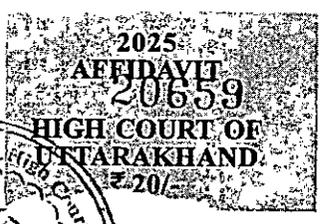
Sunil Kumar Pokhriyal & Anr.

.....Petitioners

VERSUS

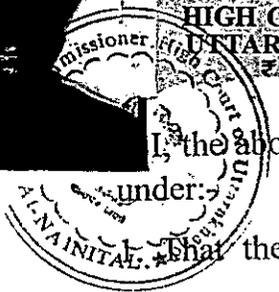
State of Uttarakhand & Ors.

..... Respondents



Affidavit of Sunil Kumar Pokhriyal (Male), Aged about 48 years, S/o Sri Lalita Prasad, R/o Lane No. 18, Tea Estate Banzarawala, Dehradun, PIN-248001.

(Deponent)



I, the above named do hereby solemnly affirm and state on oath as

under: That the deponent is the Petitioner No. 1 in the present Writ petition and is doing pairvi on behalf of Petitioner No. 2, as such deponent is well acquainted with facts of the case deposed in the accompanying writ petition.

Certified that Deponent has Sign/LI/RTI on his Photograph by 8/1/2025

I, the above-named deponent do hereby verify that the contents of Para no. 1 of this affidavit are true to my personal knowledge, those of para nos. 1, 2, 3, 9, 16, of this writ petition are based on personal knowledge, those of para nos. 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20 of this writ petition are based on records and those of para nos. of this writ petition are based on information received and those of para. nos. ... 21, 22, 23, 24 to 48 of this writ petition are based on legal advice received which all I believe to be true. That no part of this is false and nothing material has been concealed.



(Sunil Kumar Pokhriyal)

So Help Me God.

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Deponent

I, **Vinay Kumar** (Reg. No. UK-113/ 2017) Advocate, High Court of Uttarakhand, Nainital do hereby identify the deponent **Sunil Kumar Pokhariyal S/o Sri Lalita Prasad** having Adhaar Card No. 5332 8142 1756 and who has produced the records of the case before me and I am satisfied that he is the same person as alleged.

W
Advocate

Solemnly affirmed before me today, the *15th* day of June, 2025 at *1:18* am/pm by the deponent who has been identified by the aforesaid person.

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

Oath Commissioner



Naitik
NAITIK BHATT
Advocate
Reg. No.- UK-1244/2022
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
Sl. No. *2065-9*
Dated *15/6/2025*

dr
(**Sunil Kumar Pokhariyal**)

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[Published on pages 3926 to 3940 (Part I A) of U.P. Govt. Gazette, dated December 19, 1970]

(Notified vide Board's notification no. 8501 A/SEB-157A/69 dated 8.12.70 and as amended vide notification no. 1167 GE (II)/SEB-77 dated 17.5.77, no. 24-GE/SEB-II-157A/69 dated 16.1.78, no. 2444-GE (R)/SEB-79 dated 30.4.79, no. 1343 GE-II/SEB-80-157A/69 dated 26.4.80, no. 1872-GE-IV/SEB/157A/69 dated 3.5.80, no. 788-K-IX(R) dated 8.4.82, no. 25 Reg. Cell dated 22.4.83, no. 19 Reg. Cell dated 21.3.83, no. 28 Reg. Cell dated 29.4.83, no. 14 Reg. Cell dated 11.7.84, no. 19 Reg. Cell dated 8.8.84, no. 12 Reg. Cell/dated 30.5.85, no. 17-Reg. Cell/dated 28.2.86.)

No. 8501-A/SEB(B)-157A/69

Dated : December 8, 1970.

Notification

Miscellaneous

In exercise of the powers conferred by section 79(c) of the Electricity (Supply) Act, 1948, the Uttar Pradesh State Electricity Board hereby make the following regulations relating to the recruitment and conditions of service of Engineers under the U. P. State Electricity Board.

**THE UTTAR PRADESH STATE ELECTRICITY BOARD
SERVICES OF ENGINEERS REGULATIONS, 1970.**

PART-I GENERAL

1. Short title and commencement -

(a) These Regulations may be called the "Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970"

(b) They shall come into force from the date of their publication in the State Government Gazette.



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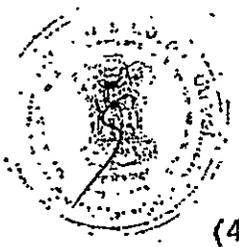
2. Status—

The Uttar Pradesh State Electricity Board Services of Engineers consist of the posts of Chief Engineer, Additional Chief Engineer, Superintending Engineer, Executive Engineer and Assistant Engineer.

3. Definitions—

In these Regulations, unless there is anything repugnant in the subject or context—

- (1) 'Act' means the Electricity (Supply) Act, 1948 (Act No. LIV of 1948).
- (2) 'Appointing Authority' means the authorities defined in Regulation 14.
- (3) 'Approved Service' means service rendered under the Board on the basis of a regular selection held by the Board so far.
- (4) 'Assistant Engineer' means an Assistant Engineer who may be appointed as such by the Chairman. It includes such other posts of equivalent status, as may be notified by the Board from time to time and included in the cadre.
- (4-A) 'Assistant Executive Engineer' means an Assistant Executive Engineer who may be appointed as such by the Chairman; it includes such other posts of equivalent status as may be notified by the Board from time to time and included in the cadre.
- (4-B) 'Senior Assistant Engineer' means an Assistant Engineer or Assistant Executive Engineer who is allowed the scale of Executive Engineer without promotion to the regular post of Executive Engineer. It includes such other posts of equivalent status as may be notified by the Board from time to time and included in the cadre
- (4-C) 'Senior Assistant Engineer (Spl. Grade)' means Senior Assistant Engineer who is allowed the scale of Executive



Engineer (Spl. Grade) without promotion to the regular post of Executive Engineer. It includes such other posts of equivalent status as may be notified by the Board from time to time and included in the cadre.

- (4-D) 'Assistant Engineer (Spl. Grade)' means an Assistant Engineer who is allowed the scale of Executive Engineer (Spl. Grade) without promotion to the post of Executive Engineer. It includes such other posts of equivalent status as may be notified by the Board from time to time and included in the cadre.
- (5) 'Board' means the U. P. State Electricity Board constituted under Section 5 of the Act.
- (6) 'Chairman' means the Chairman of the U. P. State Electricity Board.
- (7) 'Chief Engineer' means the Chief Engineer (Hydel) or any other Chief Engineer who may be so authorised by the Board for the purposes of these Regulations.
- (8) 'Chief Project Engineer' means the Chief Engineer of the Project under the Board.
- (9) 'Citizen of India' means a person who is or who is deemed to be a citizen of India under Part II of the constitution.
- (10) 'Constitution' means the Constitution of India.
- (11) 'Degree of a University' means the degree of a University established by law in India or any other University recognised for this purpose by the Governor of Uttar Pradesh.
- (12) 'Departmental candidate' means a candidate who is eligible for recruitment to a post in the cadre of the service under clauses (b) and (c) of sub-regulation (1) of Regulation 5 of these Regulations.
- (13) 'Direct Recruitment' means recruitment made against a post in the cadre of the service under clause (a) of sub-regulation 1 of Regulation 5 of these Regulations.



passed under subregulation (1), be as specified in Appendix 'A' to these Regulations.

Provided that—

- (a) any post in the cadres of the service may be kept vacant by the Appointing Authority or kept in abeyance by the authority competent to sanction the creation of posts in the cadres of the service, without thereby entitling any person to compensation or other redress, and.
- (b) the Board may create, from time to time, such additional permanent or temporary posts as may be found necessary.

PART—III SOURCES OF RECRUITMENT

5. (1) Initial recruitment to the service shall be made to the posts of Assistant Engineer in the following manner—
- (a) By appointment from amongst
'Trained Engineer's 65 $\frac{1}{3}$ %
 - (b) By promotion from amongst
members of Junior Engineers
Service in the Selection Grade
in the manner prescribed
in Appendix 'C' 33 $\frac{1}{3}$ %
 - (c) By promotion from amongst the
confirmed and qualified
Computers (Selection Grade)
(E/M) in the manner prescribed
in Appendix 'C' 1 $\frac{1}{3}$ %

Provided that as between members of Junior Engineer and Computer the vacancy shall be shared by them in the proportion of their respective cadre strength from time to time.

- (2) Appointments to the other higher posts shall be made by promotion on the basis of selections which will be made in accordance with the procedure laid down in Appendix 'D'.



- (3) Notwithstanding anything contained in these Regulations the Board may make appointments to the Service, in relaxation of these Regulations, from among employees of Electricity Undertakings or similar organisations which have been taken over or which may, in future, be taken over by the Board or from among the merit position holders of Roorkee and Varanasi Universities and Indian Institute of Technology, Kanpur and such other Institution, as may be prescribed by the Board from time to time, on such terms and conditions as may be decided by them.

6. Reservation Of Vacancies :-

Reservation of vacancies for Scheduled Castes/Scheduled Tribes and Backward classes, in direct recruitment under Regulation 5 (1) (a) shall be in accordance with the orders for such Reservation in force under the State Government at the time of recruitment.

7. Number Of Recruits To Be Taken :-

- (1) The Board shall ascertain the probable number of vacancies likely to occur in the various classes of posts in the Service during the course of the next year.
- (2) The Board shall also decide the number of vacancies to be allocated to Graduate Engineers and the number of vacancies to be reserved for candidates belonging to Scheduled Castes/Tribes.
- (3) In case the requisite number of Scheduled Castes/Scheduled Tribes candidates are not forthcoming or fail to be selected, the remaining vacancies shall be filled in by other candidates in the list of candidates selected for training and the deficiency made good in the manner indicated in the provisos to Appendix 'E'.

PART IV—QUALIFICATIONS

8. Nationality—

A candidate for direct recruitment as Trainee Engineer must be—

- (a) a citizen of India, or



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service must be such as to render him suitable in all respects for employment under the Board. He must produce certificate of good character from -

- (i) the Proctor or the Principal Officer of the University or College, as the case may be, in which he was last educated;
- (ii) two responsible persons (not being relations) who are well acquainted with him in his private life and are unconnected with his University, College or School :

Provided that the appointing authority may make further inquiries regarding the character and antecedents of a candidate in such manner and from such authorities as may be considered necessary.

- (2) It shall be the duty of the appointing authority to satisfy himself in this regard.

NOTE :- Persons dismissed from service by the Government of India or a State Government or by any Electricity Board shall not be eligible for appointment.

12. MARITAL STATUS—

A male candidate who has more than one wife living or a female candidate who has married a man already having a wife shall not be eligible for appointment to the Service.

Provided that the Chairman may, if satisfied that there are special grounds for doing so, exempt any person from the operation of the provisions of this regulation.

13. PHYSICAL FITNESS—

- (1) No person shall be selected for training as a Trainee Engineer unless he be in good mental and bodily health and free from any physical defect likely to interfere with his training or with the efficient performance of his duties as a Member of the Service. Before a candidate joins the training, he must pass an examination by the Medical Board, as appointed by the Board.



(2) Regulations for the Medical Examination are given in Appendix 'F'.

PART-V—APPOINTMENT, PROBATION AND CONFIRMATION

14. Appointing Authorities—

The appointing authorities of the members of Service shall be as follows.

<u>Name of post</u>	<u>Ap-pointing Authorities</u>
1. Asstt. Engineer/Asstt Executive Engineer/ Senior Asstt. Engineer/ Asstt. Engineer (Special Grade)/ Sr. Asstt. Engineer (Spl. Grade)	Chairman
2. Executive Engineer/ Executive Engineer(Spl. Grade.)	
3. Superintending Engineer.	
4. All Officers above the rank of S. E.	Board.

Provided that no appointment henceforth to the post of Asstt. Executive Engineer shall be made except where such appointment was due and is to be made effective from a date prior to 1.4.79 but where an officer may already be working as Asstt. Executive Engineer he will continue till such time as he is either placed in the higher scale of Sr. Asstt. Engineer, Asstt. Engineer (Spl. Grade), Sr. Asstt. Engineer (Spl. Grade) or promoted to the post of regular Executive Engineer or otherwise moves out of the scale.

15. Combined Waiting List For Assistant Engineers—

A combined waiting list will be prepared on the basis of the list received under Rule 6 of Appendix 'B' and the 'Select List' referred to in Rule 7 of Appendix 'C' by taking candidates in such a manner that every 1st and 4th vacancy is filled by a promoted officer (J. E. or Computer as the case may be) and the remaining vacancies are filled by Trained Engineer.



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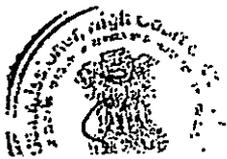
16. Submission of Certificates—

Before a candidate directly recruited is finally approved for appointment to the service, he will be required.

- (1) to produce the certificates prescribed in Regulation 11 and 13; and.....
- (2) to submit declarations.
 - (a) of his relationship to any person employed under the Board;
 - (b) of his being free from debt;
 - (c) of all immovable property including house property owned or acquired by him or by a member of his family dependent on him, full and accurate details of all such property being given by him in the form prescribed in Appendix 'G' ; and
 - (d) for serving the Board loyally and faithfully in the form prescribed in Appendix 'H'.

17. Appointment to the Cadre of Assistant Engineer -

- (1) A person finally selected for appointment to the Service in the manner prescribed in these Regulations shall be appointed thereto by the appointing authority (unless he subsequently becomes disqualified for appointment) on the occurrence of a vacancy. The appointments shall be made in the same order in which the names appear in the combined waiting list prepared under Regulation 15.
- (2) In case no approved candidate is available for such appointment on the list and it becomes essential to make appointment in the interest of the Board, a person who is eligible for appointment by promotion to the Service under these Regulations, may be appointed, but such an appointment shall not



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be made for a period exceeding four months, without the specific approval of the Board.

18. Appointment to the Cadres of A.E.E., E.E., E.E. (S.G.), J.E.S ADDL C.E. and C.E.—

- (1) Appointments to the posts in the cadres of the Service higher than that of Assistant Engineer shall be made by the Appointing Authority from the 'Select List' prepared in Rule 8 (1) of Appendix 'D'. In making such appointment, the order in which the names of the officers appear in the Select List shall be followed :

Provided that where no officer exists on the Select List or when the vacancy is of a short duration not exceeding four months, an officer not on the 'Select List' may be appointed to a post in a cadre of the Service, as a temporary measure.

- (2) Permanent appointment :—Wherever a permanent vacancy occurs in the cadres of the Service, appointment in that vacancy shall be made by the Appointing Authority in a substantive capacity from the 'Select List' in the order in which temporary and officiating appointments have been made under sub-regulation (1) above of this regulations.

Provided that in the case of officer officiating on a post under State Government immediately before their absorption in the Board's service, substantive appointment to a post in the cadre of the service shall be made in the order in which their names appear in the seniority list as prepared in accordance with the fifth proviso to Regulation 19.

19. SENIORITY :—

The seniority of officers on their appointment to the service shall be determined according to the date of the order of appointment to a particular post in the cadres of the service;

Provided firstly that if two or more candidates are appointed on the same date, their seniority inter se shall be determined according to the order in which their names appear in the orders of appointment issued by the Appointing Authority, or in other words, the order in which their names are placed in the 'Select List' or 'Combined Waiting List', as the case may be;



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Provided secondly, that the Appointing Authority may direct that an officer whose period of probation is extended for failure to prove his fitness for confirmation be placed in the seniority list next below the last confirmed member;

Provided thirdly that the relative seniority of members of the Service who are appointed by direct recruitment shall be in accordance with the order of preference in which they are placed by the Selection Committee at the time of selection, as approved by the Appointing Authority (See-Rule 6 of, Appendix 'B') ;

Provided fourthly, that as between candidates who are appointed by direct recruitment and who are recruited by promotion in the same year, the seniority shall be determined in the order in which their names are arranged in the combined waiting list prepared under Regulation 15, provided that if in any year, it has not been possible to prepare the combined waiting list due to late selection either from Junior Engineers Service or from Computers (Selection Grade) or found outside or due to any other unavoidable reasons, the names in the gradation list shall be arranged in the same order in due course in respect of the vacancies allotted to each of the categories of candidates in that particular year, as in the combined waiting list and the seniority determined accordingly.

Provided fifthly, that the inter-se seniority of Government Officers absorbed in the service of the Board, while officiating in any cadre of the Board's service, shall be the same as on the post held by them in the Government in a permanent/substantive capacity and in the case of those officers who were not permanent on any post at the time of absorption shall be the same as on the lower post held by them after regular selection in an officiating capacity

20. PROBATION :—

- (1) Every candidate shall, on appointment to a post in the service in or against a substantive vacancy, be placed on probation for a period of two years from the date of taking over charge of the appointment;

Provided that the appointing authority may -

- (a) for sufficient reasons extend the period of probation in individual cases by a further period not exceeding two



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years. Any such extension shall specify the exact date up to which the extension is granted but continuance in Service beyond the date upto which the period of probation is extended would not, in the absence of a specific order to that effect, amount to confirmation.

(b) Allow to count towards the period of probation continuous service, if any, rendered in an officiating or temporary capacity in a post in the cadre of the Service or in the cadre of an equivalent service of Engineers under the State Government.

(2) If it appears at any time, during or at the end of the period of probation or extended period of probation, that an officer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post if he has one under the Board, or his services may be dispensed with if he has none.

(3) A candidate whose services are dispensed with under sub-regulation (2) shall not be entitled to any compensation.

21. Confirmation :-

A probationer shall be confirmed in his appointment after the completion of the period of his probation or the extended period of probation, as the case may be, if-

- (a) he has passed the departmental examination prescribed by the Board from time to time;
- (b) his integrity has been consistently certified; and
- (c) he is found fit, in all other respects, for confirmation by the Board.

PART VI—PAY AND ALLOWANCES

22. Scales of pay :-

The scale of pay admissible to a person appointed to a post in the cadres of the Service, whether in a substantive or officiating capa-



city or a temporary measure, shall be as sanctioned by the Board from time to time. The scales of pay in force at the time of the commencement of these Regulations will be found in Appendix 'A'

Provided that the Board or any other competent authority may, upon the recommendation of the appropriate Selection Committee, allow a candidate a higher start within the approved limits in view of his special qualification/experience.

23. Special Pay, Compensatory Allowance, Etc.

In addition to pay as in Regulation 22, a member of the Service shall also be entitled to such special pay, compensatory allowance, or post-graduate pay, if any, sanctioned by the Board from time to time, subject to such terms and conditions as may be prescribed by the Board.

24. Pay during probation : -

- (1) A person appointed to the Service by direct recruitment, shall, during the first year of probation, draw the minimum pay of the post in the scale admissible to him under Regulation 22 and shall receive his first increment when he has completed one year of service and has also passed the departmental or other examination prescribed in Regulation 21, unless exempted there from. On confirmation he shall receive the second increment.

Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise.

The provision of this sub-regulation will, mutatis mutandis, apply to temporary employees also and a temporary Assistant Engineer will not get his second increment unless he pass Professional Examination, Part I.

- (2) If an increment is withheld from a person during the period of probation only on account of his failure to pass the examination prescribed in Regulation 21, it shall be allowed to him on passing the examination with effect from the first month following that in which the examination is held and the period during which the increment is withheld shall count for increment in the time scale.



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- (3) The pay during probation of officers recruited under clause (b) of sub-regulation (1) of Regulation 5 shall be regulated by the rules referred to in Regulation 27.

25. Criteria For Crossing Efficiency Bars —

The following criteria shall govern the crossing of efficiency bars in respect of the persons appointed to the post or posts in the cadres of the Service :

- (a) No member of the Service in the cadre of Assistant Engineers shall be allowed to cross the first efficiency bar unless he is found to have worked efficiently, satisfactorily and to the best of his ability and his integrity is certified to be above suspicion.
- (b) No member of the Service in the cadre of Assistant Engineers shall be allowed to cross the second efficiency bar unless it is certified that he has continued to work satisfactorily, effectively and honestly, has displayed adequate engineering skill and has acquired adequate experience and knowledge of the Board's rules and regulations.
- (c) No member of the Service in the cadre of A. E. E.: Executive Engineers ; E. E. (S. G.) shall be allowed to cross the efficiency bar unless he is found to have worked satisfactorily, efficiently and honestly and in the case of an Executive Engineer and E. E. (S.G.) unless he has shown adequate engineering skill in the up-keep and maintenance of the various installations under him and has displayed administrative capacity to carry on the work of a Division smoothly and efficiently.

PART-VII-OTHER PROVISIONS

26. Canvassing—

No recommendation for recruitment either written or oral, other than that required under these regulations shall be taken into consideration, and any attempt on the part of a candidate to enlist support, directly or indirectly, for his candidature will render him liable to be disqualified.

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27. Regulation of pay, Allowances, Pension, Etc—

Except as otherwise provided in these Regulations or as specially covenanted in any Service Agreement, the pay, allowances, pension, leave and other conditions of service shall be regulated by such corresponding rules of the State Government applicable to similar category of officers and may have been adopted by the Board until promulgation of regulations in this behalf by the Board.

28. Saving—

Notwithstanding any-thing contained in these regulations :

- (1) The conditions of service of persons who have been appointed to posts in the cadres of the Service, on foreign service, from the State Government or on deputation from elsewhere shall be governed by such terms and conditions as may have been or may be settled between the Board and the State Government or other appointing authorities until they are absorbed in the service of the Board;

Provided that the conditions of service of such persons as are absorbed under the Board shall be governed by the regulations of the Board which will not be less favourable than immediately prior to their absorption in the Board's service.

- (2) The conditions of service of persons of the Electricity Supply Undertakings which have been taken over or may, in future, be taken over by the Board who may be holding or who may hold posts in the cadres of the service or posts declared in addition to the cadres of the service shall be governed by the Board's standard terms and conditions of Service if they have been taken over by the Board on such terms and conditions or by the ex-licensees terms and conditions if they have been taken over on such terms, as the case may be, unless they are given option and they opt to be governed by such rules and regulations as may be promulgated by the Board hereafter in this behalf.



29. Relaxation :—

(1) Nothing in these Regulations shall be construed to limit or

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abridge the power of the Board to deal with the case of any person appointed by the Board and governed by these regulations in such manner as may appear just and equitable;

Provided that where any of the foregoing regulations is applicable to the case of any person, the case shall not be dealt with in a manner less favourable to him than that provided by that regulation.

(2) When, in the opinion of the Board, it appears necessary to do so, the Board may make any appointment or appointments to the Service in relaxation of these regulations or in partial relaxation of any or some of the regulations and, in case of any appointment which is not in strict accordance with these regulations, the Board shall be deemed to have made the appointment in relaxation of these Regulations.

30. Declarations :

The Board may, whenever considered expedient, delegate any of its powers to any officer or authority under these regulations or the powers conferred on any officer or authority under these regulations to any other officer or authority.



APPENDIX 'A'

[See Regulation 4 (2) & 22]

The scales of pay attached to the various posts included there in are as follows :—

SL NO.	Name of Post	Scale of Pay Effective From 1.4 1979
1.	Assistant Engineer Cadre	Rs. 1025-50-1275-E.B.- 1425-60-1845.
	Assistant Executive Engineer.	Rs. 1225-50-1275-E.B.- 1425-60-1965.
	Sr Assistant Engineer	Rs. 1425-60-1845-E.B.- 75-2220.
	Asstt. Engineer(Spl, Grade)/ Sr.Asstt. Engineer (Spl. Grade)	Rs. 1845-75-2220-E B -- 2370-75-2445.
2	Executive Engineer Cadre	Rs. 1425-60-1845-E.B.- 75-2220.
	Executive Engineer (Spl. Grade)	Rs. 1845-75-2220-E.B.- 2370-75-2445.
3.	Superintending Engineer	Rs. 2050-75-2200- 100-2700
4.	*Addl Chief Engineer	Rs. 2500-100-3000
5.	*Chief Engineer	Rs. 2800-100-3200

*Now changed to Chief Engineer Level II
& Level I respectively



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(See clause (a) of Sub Regulation (1) of Regulation 5)

Procedure for Direct Recruitment

1. The Board will announce the number of candidates to be recruited in leading newspapers of the State and invite applications from eligible candidates within such time as may be specified in the announcement.

2. Application shall be submitted direct to the Secretary to the Board on the prescribed form which may be obtained from the office of the Board.

3. The Board will hold a written test and/or interview as they deem fit either by themselves or through an outside Agency for selection of the candidates and will duly notify by registered post the date, time and place of such written test and/or interview.

4. Candidates shall pay the following fees:

(i) Cost of application form Rs.5 (to be sent along with a requisition for application form)

(ii) Application fee Rs. 7 (Rs. 2 for SC/ST candidates)

(iii) Written Test/Interview fee Rs. 20 (Rs.7 for SC/ST candidates) or as may be decided by the Chairman.

5. The selection shall be made by a Selection Committee consisting of :

(i) Member of the Board (under Section 5 (4)(b) of E.(S). Act, 1948).

(ii) One Member of the Board (to be nominated by Chairman)

(iii) One Chief Engineer of the Board (to be nominated by Chairman.)



6. Marks will be awarded at the interview up to maximum of 200 to each candidate for his suitability for appointment in respect of general bearing and suitability, physique, personality, interest in outdoor life, intelligence, character and academic career. On the basis of the marks allotted, a list of the candidates shall be prepared in order of preference and forwarded to the Board. The Board shall recruit from the list so received such number of candidates as the Board may decide.

7. (1) All candidates will required to satisfy the minimum requirements of physical standards as prescribed in Regulation 13 and Appendix 'F'.

(2) The Board will arrange for medical examination of selected candidates by a Medical Board which shall send necessary certificates prescribed in Appendix 'F' testifying to the candidate's sound bearing and general physical fitness for rough outdoor work in the Operation and Maintenance Divisions/Units of the Board and to the fact that he bears on his body marks of successful vaccination.

8. Candidates who satisfy the provisions of clause 7 above, shall have to undergo training for such period and on such terms as the Board may decide, including practical training. A candidate admitted to the training will have to execute a personal bond for Rs. 10,000 at the time of joining as A. E. (Trainee) together with a surety, who is solvent for not less than Rs. 10,000/- and in proof of the same the bond should be supported by a solvency certificate from a Revenue Officer not below the rank of Tehsildar, for serving the Board on the terms and conditions set forth therein for at least three years from the date of his initial appointment on the post of A. E., after training, failing which the Bond will be forfeited to Board.

9. The facilities granted by the Board for training will be subject to the following conditions:-

- (i) That the progress of the trainee in his studies is satisfactory ;
- (ii) That the trainee gives security for refund of all payment made during the period of training in the event of his failing to qualify for appointment as Assistant Engineer, or for not executing the Bond as specified in Rule 8 above or for



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failing to join the post offered at the end of the period of training.

10. During the period of training, a trainee will be governed by such rules, regulations and orders as may be prescribed from time to time and the performance of the trainee shall be evaluated regularly through quarterly tests. If a trainee fails to pass three such consecutive quarterly tests, his services shall be liable to be terminated forthwith.

11. On completion of the training and before appointment as Assistant Engineer, a trainee will be required to pass a final test, as may be prescribed. He may also be required to sign a Service Agreement setting forth the terms and conditions of his appointment as may be prescribed.

12. If a trainee fails to qualify at the final tests for appointment as Assistant Engineer, his period of training may be extended and he may be given one more chance to pass the final test for appointment as Assistant Engineer subject to a maximum period of training of two years, whereafter the services of the trainee shall be liable to be terminated forthwith.

13. A candidate will lose his seniority if he fails to qualify in the first test or tests.



APPENDIX 'C'

(See clause (b) of Sub-Regulation (1) of Regulation 5)

1 (a) for purpose of recruitment under clause (b) and (c) of sub-regulation 1 of Regulation 5, a selection based on merit with due regard to seniority shall be made, as far as possible, each year from amongst all the :—

(i) members of Junior Engineers Service (Elec./Mech.) who are confirmed on the post and have rendered at least 10 years of service in the cadre out of which 4 years service must be in the selection grade.

(ii) Computers who are confirmed on the post and have rendered at least 10 years service as Computer/Draughtsman out of which 4 years must be in the Selection Grade of Computer and possessing any of the following qualifications—

(A) Diploma In Elec./Mech. Engg issued by Universities established in India by an Act of Central/State Government

or

(B) 3 years Diploma in Elec./Mech. Engg. issued by the State Board of Technical Education.

(b) The Reporting Officer will record an entry at the end of each year in the Character Roll of each confirmed Junior Engineer (Selection Grade) and confirmed Computer (Selection Grade) working under them stating that whether or not they consider him suitable in all respects for such promotion.

2. The Chief Engineer (Hydel) will invite recommendations from his Superintending Engineers about the candidates eligible for selection and the Superintending Engineers may consult their Executive Engineers before forwarding their recommendations.

3. In making their recommendation, the Superintending Engineers will also forward the personal files and the Character rolls of the Candidates to the Chief Engineer.



4. The recommendations received from the Superintending Engineers will be duly scrutinized by a Screening Committee consisting of the following :

- (i) The Chief Engineer;
- (ii) Addl. Chief Engineer;
- (iii) A Senior Superintending Engineer to be nominated by the Chief Engineer.

The Screening Committee will prepare a list (separately for Junior Engineers and Computers) of the most suitable candidates arranged in order of seniority from amongst those found eligible for promotion to the post of Assistant Engineer or other equivalent posts, the number of candidates on the list so prepared will be double the number of vacancies available for appointment during the year.

5. The Chief engineer will send the above list, together with the gradation list indicating the reasons for passing over the services, if any, and the character roll and personal files of all eligible candidates, of the Board by a fixed date.

6. The Selection Committee of the Board shall scrutinize the recommendations for final selection and in doing so, the Selection Committee may require any or all candidates to appear before them. The Selection Committee shall consist of the following :

- (i) Chairman;
- (ii) One wholtime member of the Board (to be nominated by Chairman)
- (iii) One Chief Engineer (to be nominated by Chairman)

7. The names of the candidates in the final list known as 'Select List' as approved by the Board, will be rearranged in order of their



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(26)

seniority in the present service and they will be appointed against the vacancies as and when they occur.

8. The 'Select List' will hold good for one year only or if the Board so require, until such time as the next selection is made.



T.C

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उ०प्र० पावर कार्पोरेशन लिमिटेड
संख्या 447 विनियम -23/ पाकालि-2001-5 विनि

पंत भवन 14- अशोक मार्ग, लखनऊयम/88 (टी.सी.) दिनांक:मार्च 30,2001
कार्यालय ज्ञाप

कार्पोरेशन के ज्ञाप संख्या-4 विनियम -23/पाकालि-2000 रेगु/2000 दिनांक 3.2.2000 द्वारा उ०प्र० पावर कार्पोरेशन लिमिटेड में विनियम बनाये जाने तक उ०प्र० राज्य विद्युत परिषद द्वारा अपने कार्मिको के सेवा सम्बन्धी मामलो के निस्तारण हेतु बनाये गये विनियम अघतन संसोधित एव उत्तरदायी जारी प्राशासनिक आदेशो को कार्पोरेशन के कार्मिको
.....।

2. उक्त आदेश के अनुक्रम मे उ०प्र० पावर कार्पोरेशन लिमिटेड ने निर्णय लिया है कि उपरोक्त संदर्भित ज्ञाप दिनांक 3.2.2000 के बिन्दु-1 मे उल्लिखित उ०प्र० राज्य विद्युत परिषद अभियंता सेवा विनियमावली- 1970 के विनियम- 5(1) में निहित प्राविधानों को एतद्द्वारा निम्नवत् प्रतिस्थापित कर किया जाय-

विनियम 5 (भर्ती का श्रोत)

1. सेवा में भर्ती हेतु सहायक अभियंता के कुल स्वीकृत पद निम्नानुसार विभिन्न पदो मे विभाजित होंगे तथा कार्यवाही प्रत्येक वर्ष अलग-अलग की जायेगी। जिस वर्ष जिस वर्ग मे पद रिक्त होंगे उसी वर्ष मे भर्ती /प्रोन्नति की जायेगी।

(क) 57 प्रतिशतप्रशिक्षित अभियंताओं मे से सीधी भर्ती हेतु।

(ख)33 प्रतिशत अवर अभियंता से प्रोन्नति द्वारा चयन वर्ग के सदस्यों से परिशिष्ट "ग" मे विहित रीति के अनुसार पदोन्नति हेतु।

(ग) 1.33 प्रतिशत स्थायी एवं अर्ह संगणको (चयन वर्ग) विद्युत/पात्रिका से परिशिष्ट "ग" मे विहित रीति के अनुसार पदोन्नति हेतु।

(घ) 8.33 प्रतिशत..... डिग्रीधारी अवर अभियंता/संगणक से पदोन्नति हेतु ऐसे अवर अभियंता / संगणक जो वी०ई०/ए०एम०आई०ई० की अर्हता प्राप्त हो तथा चयन के वर्ष मे

(Sunil Kumar Pokhriyal)

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वर्ष के प्रथम दिवस को उस रूप में तीन वर्षों की सेवा पूरी कर ली हो, जिसकी गणना उनके द्वारा बी०ई०/ ए०एम०आई०ई० परीक्षा उत्तीर्ण करने के दिनांक से परिशिष्ट "ग" में निहित रीति के अनुसार की जायेगी।

प्रतिबन्ध यह है कि उपर्युक्तजाने वाले पदों की संख्या अवर अभियंता व संगणको में से बाँटी जायेगी, जो उपर्युक्त (ख) व (ग) वर्णित पदोन्नति के कोटा के अनुपात में होगी।

निदेशक मण्डल की आशा से

संख्या- 44-(1) विनियम - 23 / पाकालि -2001 तद् दिनांक 30.3.2001

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. प्रमुख सचिव (ऊर्जा), उ०प्र० शासन, लखनऊ।
2. अध्यक्ष एवं प्रबन्ध निदेशक, उ०प्र० पावर कार्पोरेशन लिमिटेड, लखनऊ।
3. समस्त निदेशक, उ०प्र० पावर कार्पोरेशन लिमिटेड, लखनऊ
4. समस्त मुख्य महाप्रबन्धक/ महा प्रबन्धक, उ०प्र० पावर कार्पोरेशन लिमिटेड।
5. मुख्य महा प्रबन्धक/महा प्रबन्धक/उप महा प्रबन्धक, लेखा शाखा, उ०प्र० पावर कार्पोरेशन लिमिटेड, लखनऊ।
6. समस्त अधिकारी/ अनुभाग, उ०प्र० पावर कार्पोरेशन लिमिटेड, लखनऊ।
7. कम्पनी सचिव, उ०प्र० पावर कार्पोरेशन लिमिटेड, शक्ति भवन, लखनऊ को निदेशक मण्डल की दिनांक 17.02.2001 को सम्पन्न बैठक के मद संख्या अठारह 121/2001 पर लिये गये निर्णय को अनुपालन आख्या स्वरूप।

आज्ञा से
(देवेन्द्र सिंह)
उप महा प्रबन्धक (प्र०से०)


(Sunil Kumar Pokhriyal)

Annexure - 3

उत्तर प्रदेश राज्य विद्युत परिषद
संविधान भवन, 14-अगस्त मार्ग, लखनऊ।

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संख्या: 84 - विनियम-23/राज्य-98-3 दिनांक/92 दिनांक/24 फरवरी, 1998

विनियम
विधिविध

इलेक्ट्रिसिटी (सप्लाई) एक्ट, 1948 की धारा 79(1) के अधीन अधिकारों का प्रयोग करके उ०प्र० राज्य विद्युत परिषद, अपने अधीन सेवाओं में नियुक्त व्यक्तियों की जोड़ना अधारित करने के लिए एक्ट द्वारा "विनियमावली बनाते है:-

उत्तर प्रदेश राज्य विद्युत परिषद सेवा जोड़ना विनियमावली-1998

भाग-1

प्रारम्भिक

1- संक्षिप्त नाम और प्रारम्भ

- 1.1 यह विनियमावली उ०प्र० राज्य विद्युत परिषद सेवा जोड़ना विनियमावली-1998 कही जायेगी।
- 1.2 यह विनियमावली तत्काल प्रभावी होगी।

2- लागू होना

यह विनियमावली उ० प्र० उ०प्र० राज्य विद्युत परिषद के तहत पर लागू होगी किसी भी और सेवा की शर्तों के सम्बन्ध में परिसर द्वारा इलेक्ट्रिसिटी (सप्लाई) एक्ट, 1948 की धारा 79(1) के अधीन विनियमावली बनाई जायेगी या बनाई जा चुकी है।

3- अध्यारोही प्रभाव

यह विनियमावली इसके पूर्व बनाई गई किसी अन्य सेवा विनियमावली में किसी बात के प्रातिकूल होते हुए भी प्रभावी होगी।

4- परिभाषाएं

जब तक कि विनियम भा सन्दर्भ में कोई प्रातिकूल बात न हो इस विनियमावली में:-

- 1.1 किसी सेवा के सम्बन्ध में "नियुक्त प्राधिकारी" का तात्पर्य संगत सेवा विनियमों के अधीन ऐसी सेवा में नियुक्ति करने के लिए सशक्त प्राधिकारी से है।
- 1.2 "संघी" का तात्पर्य किसी सेवा की, सदस्य संख्या का किसी प्रकार इकाई के रूप में स्वीकृत सेवा के किसी भाग से है।
- 1.3 "आयोजन" का तात्पर्य यथास्थिति, उत्तर प्रदेश राज्य विद्युत परिषद सेवा आयोजन से है।

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- 140 "समिति" का तात्पर्य तुल्यतः सेवा विनियमों के अधीन सेवा में नियुक्ति के लिए चयन करने हेतु गठित समिति से है,
- 141 "पौष्क संवर्ग" का तात्पर्य सेवा के उस संवर्ग से है जिसके सदस्यों में से तुल्यतः सेवा विनियमों के अधीन उच्चतर सेवा या पद पर पदोन्नति की जाय,
- 142 "सेवा" का तात्पर्य उस सेवा से है जिसमें सेवा के सदस्यों की ज्येष्ठता अवधारित की जाती है,
- 143 "सेवा विनियमावली" का तात्पर्य इलेक्ट्रिस्टिटी (सप्लाइ) एक्ट, 1948 की धारा 79(1) के अधीन बनायी गई विनियमावली से है और जहां ऐसी विनियमावली न हो वहां तुल्यतः सेवा में नियुक्त व्यक्तियों की अर्ती और सेवा शर्तों को विनियमित करने के लिए परिषद द्वारा जारी किये गये कार्यपालक अनुदेशों से है,
- 144 "गैरलिखित नियुक्ति" का तात्पर्य सेवा के शर्तों में किसी पद पर ऐसी नियुक्ति से है जो तदर्थ नियुक्ति न हो और सेवा से सम्बन्धित सेवा विनियमावली के अनुसार चयन के पश्चात् की गई हो।
- 145 "वर्ष" का तात्पर्य जुलाई के प्रथम दिवस से प्रारम्भ होने वाली बारह मास की अवधि से है।

भाग-द्वी

ज्येष्ठता का अधिधारण

5. उस स्थिति में ज्येष्ठता, जब केवल सीधी अर्ती द्वारा नियुक्तियों की जाएं

जहां सेवा विनियमों के अनुसार नियुक्तियां केवल सीधी अर्ती द्वारा की जाती हैं वहां किसी एक चयन के परिणामस्वरूप नियुक्त किए गए व्यक्तियों की परस्पर ज्येष्ठता पची होगी जो यथास्थिति, आयोग या समिति द्वारा तैयार की गई योग्यता सूची में दिखाई गई है,

प्रतिबन्ध यह है कि सीधे अर्ती किया गया कोई उच्चर्ती अपनी ज्येष्ठता खो सकता है यदि किसी रिक्त पद का उसे प्रस्ताव किये जाने पर वह विधिमान्य कारणों के बिना कार्यभार ग्रहण करने में विफल रहता है, कारणों की विधिमान्यता के सम्बन्ध में नियुक्ति प्राधिकारी का विनिश्चय अन्तिम होगा:

अतः प्रतिबन्ध यह है कि पश्चात्तवर्ती चयन के परिणाम स्वरूप नियुक्त किये गये व्यक्ति पूर्ववर्ती चयन के परिणामस्वरूप नियुक्त किए गए व्यक्तियों से कनिष्ठ रहेंगे,

14/7/20

.....3/-

(Sunil Kumar Polkregal)



जब एक ही वर्ष में नियमित और आपात भर्ती के लिए पृथक-पृथक चयन किये जाएं तो नियमित भर्ती के लिये किया गया चयन पूर्ववर्ती चयन माना जाएगा।

उस स्थिति में ज्येष्ठता जब केवल एक पोषक संवर्ग से पदोन्नति द्वारा नियुक्तियों की जाए-

जहां सेवा विनियमों के अनुसार नियुक्तियां केवल एक पोषक संवर्ग से पदोन्नति द्वारा की जानी हों वहां इस प्रकार नियुक्त व्यक्तियों की परस्पर ज्येष्ठता वही होगी जो पोषक संवर्ग में थी।

स्पष्टीकरण:- पोषक संवर्ग में ज्येष्ठ कोई व्यक्ति, भले ही उसकी पदोन्नति पोषक संवर्ग में उससे कनिष्ठ व्यक्ति के पश्चात् की गई हो, उस संवर्ग में नियुक्ति में उसकी पदोन्नति की जाय, अपने वहां ज्येष्ठता पुनः प्राप्त कर लेगा जो पोषक संवर्ग में थी।

7. उस स्थिति में ज्येष्ठता जब कई पोषक संवर्गों से केवल पदोन्नति द्वारा नियुक्तियों की जाए-

जहां सेवा विनियमों के अनुसार नियुक्तियां एक से अधिक पोषक संवर्गों से केवल पदोन्नति द्वारा की जानी हों वहां कितनी एक चयन के परिणामस्वरूप नियुक्त किए गए व्यक्तियों की परस्पर ज्येष्ठता उनके अपने-अपने पोषक संवर्ग में उनकी मौलिक नियुक्ति के आदेश के दिनांक के अनुसार अधारित की जाएगी।

स्पष्टीकरण:- जहां पोषक संवर्ग में मौलिक नियुक्ति के आदेश में कोई ऐसा विभाजित पूर्ववर्ती दिनांक विनिर्दिष्ट हो, जिससे कोई व्यक्ति मौलिक रूप से नियुक्त किया जाय तो वह दिनांक मौलिक नियुक्ति के आदेश का दिनांक माना जाएगा और अन्य मामलों में इसका परस्पर आदेश जारी किये जाने के दिनांक से होगा;

प्रतिबन्ध यह है कि जहां पोषक संवर्ग के वेतनमान भिन्न हों तो उच्चतर वेतनमान वाले पोषक संवर्ग से पदोन्नत व्यक्तियों भिन्नतर वेतनमान वाले पोषक संवर्ग से पदोन्नत व्यक्तियों से ज्येष्ठ होंगे;

अतः प्रतिबन्ध यह है कि पश्चात्तवर्ती चयन के परिणामस्वरूप नियुक्त व्यक्ति पूर्ववर्ती चयन के परिणामस्वरूप नियुक्त व्यक्तियों से कनिष्ठ होंगे।

(Handwritten signature)

(Sund Kumar Pochreyal)

उत्त स्थिति में ज्येष्ठता जब नियुक्तियों पदोन्नति और सीधी भर्ती में की गी:-

111 जहां सेवा विनियमों के अनुसार नियुक्तियों पदोन्नति और सीधी भर्ती दोनों प्रकार से की जानी हों, वहां इस प्रकार नियुक्त व्यक्तियों की ज्येष्ठता उनकी मौलिक नियुक्ति के आदेश के दिनांक से निम्नलिखित उप-विभागों के उपबन्धों के अधीन अवधारित की जायेगी और यदि दो या अधिक व्यक्ति एक साथ नियुक्त किए जाएं तो उस क्रम में अवधारित की जायेगी जिनमें उनके नाम नियुक्ति के आदेशों में रखे गए हैं:

प्रतिबन्ध यह है कि यदि नियुक्ति के आदेशों में कोई ऐसा विशिष्ट पूर्ववर्ती दिनांक विनिर्दिष्ट हो जिससे कोई व्यक्ति मौलिक रूप से नियुक्त किया जाय, तो वह दिनांक मौलिक नियुक्ति के आदेशों का दिनांक माना जायेगा और अन्य मामलों में इसका तात्पर्य आदेशों जारी किये जाने के दिनांक से होगा।

अतः प्रतिबन्ध यह है कि सीधे भर्ती किया गया कोई अभ्यर्थी अपनी ज्येष्ठता की सकता है यदि किसी रिक्त पद का उसे प्रस्ताव किए जाने पर वह विधिमान्य कारणों के बिना कार्यभार ग्रहण करने में विफल रहता है, कारणों की विधिमान्यता के सम्बन्ध में नियुक्ति प्राधिकारी का विनिश्चय अन्तिम होगा।

121 किसी एक चयन के परिणामस्वरूप:-

1क1 सीधी भर्ती से नियुक्त व्यक्तियों की परस्पर ज्येष्ठता वही होगी, जैसी घंटास्थिति आयोग या समिति द्वारा तैयार की गई योग्यता सूची में दिखाई गई हो,

1ख1 पदोन्नति द्वारा नियुक्त व्यक्तियों की परस्पर ज्येष्ठता वही होगी जो इस स्थिति के अनुसार कि पदोन्नति स्कल पोषक संवर्ग से या अनेक पोषक संवर्गों से होती है घंटास्थिति, विनियम-6 या विनियम-7 में दिये गये सिद्धान्तों के अनुसार अवधारित की जाय।

131 जहां किसी एक चयन के परिणामस्वरूप नियुक्तियों पदोन्नति और सीधी भर्ती दोनों प्रकार से की जाय वहां पदोन्नत व्यक्तियों की, सीधे भर्ती किये गये व्यक्तियों के सम्बन्ध में ज्येष्ठता, जहां तक हो सके दोनों श्रेणियों के लिए उचित कोटा के अनुसार, क्रमोत्तम में प्रथम स्थान पदोन्नत व्यक्ति का होगा। अवधारित की जायेगी।

दृष्टान्त-111 जहां पदोन्नत व्यक्तियों और सीधी भर्ती किये गये व्यक्तियों का कोटा 1:1 के अनुपात में हो वहां ज्येष्ठता

सुनील कुमार

1991

(Sunil Kumar Pokhrajul)

निम्नलिखित क्रम में होगी :-

प्रथम — पदोन्नत व्यक्ति
द्वितीय — सीधी भर्ती किया गया व्यक्ति
और इसी प्रकार आगे भी।

21 जहां उक्त कोटा 1:3 के अनुपात में हो वहां ज्येष्ठता
निम्नलिखित क्रम में होगी --

प्रथम — पदोन्नत व्यक्ति;
द्वितीय से चतुर्थ तक — सीधी भर्ती किये गये व्यक्ति,
पांचवा — पदोन्नत व्यक्ति,
छठा से आठवां — सीधी भर्ती किये गये व्यक्ति और
इसी प्रकार आगे भी।

प्रतिबन्ध यह है कि—

1 एक। जहां किसी स्रोत से नियुक्तियां विहित कोटा से अधिक की
जाएं, वहां कोटा से अधिक नियुक्त व्यक्तियों को ज्येष्ठता
के लिए उन अनुवर्ती वर्ष या वर्षों के लिए बढ़ा दिया जायेगा
जिनमें कोटा के अनुसार रिक्तियां हों।

2 दो। जहां किसी स्रोत से नियुक्तियां विहित कोटा से कम हों, और
ऐसी न भरी गई रिक्तियों के प्रति नियुक्तियां अनुवर्ती वर्ष या
वर्षों में की जाएं, वहां इस प्रकार नियुक्त व्यक्ति किसी
पूर्ववर्ती वर्ष की ज्येष्ठता नहीं पायेंगे किन्तु वह उस वर्ष की
ज्येष्ठता पायेंगे जिसमें उनकी नियुक्तियां की जाएं किन्तु
उनके नाम सीधे पर रखे जायेंगे, जितने बाद अन्य नियुक्त
व्यक्तियों के नाम क्रमानुक्रम में रखे जायेंगे।

3 तीन। जहां सेवा विनियमावली के अनुसार, सुरंगत सेवा विनियमावली
में उल्लिखित परिस्थितियों में किसी स्रोत से किसी भरी गई
रिक्तियां अन्य स्रोत से भरी जाएं और कोटा से अधिक
नियुक्तियों की जायं वहां इस प्रकार नियुक्त व्यक्ति उती वर्ष
की ज्येष्ठता पायेंगे मानों वे अपने कोटा की रिक्तियों के
प्रति नियुक्त किए गए हों।

भाग-तीन

ज्येष्ठता सूची

9. ज्येष्ठता सूची का तैयार किया जाना

111 सेवा में नियुक्तियां होने के पश्चात यथा सम्भव शीघ्र नियुक्ति
प्राधिकारी सेवा विनियमावली के उपबन्धों के अनुसार सेवा में
शैलिक रूप से नियुक्त किये गये व्यक्तियों की एक अन्तिम
ज्येष्ठता सूची तैयार करेगा।

संयोजक
20/11/2011

.....6/-

(Suresh Kumar Polchraj)

- 124 अन्तिम ज्येष्ठता सूची का सम्बन्धित व्यक्तियों व आपत्तियों आश्रित करते हुए पुनर्विद्युत अवधि का नोटिस देकर, जो अन्तिम ज्येष्ठता सूची के परिचालन के दिनांक से कम से कम सात दिन की होगी, परिचालित किया जायेगा।
- 134 इन विनियमावली की शक्तिमत्ता या विधिमान्यता के विरुद्ध कोई आपत्ति ग्रहण नहीं की जायेगी।
- 144 नियुक्ति प्राधिकारी युक्तिसंगत आदेश द्वारा आपत्तियों का निस्तारण करने के पश्चात अन्तिम ज्येष्ठता सूची जारी करेगा।
- 154 उस संवर्ग की जिसे नियुक्तियाँ एकल पोशक संवर्ग से पदोन्नति द्वारा की जाय, ज्येष्ठता सूची तैयार करना आवश्यक नहीं होगा।

परिषद की आज्ञा से,

24/2/98

सचिव

संख्या: 94111 विनि-23/राविम-98-तदुदिनांक

प्रतिलिपि सचिव राज्या, 3070 आसन, लखनऊ को पत्रांक सं० 117पी: 2/ 98-24-2151 सं० 117/96, दिनांक 24.2.98 के सन्दर्भ में सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

आज्ञा से,

सचिव

संख्या: 94111 विनि-23/राविम-98-तदुदिनांक

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 112 समस्त महाप्रबन्धक/मुख्य अभियन्ता महतर। व 113, 3070 राज्य विद्युत परिषद।
- 121 समस्त निगन्धक, मेधा स्कन्ध, 3070 राज्य विद्युत परिषद।
- 131 सभासक्ति, जीव समिति, 3070 राज्य विद्युत परिषद, लखनऊ।
- 141 मुख्य निगमधिकारी, 3070 राज्य विद्युत परिषद, लखनऊ।

(Sunel Kumar Pochrege)

57
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Thiruvallur

ANNEXURE NO. P-2

SENIORITY

Regarding the employees of U.P. State Electricity Board Seniority

Regulations issued

No. 84 - Regulation - 23 / Secretary - 98 - 3 Regulation / 92 dated
24th February, 1998.

NOTIFICATION

Miscellaneous

After using the powers under Section 79C of the Electricity Supply Act, 1948, the U.P. State Electricity Board is framing the following Regulations by this for determining the seniority of the appointed persons in its services :-

THE U.P. STATE ELECTRICITY BOARD EMPLOYEE

SENIORITY REGULATION, 1998.

Part I

PRELIMINARY

1. Brief name and start :

(1). -This regulation will be called the U.P. State Electricity Board Employee Seniority Regulation - 1998

(2). This regulation will be effective immediately.

2. Coming into effect?

This regulation will be applicable to all those employees of the U.P. State Electricity Board Employee Seniority Regulation - 1998, regarding the appointment and service conditions of whom, the Board will frame or has



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already been framed the regulation under Section 79 C of the Electricity (Supply) Act, 1948. 81

3. Overriding effect:-

This regulation will be effective even after being adverse to any matter in any other service regulation framed before this.

4. Definitions :-

Till there is not any adverse matter in reference or subject in this regulation :

- a. Regarding any service the meaning of the "Appointing authority" is with the entitled / powerful officer for making appointments in such service under the relevant service regulations.
- b. "Cadre" means the number of the member of any service or any part of the approved service in any separate unit.
- c. The meaning of the "Commission" is the Uttar Pradesh State Electricity Board Service Commission as it is.
- d. The meaning of "Committee" is the committee constituted for the selection of the appointment in the service under the relevant service regulations.
- e. The meaning of "Feeder Cadre" is that cadre of the service, out of the members of which under the



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relevant service regulations promotion may be made at the higher service or post.

- f. The meaning of the service is that service, in which the seniority of the members of the service is to be determined.
- g. The meaning of the "Service regulation" is the regulation framed under Section 79C of the Electricity Supply Act, 1948 and the executive orders issued by the Board for regulating the service conditions and the appointment of the appointed persons in the relevant service at place where there is no such regulation.
- h. The meaning of "Basic / Original Appointment" is such appointment at any post in the cadre of service, which is not the ad-hoc appointment and such appointment which has been done after selection according to the service Rules, concerned with the service.
- i. The meaning of "Year" is the period of 12 months starting from the first day of July.

PART - 2

Determination of Seniority

- 5. Seniority in that condition, when appointments are made by only direct recruitment / appointment -



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Where according to the service regulations where the appointments are to be made only by direct recruitment, at that place the inter-se seniority of the persons appointed due to any one selection will be the same, which has been shown in the merit list prepared by the Committee or status quo commission.

The restriction is this that directly appointed any candidate may lose his seniority if on being proposed for any vacant post he without any legal accepted reasons fails to assume charge. Regarding the reasons of the legal acceptance the decision of the appointing authority will be final.

Further restriction is this that the person appointed due to the subsequent selection will remain junior among the persons appointed due to the previous selection.

Explanation: When for the same year for the regular and emergency recruitment separate selections are made, then the selection made for the regular recruitment will be considered as the previous selection.

- 6. In that condition when appointments are made by promotion from only the sole feeder cadre.

Where according to the service regulations the appointments are to be made by promotion from the only one feeder cadre, at that place the inter-se seniority the



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persons appointed in this way will be the same which was in the feeder cadre.

Explanation :- In the feeder cadre any senior person may have been appointed after the junior person to him in their promotion cadre, in that cadre in which their promotions is done, he will attain again the same seniority which was in the feeder cadre.

7. In that condition seniority when the appointments are made only by promotion from many feeder cadres:-

Where according to the service regulations the appointments are to be made from more than one feeder cadres, only by promotion, there due to any one selection the inter se seniority will be determined according to the date of order of their basic appointment in the respective feeder cadre.

Explanation: Where in the office of the basic appointment in the feeder cadre any such special previous date is specially filed, in which any person may be appointed basically then that date will be considered as the date of order of the basic appointment and in other matters its meaning will be the date of issuing the order -

Restriction is this that where the pay scale of the feeder cadre is different than the person promoted from feeder



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cadre getting higher pay scale will be senior to the persons promoted from the feeder cadre getting lower pay scale.

Further restriction is this that due to subsequent the appointed person will be junior to the appointed persons due to previous selection.

8. In that condition seniority should be determined when appointments and promotion are made from direct recruitment.

(1). Where according to the service regulations appointments, promotion, and direct recruitment are to be done in both the ways, at that place the seniority of the persons appointed in this way will be determined under the provisions of the following sub Rule from the date of order of their basic appointment and if two or more persons are appointed together, then in that sequence it will be determined, in which their names have been kept in the order of appointment.

Restriction is this that if in the order of appointment any such specific prior date is specified, by which any person is appointed basically, then when that date will be considered as the date of appointment, the date of order of the basic appointment and in other matters its meaning will be the date of issuing order.



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The further restriction is this that any candidate recruited directly may lose his seniority if on the proposal of any vacant post given to him. He fails in assuming charge without legal reasons. Regarding the legal acceptance of the reasons the decision of the appointing authority will be final.

(2). Due to any one selection :-

k. The inter se seniority of the persons appointed directly will be the same as it has been shown in the merit list prepared by the commission of committee as it is.

Kh. The inter se seniority of the appointment person by promotion will be the same which according to this situation that the promotion is done from the single feeder cadre or from many feeder cadres. According to the principles given in the Regulation 6 or Regulation 7, as it is, may be determined.

(3). Where due to any one selection the appointments are made in both the ways, by promotion and by direct recruitment, at that place seniority of the promoted persons vis-a-vis a seniority of the persons recruited directly, so far it is possible according to the prescribed order for both the sources in sequence of turn (the first



place will be of the promoted person) will be determined.

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As for example -

1. Where there is a quota of promoted persons and of the persons directly recruited is in the proportion of 1 = 1, at that place the seniority will of in the following sequence:

First - promoted person

Second - the person directly recruited and in this way further also.

2. Where the said quota is in proportion of 1 = 3, at that place the seniority will be in the following sequence :-

First - Promoted person.

Second to fourth - person directly appointed.

Fifth - promoted persons.

Six to eight - directly recruited persons and in this way further also

Restrict is this that:-

One - Where from any source appointments are made more than the prescribed quota, at that place for the seniority of the persons appointed more than the quota for those subsequent year or years will be increased, in which there are vacancies according to quota.



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Two - Where the appointments from any source are less than the prescribed quota and against such unfilled vacancies, the appointments may be made in the subsequent year or years, at that place the person appointed in this way will not get seniority of any previous year, but he will get seniority of that year, in which their appointments are made, but their names will be kept at the top; after which the names of other appointed persons will be kept in sequence of turn.

Three - Where according to the service Regulations in the circumstances mentioned in the relevant service regulations, the vacancies without being filled from any source may be filled from other source and appointments should be made more than the quota, at that place the person appointed in this way will get the seniority of that very year as if they are appointed against the vacancies of their quota.

PART THREE

SENIORITY LIST.

9. Preparation of the seniority list :
 1. After the appointments in the service as far as possible soon the appointing authority will prepare the final seniority list of the persons appointed basically in the service acceding to the provisions of this Regulation.



- V/S ~~69~~ 69
2. In the persons concerned with the final seniority list after inviting objections and after giving notice of the reasonable period which will be at least of seven days from the date of coming into effect of the final seniority list will be brought into effect.
 3. Against the powers of legality of this regulation no objection will be accepted.
 4. The appointing Authority will issue final seniority list after disposal of the objections vide reasonable order.
 5. It will no be essential to prepare the seniority list of that cadre in which the appointments are made by promotion from the single feeder cadre.

Sharad Chandra Rasthogi,

Secretary.

Integration of pay scales

Determining the Induction point for approval of the pay scales of
the non gazette employees

No. 404 - Kabin / R. Vi. P. - 29 / 98 - 4 - 6 (20) P./ 86 dated 31st
March, 1998.

In sequence of Order No. 153 Ka. Vi. Ni. / R. V. P. - 29
/ 96 - 4 (3) P / 86 dated 03rd April, 1996 of the council
regarding the aforesaid subject, I have been directed to state
this that the council has taken this decision after proper
consideration that if in the context of the provisions



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contained in the said council order dated 03rd April, 1996, due to the direct appointment in the same cadre of any personnel for arrival it is changed and from that change arrival point on calculating the period for the acceptance of the integrated pay scales the benefit which is received that is less than the benefit received in reference to the service of the previously held post. The concerned personnel of the council may be given this alternative that he should accept any one post out of the posts held due to the previous direct appointment or the final direct appointment.

2. Therefore, in the case in question as stated above the action may be ascertain.

S.P. Shrivastava
Joint Secretary.

No. 6264 - Kabin / R. Vi. P. - 29 / 98 - 4 - 6 (20) P / 86 dated 31st March, 1998.

The present paragraph no. 6 (2) of the council of his memo no. 965 - P / Ra.Vi.P. - Thirty - 4 Pa. 86 dated 19th June, 1989 regarding the acceptance of integrated pay scales to the Additional Engineer and Officer as it is mentioned in the following column 1, after proper consideration of the aforesaid by this in column 2 the following provisions may be replaced.



445 71

Present provision (Column 1)	Amended provision (Column 2)
The calculation of the period for getting the aforesaid integrated pay scales will be done from the date of regular appointment at the lowest post of direct appointment in the cadre. If in any cadre at any post of promotion appointment is made by direct recruitment then from the post of direct recruitment on that (on which the appointment in question has been done the integrated pay scales of that period the period of eligibility in service will be deemed to be complete and the integrated pay scales further from that level, if any one is due, again on completion of fixed service period, it will be acceptable.	For the approval of the aforesaid integrated pay scales the calculation of the service period will be done in reference to the post and date of appointment. Direct regular appointment at the post of direct recruitment in the cadre i.e. to say accordingly after the fixed service period of 9, 14 and 19 years, the first, second and third integrated pay scales respectively will be made acceptable. Those employees who have been appointed by direct appointment in stead of promotion at the lowest post of direct recruitment of the non engineer officer cadre, the aforesaid integrated pay scales will be acceptable to them.



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<p>Those employees who have been appointed by direct recruitment in stead of promotion at the lowest post of direct recruitment of the cadre of non engineer officer, they will not be allowed to get the aforesaid integrated pay scales.</p>	
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2. Such officers who has been appointed at such post before the issuance of the entire service regulations, which have been declared as the post to be filled by promotion in the entire service regulation, that will be considered to be the same post for the entry point for the approval of the integrated pay scales, on which particular post his initial appointment has been done.

//TRUE TRANSLATED COPY //




SWALEHA HUSSAIN
 Advocate
 Reg. No. - UK-782/2020
 Oath Commissioner
 High Court of Uttarakhand
 At Nainital
 Dt. 30/06/2025
 3/6/2025

Annexure 04

48

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संख्या: 05 / 2001 / 2001
दिनांक: 1.4.2001

कार्यालय नाम :

उत्तरांचल पावर कारपोरेशन
अनुसूची 2 के अंतर्गत कार्यवाही, आदेश अथवा सेवा शर्तें वगैरे के
अनुसूची 2 के अंतर्गत कार्यवाही में लागू नियम, विनियम, आदेश एवं सेवा शर्तें
प्रयोज्य लागू रहेगी।

2- अग्रिम आदेश तक उ.प्र. पावर कारपोरेशन के अधिकारी/कार्मिक
जो दिनांक 1.4.2001 से उत्तरांचल पावर कारपोरेशन के विभिन्न
कार्यालयों/कार्मिक-स्थलों पर सेनात होंगे, उत्तरांचल पावर कारपोरेशन में
प्रतिनिधित्वित पर माने जाएंगे।

3- उत्तरांचल पावर कारपोरेशन में अधिकारियों/कार्मिकों के सेनात एवं
अन्य देवों के प्रस्ताव सम्बन्धी चर्चा तथा अग्रिम आदेशों तक उ.प्र. पावर
कारपोरेशन वि. की शर्तें अद्यतन लागू रहेगी।

आज्ञा से,
श्रीधर देविराज
प्रबन्ध निदेशक

संख्या 05 / 2001 / 2001

उपर्युक्त की प्रतिनिधि निम्नलिखित को सुचनाार्थक आचरक कार्यवाही
देतु प्रेषित :-

1. मुख्य महाप्रबन्धक वितरण, देहरादून
2. मुख्य महाप्रबन्धक, जल विद्युत परिभोजनाएं, उ.प्र. जल विद्युत परिभोजनाएं
देहरादून
3. महाप्रबन्धक वितरण, देहरादून
4. महाप्रबन्धक वितरण, मैनीताल
5. उपमहाप्रबन्धक, परिमाण मन्त्राल, रुर्की

Sund Kumar Singh



श्रीधर देविराज
प्रबन्ध निदेशक
Advocate
Regd. No. E. 105, 20/0
At Nainital

T.C

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उत्तरांचल पावर कारपोरेशन
ऊर्जा विभाग
संख्या- 05/90 / 2001
देहरादून दिनांक 01, 2001

कार्यालय ज्ञाप

आपके द्वारा आदेश किया जाता है कि उत्तरांचल पावर कारपोरेशन अलग से अपनी नियमावली, आदेश अथवा सेवा शर्तें बनायी जाने तक पावर कारपोरेशन में लागू नियम, विनियम, आदेश एवं सेवा शर्तें यथावत् लागू रहेगी।

2- अग्रिम आदेश तक उ0प्र0 पावर कारपोरेशन के अधिकारी/कार्मिक जो दिनांक 1.4. 2001 से उत्तरांचल पावर कारपोरेशन के विभिन्न कार्यालयों/ कार्यस्थलों पर तैनात होंगे, उत्तरांचल पावर कारपोरेशन में प्रतिनियुक्ति पर माने जायेंगे।

3- उत्तरांचल पावर कारपोरेशन में अधिकारियों/कार्मिकों के वेतन एवं अन्य देयों के भुगतान सम्बन्धी व्यवस्था अग्रिम आदेशों तक उ0प्र0 पावर कारपोरेशन लि0 की भाँति यथावत् लागू रहेगी।

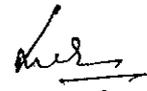
आज्ञा से
(केशव देसिराज)
प्रबन्ध निदेशक

संख्या 05/प्र0नि0/2001/तददिनांक।

उपरोक्त की प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. मुख्य महाप्रबन्धक (वितरण) देहरादून।
2. मुख्य महाप्रबन्धक, जल विद्युत परियोजनाएँ, उ0प्र0 जल विद्युत परियोजनाएँ देहरादून।
3. महाप्रबन्धक (वितरण), देहरादून।
4. महाप्रबन्धक (वितरण), नैनीताल।
5. उपमहाप्रबन्धक, परिक्षण गन्धल, रुड़की।

पत्रांक - 194 निदे0(मा0सं0)/उपाकलि0/केबी-ओ0/4 दिनांक- 11/01/2011


(Sunil Kumar Pokhriyal)

Annexure 5

उत्तराखण्ड पावर कॉरपोरेशन लि०
(उत्तराखण्ड सरकार का उपक्रम.)
ऊर्जा भवन, कॉवली रोड, देहरादून।

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पत्रांक : 8786- निदेश (मा०सा०) / उपकालि / तृतीय समयबद्ध वेतनमान

दिनांक : 18.12.2007

कार्यालय ज्ञापन

उत्तराखण्ड शासन ऊर्जा अनुभाग - 2 के आदेश संख्या 1869 1 (2)/ 2007 - 06 (3) / 72/ 2003 दिनांक 06 नवम्बर, 2007 के द्वारा दिये गये निर्देशों के अनुपालन में उ० प्र० पावर कॉरपोरेशन लि०, लखनऊ के कार्यालय ज्ञाप सं० 91काविनी/ पाकालि-29/ 07- 4 - काविनी/ 94, दिनांक 14.2.2007 के अनुभाग एतद् द्वारा निम्नवत् आदेश निर्गत किये जाते हैं:-

उ० प्र० राज्य विद्युत परिषद सर्व आडिटेड इलेक्ट्रिकल एण्ड मैकेनिकल इन्जिनियरिंग सर्विस रेगुलेशन 1972 उल्लेखित अवर अभियंता (सेलेक्शन ग्रेड) का पद दिनांक 14.2.2007 को समाप्त किया जाता है। सेवा नियमावली / विनियमावली में यथा आवश्यक संशोधन की कार्यवाही अलग से की जाएगी। अवर अभियंता (सामान्य श्रेणी) के पद पर सीधी भर्ती की नियुक्तियों की तिथि से गणना करते हुए निम्नलिखित समयबद्ध वेतनमान दिनांक 14.2.2007 से अनुमान्य किये जाते हैं:-

1.	प्रथम समयबद्ध वेतनमान (9 वर्ष की सेवा पूर्ण करने पर)	रु० 8550-13500. (सहायक अभियंता पद का वेतनमान)
2.	द्वितीय समयबद्ध वेतनमान (14 वर्ष की सेवा पूर्ण करने पर)	रु० 10650-15200 (अधिशासी अभियंता पद का वेतनमान)
3.	तृतीय समयबद्ध वेतनमान (19 वर्ष की सेवा पूर्ण करने पर)	रु० 14300- 18300 अधिशासी अभियंता (सेलेक्शन ग्रेड)) पद का वेतनमान

अवर अभियंता का समयबद्ध वेतनमान की अनुमत्या विषयक परिषदाज्ञा संख्या 965पी/ राविप-तीस-4 पी/ 1986, दिनांक 19.6.1989 संपादित कार्यालय ज्ञाप संख्या 251प्र०/ 30/ राविप/ 98-330प्र०/ 98 दिनांक 6.8.1998 (प्रस्तर - एक बिन्दु 9) एवं कार्यालय ज्ञाप संख्या 1618 काविनी/ राविप-29/ 98-29/ पी/ 89, दिनांक 29.9.1998 में निहित प्राविधानों को उक्त सीमा तक संशोधित समझा जाए। उनमें उल्लिखित अन्य प्राविधान एवं शर्तें यथावत् लागू रहेंगी।

उपर्युक्त उच्चकृत समयबद्ध वेतनमानों के निर्धारण के फलस्वरूप इस आदेश के निर्गमन से पूर्व का कोई अवशेष देय नहीं होगा। भविष्य में नियुक्त अवर अभियन्ताओं पर तृतीय समयबद्ध वेतनमान की उक्त व्यवस्था लागू नहीं होगी।

पत्रांक: 8786/निदे0 (मा0स0)/उपाकालि/ तृतीय समयबद्ध वेतनमान दिनांक: 18.12.2007

प्रतिलिपि :- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. निजी सचिव सचिव (ऊर्जा) एवं अध्यक्ष, उत्तराखण्ड पावर कॉर्पोरेशन, लि0 उर्जा भवन, देहरादून।
2. निजी सचिव प्रबन्ध निदेशक, उपाकालि, ऊर्जा भवन, देहरादून।
3. निजी सचिव, निदेशक (वित्त/परियोजना/परिचालन) मा0स0 उत्तराखण्ड देहरादून।
4. निजी सचिव, अधिशासी, निदेशक (वाणिज्य) उपाकालि, उर्जा भवन, देहरादून।
5. मुख्य, महाप्रबन्धक, (परिचालन) उपाकालि, उर्जा भवन, देहरादून।
6. समस्त महाप्रबन्धक उपाकालि
7. कंपनी सचिव एवं उप महाप्रबन्धक (विधि) उपाकालि उर्जा भवन, देहरादून।
8. उपमहाप्रबन्धक (मा0स0/स0प्र0) उपाकालि, उर्जा भवन, देहरादून।
9. समस्त उप महाप्रबन्धक (वित्त/उपमहाप्रबन्धक (आंतरिक सम्प्रक्षी) उपाकालि
10. समस्त उपमहाप्रबन्धक उपाकालि
11. समस्त अधिकारी, एवं उपाकालि, उर्जा भवन, देहरादून।
12. कार्यालय ज्ञापन पुंजिका / कट फाईल / मास्टर कट फाईल।

ह0 अपठित

(डा0 पी0सी0 जोशी)

उपमुख्य कार्मिक अधिकारी

Annexure-6

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Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)
Urja Bhawan, Kanwli Road
Dehradun-248001
Tel: 0135-2767501 FAX: 0135-2769771



उत्तराखण्ड पावर कॉर्पोरेशन लि०
(उत्तराखण्ड सरकार का उपक्रम)
ऊर्जा भवन, कानवली रोड
देहरादून-248001
दूरभाष: 0135-2767501 फैक्स: 0135-2769771

पत्रांक : 6616 -निदे०(मा०सं०)/उपकालि/केबी-ओ-4/09

दिनांक : 30 जून 2009

कार्यालय ज्ञाप

कारपोरेशन कार्यहित में, एतद्वारा निम्नवत् स्तम्भ-2 में उल्लिखित अवर अभियन्ताओं (विद्युत एवं यांत्रिक) को अवर अभियन्ता 40% सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर निम्न शर्तों/प्रतिबन्धों के साथ प्रोन्नत तथा उनके द्वारा कार्याभार ग्रहण करने दिनांक से सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर नियुक्त किया जाता है :

क्र०सं०	अवर अभियन्ता/प्रभारी सहायक अभियन्ता का नाम/वरिष्ठता संख्या/गृह जनपद
1	2
1	कैलाश सिंह, (अल्मोड़ा)/17/02-03
2	होशियार सिंह सोन, (पिथौरागढ़)/18/02-03
3	अजय भारद्वाज, (उधमसिंह नगर)/21/02-03
4	अंजीव कुमार, (हरिद्वार)/23/02-03
5	अनुज अग्रवाल, (हरिद्वार)/24/02-03
6	संतोष डबराल, (देहरादून)/25/02-03
7	सतीश चन्द्र जोशी, (नैनीताल)/26/02-03
8	कुलभूषण कुकरती, (पौड़ी)/25/02-03
9	सुनील कुमार, (पौड़ी)/29/02-03
10	ख्याली दत्त, (पिथौरागढ़)/32/02-03
11	गुवनेश कुमार जोशी (देहरादून)/36/02-03
12	शैलेन्द्र कुमार सैनी, (देहरादून)/38/02-03
13	अजय कुमार, (हरिद्वार)/39/02-03
14	मुकेश चन्द्र, (हरिद्वार)/42/02-03
15	वीरेन्द्र सिंह बिष्ट, (देहरादून)/43/02-03
16	अक्षय कपिल, (हरिद्वार)/44/02-03
17	जगपाल सिंह, (हरिद्वार)/45/02-03
18	राजपाल, (हरिद्वार)/46/02-03
19	राजीव खरवाल, (पौड़ी)/47/02-03
20	संजय प्रसाद आर्य, (अल्मोड़ा)/54/02-03 (अ०जा०)
21	कवल सिंह, (हरिद्वार)/55/02-03 (अ०जा०)
22	रूपेश कुमार नथाला, (हरिद्वार)/57/02-03 (अ०जा०)
23	ओमपाल, (हरिद्वार)/61/02-03 (अ०जा०)
24	प्रकाश चन्द्र, (टिहरी)/125/03-04 (अ०जा०)
25	मोहन राम, (अल्मोड़ा)/130/03-04 (अ०जा०)
26	रमेश चन्द्र आर्य, (नैनीताल)/131/03-04 (अ०जा०)

- उपर्युक्त प्रोन्नति के आदेश याचिका संख्या-83/एस०एस०/04 में पारित निर्णय दिनांक 21-7-2008 संपादित याचिका संख्या 728/2009 एवं विशेष अपील संख्या-20/2009 एवं याचिका संख्या-43/2004(एव०एस०) एवं एस०एल०पी० संख्या-4827/2 माननीय उच्च न्यायालय नैनीताल/ माननीय उच्चतम न्यायालय, दिल्ली के अन्तिम निर्णय के प्रतिबन्धाधीन होंगे।
- उपर्युक्त अवर अभियन्ता/प्रभारी सहायक अभियन्ता, सहायक अभियन्ता के प्रोन्नत पद पर अपने ही खण्ड/उपखण्ड में कार्य ग्रहण करेंगे तथा इनके स्थानान्तरण एवं तैनाती सम्बन्धी आदेश अलग से निर्गत किए जायेंगे।

(Signature)

(Sunil Kumar Potharyal)

क्रम:

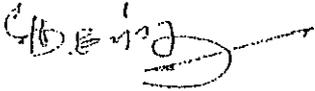
- 3- उपर्युक्त प्रोन्नत अधिकारियों को प्रशिक्षण पूर्ववर्ती उत्तर प्रदेश राज्य विद्युत परिषद के झापांक-963-डीएमएस/राविप /95 दिनांक 16-6-1995 के प्राविधानानुसार उनके द्वारा सहायक अभियन्ता का कार्यभार ग्रहण करने के पश्चात निदेशक(मानव संसाधन), उपाकालि, ऊर्जा भवन, देहरादून द्वारा यथाशीघ्र कराया जायेगा जिसमें इन अधिकारियों का भाग लेना अनिवार्य होगा ।
- 4- उपर्युक्त आदेश निर्गमन की तिथि से प्रभावी होंगे ।
- 5- उपरोक्त प्रोन्नत अधिकारियों द्वारा यदि नवीनतम परिसम्पत्ति विवरण प्रस्तुत न किया गया हो तो पदोन्नति पर पदभार ग्रहण करते समय उपर्युक्तानुसार पदभार ग्रहण करने के साथ साथ अपना नवीनतम परिसम्पत्ति का विवरण नियंत्रक अधिकारी को अनिवार्यतः प्रस्तुत किया जायेगा जिसे नियंत्रक अधिकारी प्रतिहरताक्षरित कर कार्यभार प्रमाणक की प्रति सहित कारपोरेशन मुख्यालय को तुरन्त अग्रसारित किया जाना सुनिश्चित करेंगे ।
- 6- यह प्रोन्नति, पोषक पद पर विहित न्यूनतम सेवावधि में निदेशक मंडल द्वारा इस प्रातेबन्धाधीन प्रदत्त शिथिलता से आवरित है कि इस प्रकार की शिथिलता उक्त अधिकारी को उनके सम्पूर्ण सेवाकाल में एक बार से अधिक अनुमन्य नहीं होगी ।

प्रबन्ध निदेशक

पत्रांक :- 6616 - निदे0(गा0सं0)/उपाकालि0/कैबी0-ओ-4/09/तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- निजी सचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 2- निजी सचिव समस्त निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 3- मुख्य महाप्रबन्धक (वाणिज्य), उपाकालि, ऊर्जा भवन, देहरादून।
- 4- समस्त महाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 5- समस्त उपमहाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 6- कम्पनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 7- उपमहाप्रबन्धक (सूचना प्रौद्योगिकी), उ0पा0का0लि0, ऊर्जा भवन, देहरादून।
- 8- समस्त उपमहाप्रबन्धक (वित्त)/के.ले.का./वितरण/आन्तरिक समीक्षा, उपाकालि।
- 9- उप महाप्रबन्धक (कार्मिक) उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 10- समस्त सम्बन्धित अधिशासी अभियन्ता, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 11- समस्त अधिकारी एवं अनुभाग, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 12- समस्त सम्बन्धित अधिकारी/वै0 पत्रावली/कार्यालय ज्ञापन पंजिका/कट फाईल।





(एम0के0 जोशी)

उपमहाप्रबन्धक (मानव संसाधन)


(Suneel Kumar Polchrajal)

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Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)

Urja Bhawan, Kanwali Road

Dehradun-248001

Tel: 0135-2767501 FAX: 0135-2769771

Letter No.: 6616 – Dir. (H.No.) / Upkaalli / KB-O-4/09 Date: 30 June 2009

Office Memorandum

In the interest of the work of the Corporation, the Junior Engineers (Electrical & Mechanical) mentioned in column-2 below are hereby promoted to the post of Assistant Engineer (Electrical & Mechanical) with 40% of the pay of Junior Engineer with the following conditions / restrictions and appointed to the post of Assistant Engineer (Electrical & Mechanical) from the date of their joining:-

Serial No.	Name / Seniority Number of Junior Engineer / Assistant Engineer-in-Charge / Home District
1.	Kailash Singh, (Almora)/17/02-03
2.	Hoshiyar Singh Saun, (Pithoragarh) / 18/02-03
3.	Ajay Bhardwaj, (Udham Singh Nagar)/21/02-03
4.	Anjeev Kumar, (Haridwar)/23/02-03
5.	Anuj Agarwal, (Haridwar)/24/02-03
6.	Santosh Dabral (Dehradun)/25/02-03
7.	Satish Chandra Joshi, (Nainital)/26/02-03
8.	Kulbhushan Kukreti, (Pauri)/25/02-03
9.	Sunil Kumar (Pauri)/29/02-03
10.	Khayali Dutt, (Pithoragarh)/32/02-03
11.	Bhuvnesh Kumar Joshi (Dehradun)/36/02-03
12.	Shailendra Kumar Saini, (Dehradun)/38/02-03
13.	Ajay Kumar, (Haridwar)/39/02-03
14.	Mukesh Chandra, (Haridwar)/42/02-03
15.	Virendra Singh Bisht (Dehradun)/43/02-03
16.	Akshay Kapil, (Haridwar)/44/02-03
17.	Jagpal Singh, (Haridwar)/45/02-03
18.	Rajpal, (Haridwar)/46/02-03
19.	Rajeev Kharwal, (Pauri)/47/02-03
20.	Sanjay Prasad Arya, (Almora)/54/02-03 (SC)



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21.	Kanwal Singh, (Haridwar)/55/02-03 (SC)
22.	Rupesh Kumar Nathala, (Haridwar)/57/02-03 (SC)
23.	Ompal, (Haridwar) / 61/02-03 (SC)
24.	Prakash Chandra, (Tehri) / 125/03-04 (SC)
25.	Mohan Ram, (Almora) / 130/03-04 (SC)
26.	Ramesh Chandra Arya, (Nainital) / 131/03-04 (SC)

1-The above promotion orders will be subject to the final decision of the Hon'ble High Court of Nainital / Hon'ble Supreme Court, Delhi, dated 21-7-2008 passed in petition number-83/SS/04 read with petition number-728/2009 and special appeal number-20/2009 and petition number-43/2004 (AS) and SLP number-4827/2009.

2-The above Junior Engineer / Assistant Engineer-in-Charge will take charge on the promoted post of Assistant Engineer in his own section / sub-section and orders regarding their transfer and posting will be issued separately.

3-The training of the above-mentioned promoted officers will be arranged by the Director (Infrastructure Resources), Upakali Dal, Urja Bhawan, Dehradun as soon as possible after they assume charge of Assistant Engineer as per the provisions of the erstwhile Uttar Pradesh State Electricity Board's letter no. 963-DMS/RVP/95 dated 16-6-1995, in which participation of these officers will be mandatory.

4- The above-mentioned orders will be effective from the date of issue.

5-If the latest asset statement has not been submitted by the above-mentioned promoted officers, then while assuming charge on promotion, along with assuming charge as above, their latest asset statement will be compulsorily submitted to the Controlling Officer, which the Controlling Officer will countersign and ensure to be forwarded immediately to the Corporation Headquarters along with a copy of the charge certificate.

6-This promotion is covered by relaxation in the minimum length of service prescribed in the feeder post by the Board of Directors, subject to the restriction that such relaxation shall not be allowed to the said officer more than once in his entire service period.

Managing Director

Letter No.:- 6616 – Director (M.S.)/Upakaali/KB-O-4/09/Additional

Copy sent to the following for information and necessary action

1- Private Secretary, Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Dehradun.



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- 2- Personal Secretary to all Directors, Uttarakhand Power Corporation Ltd. Urja Bhawan, Dehradun. 81
- 3- Chief General Manager (Commerce), Upakaali, Urja Bhawan, Dehradun.
- 4- Overall General Manager, Uttarakhand Power Corporation Limited.
- 5- Deputy General Manager, Uttarakhand Power Corporation Limited.
- 6- Company Secretary and Deputy General Manager (Law), Uttarakhand Power Corporation Ltd., Urja Bhawan, Dehradun.
- 7- Deputy General Manager (Information Technology), UPACL, Urja Bhawan, Dehradun.
- 8- All Deputy General Managers (Finance) / Accounts / Distribution / Internal Communication, Upakali.
- 9- Deputy General Manager (Personnel) Uttarakhand Power Corporation Ltd., Urja Bhawan, Dehradun.
- 10- All concerned Executive Engineers, Uttarakhand Power Corporation Ltd.
- 11- All Officers and Sections, Uttarakhand Power Corporation Ltd., Urja Bhawan, Dehradun.
- 12- All concerned Officers / Legal Files / Office Memorandum Register / Cut File.

Sd

(M.K. Joshi)

Deputy General Manager (Human Resources)



§

SWALEHA HUSSAIN
Advocate
Reg. No.- UK-782/2020
Oath Commissioner
High Court of Uttarakhand
At-Nainital

No. 2687
Date 8/4/2025

Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)
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Tel: 0135-2767501 FAX: 0135-2769771



उत्तराखण्ड पावर कारपोरेशन लि०
(उत्तराखण्ड सरकार का उपक्रम)
ऊर्जा भवन, कौबली रोड
देहरादून-248001
दूरभाष 0135-2767501 फैक्स: 0135-2769771

Annexure-2

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पत्रांक : 2570 -निवे०(मा०सं०)/उपकालि/

दिनांक : 30 जून 2009

कार्यालय ज्ञाप.

कारपोरेशन कार्यहित में, एतद्वारा निम्नवत् स्तम्भ-2 में उल्लिखित अवर अभियन्ताओं (डिप्रीधारी) हेतु आरक्षित 8.33 प्रतिशत कोटे के अधीन अवर अभियन्ताओं(विद्युत एवं यांत्रिक) को सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर प्रोन्नत किया जाता है तथा स्तम्भ-3 में उल्लिखित उनके वर्तमान तैनाती के स्थान/कार्यालय से स्थानान्तरित कर उनके द्वारा कार्यभार ग्रहण करने के दिनांक से सहायक अभियन्ता(विद्युत एवं यांत्रिक) के पद पर नियुक्त तथा स्तम्भ-4 पर उल्लिखित तैनाती के कार्यालय/स्थान पर तैनात किया जाता है-

क्र०सं०	अवर अभियन्ता, यात्री सहायक अभियन्ता का नाम/विरिष्ठता संख्या/गृह जनपद	वर्तमान तैनाती का कार्यालय/स्थान	नियुक्त/प्रोन्नति परचात तैनाती का कार्यालय/स्थान
1	2	3	4
1	शैलेन्द बिष्ट, (विधौरागढ़) 03/02-03	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, उखीमठ	उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, उखीमठ
2	अमित कुमार सक्सेना, (हरिद्वार) 05/02-03	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, लालजीवाला, हरिद्वार	उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, लालजीवाला, हरिद्वार
3	विनय कुमार सिंह, (देहरादून) 07/02-03,	अवर अभियन्ता/प्रभारी सहायक अभियन्ता, सम्बद्ध महाप्रबन्धक (कारपोरेट क्रय एवं अनुबन्ध), ऊर्जा भवन, देहरादून	सहायक अभियन्ता, सम्बद्ध महाप्रबन्धक (कारपोरेट क्रय एवं अनुबन्ध), ऊर्जा भवन, देहरादून
4	पवन कुमार, (हरिद्वार) 22/02-03,	अवर अभियन्ता/प्रभारी सहायक अभियन्ता, विद्युत भण्डार केन्द्र, रोशनाबाद, हरिद्वार	सहायक अभियन्ता, विद्युत भण्डार केन्द्र, रोशनाबाद, हरिद्वार
5	सुनील उनियाल, (देहरादून) 30/02-03	अवर अभियन्ता/प्रभारी सहायक अभियन्ता (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून	सहायक अभियन्ता (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून
6	रामकुमार, (हरिद्वार) 35/02-03	अवर अभियन्ता/प्रभारी सहायक अभियन्ता, विद्युत कार्यशाला, देहरादून	सहायक अभियन्ता, विद्युत कार्यशाला, देहरादून
7	हरीश वल्लभ, (पौड़ी गढ़वाल) 48/02-03	अवर अभियन्ता/प्रभारी सहायक अभियन्ता (राजरव), विद्युत वितरण खण्ड, पौड़ी	सहायक अभियन्ता (राजरव), विद्युत वितरण खण्ड, पौड़ी
8	श्रीमती प्रीती भटनागर, (हरिद्वार) 51/02-03	अवर अभियन्ता/प्रभारी सहायक अभियन्ता (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून	सहायक अभियन्ता (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून
9	नासायण सिंह चौहान, (चमोली) 60/02-03,	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, पटेल रोड़ (केन्द्रीय), देहरादून	उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, पटेल रोड़ (केन्द्रीय), देहरादून
10	जगदम्बा प्रसाद, (टिहरी) 63/03-04	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, मुनीकीरेती, टिहरी	उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, मुनीकीरेती, टिहरी

क्रमशः-2

(Sunil Kumar Palcharya)

- 1- उपर्युक्त प्रोन्नति के आदेश याचिका संख्या-83/एस0एस0/04 में पारित निर्णय दिनांक 21-7-2008 संप्रति याचिका संख्या-728/2009 एवं विशेष अपील संख्या-20/2009 एवं याचिका संख्या-43/2004(एव0एस0) एवं एस0एल0पी0 संख्या-4827/2009 माननीय उच्च न्यायालय नैनीताल/ माननीय उच्चतम न्यायालय, दिल्ली के अन्तिम निर्णय के प्रतिबन्धाधीन होंगे।
- 2- उपर्युक्त प्रोन्नत अधिकारियों को प्रशिक्षण पूर्ववर्ती उत्तर प्रदेश राज्य विद्युत परिषद के ज्ञापांक-963-डीएमएस/राविप /95 दिनांक 16-6-1995 के प्राविधानानुसार उनके द्वारा सहायक अभियन्ता का कार्यभार ग्रहण करने के पश्चात निदेशक(मानव संसाधन), उपाकालि, ऊर्जा भवन, देहरादून द्वारा यथाशीघ्र कराया जायेगा जिसमें इन अधिकारियों का भाग लेना अनिवार्य होगा।
- 3- उपर्युक्त आदेश निर्गमन की तिथि से प्रभावी होंगे।
- 4- उपरोक्त प्रोन्नत अधिकारियों द्वारा यदि नवीनतम परिसम्पत्ति विवरण प्रस्तुत न किया गया हो तो पदोन्नति पर पदभार ग्रहण करते समय उपर्युक्तानुसार पदभार ग्रहण करने के साथ-साथ अपना नवीनतम परिसम्पत्ति का विवरण नियंत्रक अधिकारी को अनिवार्यतः प्रस्तुत किया जायेगा जिसे नियंत्रक अधिकारी प्रतिहस्ताक्षरित कर कार्यभार प्रनाशक की प्रति-राहित कारपोरेशन मुख्यालय को पुराने अग्रसारित किया जाना सुनिश्चित करेंगे।
- 5- यह प्रोन्नति प्रोन्नत पद पर विहित न्यूनतम सेवावधि में निदेशक मंडल द्वारा इस प्रतिबन्धाधीन प्रदत्त शिथिलता से आवरित है कि इस प्रकार की शिथिलता उक्त अधिकारी को उनके सम्पूर्ण सेवाकाल में एक बार से अधिक अनुमन्य नहीं होगी।

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पत्रांक :- निदेश(मा0सं0)/उपाकालि0/उपाकालि/केबी0-ओ/तददिनांक

प्रबन्ध निदेशक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- निजी सचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 2- निजी सचिव-संभारत निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 3- मुख्य महाप्रबन्धक (वाणिज्य), उपाकालि, ऊर्जा भवन, देहरादून।
- 4- संभारत महाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 5- संभारत उपमहाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 6- कम्पनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 7- उपमहाप्रबन्धक (सूचना प्रौद्योगिकी), उपाकालि0, ऊर्जा भवन, देहरादून।
- 8- संभारत उपमहाप्रबन्धक (वित्त)/के.ले.का./वितरण/आन्तरिक समीक्षा, उपाकालि।
- 9- उपमहाप्रबन्धक (कार्मिक) : उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 10- संभारत संबन्धित अधिशासी अभियन्ता, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 11- संभारत अधिकारी एवं अनुभाग, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 12- संभारत संबन्धित अधिकारी/वै0 पत्रांवली/कार्यालय ज्ञापन पंजिका/कट फाईल।

(Signature)

(एस0के0 जोशी)

उपमहाप्रबन्धक (मानव संसाधन)

(Signature)
(Sunil Kumar Polcharya)

TIC

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पत्रांक 2570 -निदे0(मा0सं0)/उपकालि/

दिनांक :30 जून, 2009

कार्यालय ज्ञाप

करपोरेशन कार्यहित में, एतद्द्वारा निम्नवत् स्तम्भ-2 में उल्लिखित अवर अभियन्ताओं (डिग्रीधारी) हेतु आरक्षित 8.33 प्रतिशत कोटे के अधीन अवर अभियन्ताओ (विद्युत एवं यांत्रिक) को सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर प्रोन्नत किया जाता है तथा सतम्भ-3 में उल्लिखित उनके वर्तमान तैनाती के स्थान/कार्यालय से स्थानान्तरित कर उनके द्वारा कर्वाभार ग्रहण करने के दिनांक से सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर नियुक्त तथा स्तम्भ-4 पर उल्लिखित तैनाती के कार्यालय/स्थान पर तैनात किया जाता है :-

क्र०सं०	अवर अभियन्ता/प्रभारी सहायक अभियन्ता का नाम/वरिष्ठता संख्या/गृह जनपद	वर्तमान तैनाती कार्यालय/स्थान	नियुक्त/प्रोन्नति के पश्चात तैनाती का कार्यालय/स्थान
1	शैलेन्द्र बिष्ट (पिथौरागढ़) 03/02-03	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, उखीमठ	उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, उखीमठ
2	अमित कुमार सक्सेना, (हरिद्वार) 05/02-03	अवर अभियन्ता/प्रभारी उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, लालजीवाला, हरिद्वार	उपखण्ड, अधिकारी, विद्युत वितरण उपखण्ड, लालजीवाला, हरिद्वार
3	विनय कुमार सिंह (देहरादून) 07/02-03	अवर अभियन्ता/प्रभारी सहायक अधियन्ता, सम्बद्ध महाप्रबन्धक (कारपोरेट कय एवं अनुबन्ध), उर्जा भवन, देहरादून	सहायक अभियन्ता, सम्बद्ध महाप्रबन्धक (कारपोरेट कय एवं अनुबन्ध), उर्जा भवन, देहरादून
4	पवन कुमार, (हरिद्वार) 22/02-03	अवर अभियन्ता/प्रभारी सहायक अधियन्ता, विद्युत भण्डार केन्द्र, रोशनाबाद,	सहायक अभियन्ता, वद्युत भण्डार केन्द्र, रोशनाबाद, हरिद्वार

		हरिद्वार	
5	सुनील उनियाल (देहरादून) 30/02-03	अवर सहायक (मापक), विद्युत परीक्षण खण्ड, देहरादून	सहायक अभियन्ता, (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून
6	रामकुमार (हरिद्वार) 35/02-03	अवर सहायक (मापक), विद्युत परीक्षण खण्ड, देहरादून	सहायक अभियन्ता, विद्युत कार्यशाला, देहरादून
7	हरीश, वल्लभ, (पौड़ी गढवाल) 48/02-03	अवर सहायक (राजस्व), विद्युत वितरण खण्ड, पौड़ी	सहायक अभियन्ता, (राजस्व), विद्युत वितरण खण्ड, पौड़ी
8	श्रीमती प्रीती भटनागर, (हरिद्वार) 51/02-03	अवर सहायक (मापक), विद्युत परीक्षण खण्ड, देहरादून	सहायक अभियन्ता, (मापक), विद्युत नगरीय परीक्षण खण्ड, देहरादून
9	नारायण प्रसाद, (चमोली) 60/02-03	अवर उपखण्ड विद्युत वितरण पटेल रोड देहरादून	सहायक अभियन्ता, विद्युत वितरण उपखण्ड, पटेल रोड (केन्द्रीय), देहरादून
10	जगदम्बा प्रसाद, (टिहरी) 63/02-03	अवर उपखण्ड विद्युत वितरण मुन्नीकीरेती, टिहरी	सहायक अभियन्ता, विद्युत वितरण उपखण्ड, मुन्नीकीरेती, टिहरी

- उपयुक्त प्रोन्नति के आदेश याचिका संख्या-83/एस0एस0/04 में पारित निर्णय दिनांक 21-07-2008 सपटित याचिका संख्या-728/2009 एवं विशेष अपील संख्या-20/2009 एवं याचिका संख्या-43/2004 (एव0एस0) एवं एस0एल0पी0

संख्या-4827/2009 मोननीय उच्च न्यायालय नैनीताल/माननीय उच्चतम न्यायालय, दिल्ली के अन्तिम निर्णय के प्रतिबन्धाधीन होंगे।

2. उपयुक्त प्रोन्नत अधिकारियों को प्रशिक्षण पूर्ववर्ती उत्तर प्रदेश राज्य विद्युत परिषद के ज्ञापांक-963-डीएमएस/राविप/95 दिनांक 16-6-1995 के प्राविधानानुसार उनके द्वारा साहायक अभियन्ता का कार्यभार ग्रहण करने के पश्चात निदेशक (मानव संसाधन), उपाकालि, उर्जा भवन, देहरादून द्वारा यथाशीघ्र कराया जायेगा जिसमें इन अधिकारियों का भाग लेना अनिवार्य होगा।
3. उपयुक्त आदेश निर्गमन की तिथि से प्रभावी होंगे।
4. उपरोक्त प्रोन्नत अधिकारियों द्वारा यदि नवीनतम परिसम्पत्ति विवरण प्रस्तुत न किया गया हो तो पदोन्नति पर पदभार ग्रहण करते समय उपर्युक्तानुसार पदभार ग्रहण करने के साथ साथ अपना नवीनतम परिसम्पत्ति का विवरण नियंत्रक अधिकारी को अनिवार्यतः प्रस्तुत किया जायेगा जिसे नियंत्रक अधिकारी प्रतिहस्ताक्षरित कर कार्यभार प्रमाणक की प्रति सहित कारपोरेशन मुख्यालय को तुरन्त अग्रसारित किया जाना सुनिश्चित करेंगे।
5. यह प्रोन्नति पोषक पद पर विहित न्यूनतम सेवावधि में निदेशक मंडल द्वारा इस प्रतिबन्धाधीन प्रदत्त शिथिलता से आवरित है कि इस प्रकार की शिथिलता उक्त अधिकारी को उनके सम्पूर्ण सेवाकाल में एक बार से अधिक अनुमन्य नहीं होगी।

पत्रांक :-2570 निदे0(मा0सं0)/उपाकालि0/उपाकालि/केबी0-ओ/तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. निजी सचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, उर्जा भवन, देहरादून।
2. निजी सचिव, समस्त निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, उर्जा भवन, देहरादून।



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3. मुख्य महाप्रबन्धक (वाणिज्य), उपाकालि, उर्जा भवन, देहरादून।
4. समस्त महाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
5. समस्त उपमहाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
6. कम्पनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि०, उर्जा भवन, देहरादून।
7. उपमहाप्रबन्धक (सूचना प्रौद्योगिकी), उ०पा०का०लि०, उर्जा भवन, देहरादून।
8. समस्त उपमहाप्रबन्धक (वित्त) के.ले.का./वितरण/आन्तरिक सम्प्रेक्षा, उपाकालि।
9. उप महाप्रबन्धक (कार्मिक) उत्तराखण्ड पावर कारपोरेशन लि०, उर्जा भवन, देहरादून।
10. समस्त सम्बन्धित अधिशासी अभियन्ता, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
11. समस्त अधिकारी एवं अनुभाग, उत्तराखण्ड पावर कारपोरेशन लि०, उर्जा भवन देहरादून।
12. समस्त सम्बन्धित अधिकारी/वै० पत्रावली/कार्यालय ज्ञापन पंजिका/कट फाईल।

(एम०के० जोशी)

उपमहाप्रबन्धक (मानव संसाधन)

Annexure-8

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पत्रांक निदेशक (माIOसIO)/केOएफO-2/2009/एOईO दिनांक 1.12.2009

RAHUL CHANNA, Regn. No. 102764
S/o SRI BISHAMBER CHANNA, Roll No. 19011245
H.NO-673, RAMNAGAR,
ROORKEE-247667

महोदय, महोदया,

एतद्द्वारा दिनांक 9.8.2009 को सम्पन्न लिखित परीक्षा एवं दिनांक 23.11.2009 से 26.11.2009 तक सम्पन्न साक्षात्कार के आधार पर उत्तराखण्ड पावर कारपोरेशन लि0 में सहायक अभियन्ता (ग्रेड वेतन-5400) के वेतनमान में, प्रारंभिक वेतनमान रू0 15600/- पर, निम्न सेवा शर्तों के अधीन किया गया है। मूल वेतन के अतिरिक्त आपको महंगाई भत्ता एवं कारपोरेशन द्वारा समय-समय पर स्वीकृत अन्य भत्ते भी देय होंगे। सहायक अभियन्ता (प्रशिक्षु) के रूप में कार्यग्रहण करने हेतु आपको कोई यात्रा भत्ता देय नहीं होगा।

2- आप पर The Employees Provident Fund & Misc Provisions Act तथा Payment of Gratuity Act के प्रावधान लागू होंगे।

3- यह नियुक्ति उत्तराखण्ड पावर कारपोरेशन लि0 में वर्तमान में लागू नियमों के अन्तर्गत की गई है। तदनुसार आपकी परिवीक्षा अवधि 2 वर्ष की होगी।

4- उत्तराखण्ड पावर कारपोरेशन लि0 द्वारा समय-समय पर निर्धारित सेवा नियम, आदेश एवं विनियम आप पर लागू होंगे।

5- आपकी सेवायें स्थानान्तरणीय हैं अतः सक्षम अधिकारी द्वारा उत्तराखण्ड राज्य में आपका कभी भी कहीं भी स्थानान्तरण/तैनाली की जा सकती है।

6- सहायक अभियन्ता (प्रशिक्षु) के रूप में आपकी प्रशिक्षण अवधि 12 माह की होगी परन्तु Performance के आधार पर प्रशिक्षण अवधि कम करने अथवा बढ़ाने का अधिकार कारपोरेशन का होगा। आपका प्रशिक्षण निदेशक (मानव संसाधन), उत्तराखण्ड पावर कारपोरेशन लि0 द्वारा निर्धारित कार्यक्रम के अनुसार होगा। प्रशिक्षण अवधि में आप अधोहस्तक्षरी के नियन्त्रणाधीन रहेंगे एवं आपके अग्रेतर प्रशिक्षण के सम्बन्ध में निर्देश समय-समय पर निर्गत किये जायेंगे। प्रशिक्षण अवधि

में आपके कार्य-कलाप असन्तोषजनक पाये जाने पर आपकी प्रशिक्षण अवधि बढ़ाये जाने अथवा नियुक्ति समाप्त करने के सम्बन्ध में सक्षम अधिकारी का निर्णय अन्तिम एवं बाध्यकारी होगा।

7- कार्य ग्रहण करने के समय आपके निम्नलिखित प्रमाण-पत्र, धोषणा-पत्र एवं बन्ध-पत्र (यथावत निष्पादित) प्रस्तुत करने होंगे।

(i) प्रमाण-पत्र

क- अन्तिम कालेज अथवा विश्वविद्यालय, जहाँ से अपने शिक्षा ग्रहण की हो, के प्रधान अधिकारी अथवा अधिष्ठाता से प्राप्त अच्छे चाल - चलन एवं चरित्र का प्रमाण पत्र।

ख- दो उत्तरदायी व्यक्तियों (राजपत्रित अधिकारी, जो सम्बन्धी न हो) से प्राप्त चरित्र पत्र जो आपसे भली भाँति परिचित हों परन्तु आपके विश्वविद्यालय, कालेज अथवा स्कूल से सम्बन्धित न हो।

ग- आपकी शैक्षिक योग्यताओं के सत्यापन हेतु प्रमाण पत्रों की मूल एवं प्रमाणित प्रतिलिपियाँ।

घ- वर्तमान सेवायोजन से प्राप्त कार्यमुक्ति प्रमाण पत्र यदि आप शासकीय/अर्धशासकीय विभाग अथवा सार्वजनिक उपक्रम में कार्यरत हैं अथवा प्रशिक्षण प्राप्त कर रहे हैं। कार्यमुक्ति प्रमाण पत्र के अभाव में आपको किसी भी दशा में कार्यग्रहण करने की अनुमति नहीं दी जायेगी।

ड- राज्य/मण्डलीय चिकित्सा परिषद से प्राप्त स्वास्थ्य उपयुक्तता प्रमाण पत्र।

च- उत्तराखण्ड राज्य के सक्षम अधिकारी द्वारा निर्धारित प्रपत्र पर प्रदत्त जाति प्रमाण पत्र, मूल/स्थायी निवास प्रमाण पत्र (पृष्ठ-14 के अनुसार अथवा उत्तराखण्ड शासन द्वारा निर्धारित नवीनतम प्रारूप के अनुसार)। (यदि लागू हो)

छ- क्षैतिज आरक्षण (भूतपूर्व सैनिक/उत्तराखण्ड राज्य आन्दोलनकारी(अथवा आश्रित)/स्वतन्त्रता संग्राम सेनानी के आश्रित) हेतु नियमानुसार निर्धारित प्रपत्र पर उत्तराखण्ड राज्य के सक्षम अधिकारी द्वारा प्रदत्त प्रमाण पत्र (यदि लागू हो)।

(ii) धोषणा पत्र

अ- एक से अधिक जीवित पति न होने के सम्बन्ध में (परिशिष्ट-क)

- ब- आपके त्रणमुक्त होने के सम्बन्ध में । (परिशिष्ट-ख)
- स- कारपोरेशन में कार्यरत किसी व्यक्ति का आपके सम्बन्धी होने के सम्बन्ध में । (परिशिष्ट-ग)
- द- समस्त चल/अचल सम्पत्ति, आप द्वारा अथवा आप पर निर्भर आपके परिवार के सदस्य द्वारा स्वामित्व अथवा अधिग्रहीत गृह सम्पत्ति को सम्मिलित करते हुए। इसी प्रकार की सम्पत्ति का पूर्ण एवं सही विवरण परिशिष्ट-घ में निर्धारित प्रपत्र पर दिया जाये।
- य- कारपोरेशन के प्रति निष्ठा एवं विश्वसनीय सेवा से सम्बन्धी वचन पत्र। (परिशिष्ट-ड)
- र- राजनैतिक दलों से सम्बद्धता/सम्बन्धता सम्बन्धी घोषणा पत्र। (परिशिष्ट-च)
- ल- शासकीय/अर्धशासकीय संस्थान अथवा उपक्रम में सेवारत न होने के सम्बन्ध में घोषणा पत्र। (परिशिष्ट-छ)
- व-परिवार के सदस्यों/आश्रितों की सूची। (परिशिष्ट-त)
- श-चरित्र एवं पूर्ववृत्त सत्यापन प्रपत्र (चार प्रतियों में) (परिशिष्ट-झ)
- ह- शपथ-पत्र । (परिशिष्ट-ञ)

(iii) बन्ध पत्र

इस नियुक्ति हेतु आपको एवं आपके प्रतिभू (Surety) जो प्रचुर साधनों से युक्त हों (आपके पिता अथवा निकट सम्बन्धी भी हो सकते हैं), को ₹0.100/- मूल्य के Non-Judicial Stamp Paper पर प्रशिक्षण अवधि में एवं सफलतापूर्वक प्रशिक्षण पूर्ण करने के उपरान्त न्यूनतम 3 वर्षों तक कारपोरेशन की सेवा में रहने का सेवा अनुबन्ध पत्र निष्पादित करना होगा। प्रशिक्षण अवधि में अथवा प्रशिक्षण पूर्ण करने के उपरान्त 3 वर्षों की सेवा अवधि में कारपोरेशन की सेवा छोड़ने की दशा में आप एवं आपके प्रतिभू संयुक्त रूप से अथवा पृथक रूप से रुपये 1,00,000/- (रुपये एक लाख मात्र) की आनरागि करपोरेशन को अदा करेंगे। बन्ध पत्र का निष्पादन किसी प्रथम श्रेणी के मजिस्ट्रेट अथवा समकक्ष के सम्मुख किया जाना चाहिए। सेवा अनुबन्ध पत्र में आपके एवं आपके प्रतिभू (Surety) द्वारा संयुक्त रूप से प्रत्येक पृष्ठ पर किये गये हस्ताक्षर मजिस्ट्रेट अथवा समकक्ष द्वारा न्यायालय की मोहर सहित सम्यापित किये जाने चाहिए। निष्पादित सेवा अनुबन्ध पत्रों के अभाव में आपको कार्यभार ग्रहण करने की अनुमति नहीं दी जायेगी।

यदि आप उपरोक्त तिथि तक अभिलेखों के साथ कार्यग्रहण करने हेतु उपस्थित नहीं होते हैं तो सहायक अभिनेता (प्रशिक्षु) के पद पर नियुक्ति हेतु प्रस्ताव स्वतः निरस्त हो जायेगा।

भवदीय

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सलग्नक : यथोपरि

(शरद कृष्ण)
निदेशक (मानव संसाधन)

पत्रांक 7081 निदेशक (मा10स0)/के0एस0/2009/ए0ई0 तद्दिनांक:

प्रतिलिपि :-

- 1- उपमहाप्रबन्धक (वित्त), उत्तराखण्ड पावर कॉरपोरेशन लिमिटेड, उर्जा भवन, देहरादून।
- 2- वैयक्तिक पत्रावली/कट फाइल।

(शरद कृष्ण)
निदेशक (मानव संसाधन)

Annexure-9

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Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)
Brja Bhawan, Kanwali Road
Dehradun-248001
Tel: 0135-2767501 FAX: 0135-2769771



उत्तराखण्ड पावर कारपोरेशन लिट
(उत्तराखण्ड सरकार का उपक्रम)
ब्रजा भवन, कानवली रोड
देहरादून-248001
दूरभाष 0135-2767501 फैक्स 0135-2769771

पत्रांक :- 194 निदेश(माओसं)/उपाकालि0/कैबी-ओ0/4

दिनांक : 11/01/2011

कार्यालय ज्ञाप

प्रशिक्षणोपरान्त नियंत्रक अधिकारी, द्वारा कार्यमूल्यांकन के सन्तोषजनक पाये जाने के आधार पर अधोलिखित सहायक अभियन्ता (प्रशिक्षु) को उनके नाम के सम्मुख इंगित कॉलम सं0-3 में दर्शायी गयी तिथि से नियमित संवर्ग में अस्थायी एवं स्थायी सहायक अभियन्ता के पद पर एतद्वारा नियुक्त किया जाता है-

1- सहायक अभियन्ता(दिघुल एवं यांत्रिक)

क्रम सं0	सहायक अभियन्ता का नाम एवं संश्लेषा सं0	नियमित संवर्ग में नियुक्ति की तिथि
1	2	3
1	श्री राकेश कुमार बूफाल (625)	30-12-2010
2	श्री मकेश कुमार (620)	02-01-2011
3	श्री. प्रसन्न अनी (603)	08-01-2011
4	श्री वैभव शर्मा (600)	08-01-2011
5	श्री विकास भास्ती (612)	08-01-2011
6	श्री अश्वनी कुमार सिंह (626)	29-12-2010
7	श्री ललित मोहन (619)	11-01-2011
8	क० गीता पावक (615)	31-12-2010
9	क० सिद्धिपी सेठी (621)	30-12-2010
10	क० जयप्रिया आर्या (614)	29-12-2010
11	क० पारुल साहु (630)	30-12-2010
12	क० मोनाक्षी वन्त (601)	30-12-2010
13	क० ज्योत्सना श्रेष्ठा (629)	30-12-2010
14	श्री सुभाष कुमार (598)	29-12-2010
15	क० श्वेता पूर्णिया (596)	31-12-2010
16	श्री चन्द्र मोहन (616)	01-01-2011
17	क० निती रंजना (626)	08-01-2011
18	श्री प्रशान्त मोहन जोशी (602)	30-12-2010
19	क० कनिका जैन (617)	30-12-2010
20	श्री अश्विन रावत (594)	08-01-2011
21	श्री पुनित कुमार (610)	08-01-2011
22	श्री मनोष जोशी (607)	29-12-2010
23	श्री अनुज कुमार त्रिपाठी (597)	04-01-2011
24	श्री राहुल चानना (595)	08-01-2011
25	श्री हेमाश जडानी (638)	28-01-2011
26	क० नेहा सिंह (631)	08-01-2011

(Signature)
(Sonal Kumar Pachangal)

2 सहायक अभियन्ता(जानपद)

क्रम सं०	सहायक अभियन्ता का नाम एवं संख्या सं०	नियमित सर्वे में नियुक्ति की तिथि
1	2	3
1	श्री प्रवण प्रकाश	01-01-2011
2	श्री मयंक नैटियाल	29-12-2010
3	श्रीमति अंजु भारद्वाज	31-12-2010

यह भी आदेशित किया जाता है कि उपरोक्त सहायक अभियन्ताओं की परीक्षा अवधि (Probation Period) कपडा उनके नामों के सम्मुख इंगित कॉलम सं०-3 में दर्शित से तिथि से प्रारम्भ हुई मानी जायेगी।

पत्रांक :- 194 निदेश(मा०सं०)/उपाकालि०

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. निजी सचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
2. निजी सचिव, निदेशक (परिचालन/परियोजना/वित्त), उपमहाप्रबन्धक (उपाकालि), ऊर्जा भवन, देहरादून।
3. मुख्य महाप्रबन्धक (वाणिज्य), उपाकालि, ऊर्जा भवन, देहरादून।
4. समस्त महाप्रबन्धक, उपाकालि, गढ़वाल क्षेत्र/कुमायूँ क्षेत्र, देहरादून/हल्द्वानी/परियोजना/ऊध एत अनुबन्ध उपाकालि, ऊर्जा भवन, देहरादून।
5. समस्त उपमहाप्रबन्धक, उपाकालि
6. कम्पनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
7. उपमहाप्रबन्धक (मानव संसाधन), (सूचना प्रौद्योगिकी), उपाकालि०, ऊर्जा भवन, देहरादून।
8. समस्त उपमहाप्रबन्धक (वित्त)/उपमहाप्रबन्धक (वित्त), आन्तरिक समीक्षा, उपाकालि,
9. समस्त अधिशासी अभियन्ता उपाकालि
10. उपरोक्त समस्त सहायक अभियन्ताओं को उनके नाम से उनके वर्तमान पते पर/समस्त अनुमण अधिकारी/अनुमान प्रमारी कार्मिक विभाग, उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
11. सम्बन्धित अधिकारी/वै० पत्रावली/कार्यालय ज्ञापन पंजीक/कट फाईल।

निदेशक (मानव संसाधन)

(Signature)
11/1/11

(Signature)
(Sumit Kumar Pothiyal)

(एम०एस० चन्दोला)
उपमहाप्रबन्धक (मानव संसाधन)

(Signature)
11/1/11

T.C

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कार्यालय ज्ञाप

प्रशिक्षणोपरान्त : नियंत्रक अधिकारी, द्वारा कार्यमूल्यांकन के सन्तोषजनक पाये जाने के आधार पर अधोलिखित सहायक अभियन्ता (प्रशिक्षु) को उनके नाम के सम्मुख इंगित कॉलम सं०- 3 में दर्शायी गयी तिथि से नियमित संवर्ग में अस्थायी एवं स्थानापन सहायक अभियन्ता के पद पर एतद्वारा नियुक्त किया जाता है-

1- सहायक अभियन्ता (विद्युत एवं यांत्रिक)

क्र०सं०	सहायक अभियन्ता का नाम एवं संप्रेक्षा सं०	नियमित संवर्ग में नियुक्ति की तिथि
1	2	3
1.	श्री राकेश कुमार बुर्फाल (625)	30-12-2010
2	श्री मुकेश कुमार (620)	02-01-2011
3	श्री मुहम्मद अली (603)	08-01-2011
4	श्री वैभव शर्मा (600)	08-01-2011
5	श्री विकास भारती (612)	08-01-2011
6	श्री अश्वनी कुमार सिंह (826)	29-12-2010
7	श्री ललित मोहन (619)	11-01-2011
8	कु० गीता पाठक (615)	31-12-2010
9	कु० सिलिपी सैनी (621)	3-12-2010
10	कु० जयप्रिया आर्या (614)	29-12-2010
11	कु० पारुल साहु (630)	30-12-2010
12	कु० मीनाक्षी पन्त (601)	30-12-2010
13	कु० ज्योत्सना श्रेष्ठा (629)	30-12-2010


(Sanul Kumar Paschryal)

14	श्री सुभाष कुमार (598)	29-12-2010
15	कु० श्वेता पूर्णया (596)	31-12-2010
16	श्री चन्द्र मोहन (616)	01-01-2011
17	कु० निती रंजना (623)	08-01-2011
18	श्री प्रशान्त मोहन जोशी (602)	30-12-2010
19	कु० कनिका जैन (617)	30-12-2010
20	श्री अभिनव रावत (594)	08-01-2011
21	श्री पुनित कुमार (610)	08-01-2011
22	श्री मनीष जोशी (607)	29-12-2020
23	श्री अनुज कुमार त्रिपाठी (597)	04-01-2011
24	श्री राहुल चानना (595)	08-01-2011
25	श्री हिमांशु बड़ोनी (638)	28-01-2011
26	कु० नेहा सिंह (631)	08-01-2011

2- सहायक अभिन्ता (जनपद)

क्र०सं०	सहायक अभियन्ता का नाम एवं संप्रेक्षा सं०	नियमित संवर्ग में नियुक्ति की तिथि
1	2	3
1.	श्री प्रवण प्रकाश	01-01-2011
2.	श्री मयंक नौटियाल	29-12-2010
3.	श्रीमति अंजु भारद्वाज	08-12-2010


 (Sunil Kumar Porharyal)

यह भी आदेशित किया जाता है कि उपरोक्त सहायक अभियन्ताओं की परिवीक्षा अवधि (Probation Period) क्रमशः उनके नाम के सम्मुख इंगित कॉलम सं०- 3 में दर्शित से तिथि से प्रारम्भ हुई मानी जायेगी।

पत्रांक - 194 निदे० (मा०सं०)/उपाकलि०

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. निजी सूचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
2. निजी सचिव, निदेशक (परिचालन/ परियोजनी/वित्त/मानव संसाधन), उपाकलि, ऊर्जा भवन, देहरादून
3. मुख्य महाप्रबन्धक (वाणिज्य), उपाकलि, ऊर्जा भवन, देहरादून।
4. समस्त महाप्रबन्धक, उपाकलि गढ़वाल क्षेत्र/कुमाँयू क्षेत्र, देहरादून/हल्द्वानी/परियोजना/क्रस एवं अनुबन्ध उपाकलि, ऊर्जा भवन, देहरादून।
5. समस्त उपमहाप्रबन्धक, उपाकलि।
6. कम्पनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
7. उपमहाप्रबन्धक (मानव संसाधन)/(सूचना प्रौद्योगिकी), उपाकलि० ऊर्जा भवन, देहरादून।
8. समस्त अधिशासी अभियन्ता, उपाकलि।
9. उपरोक्त समस्त सहायक अभियन्ताओं को उनके नाम से उनके वर्तमान पते पर/समस्त अधिकारी/ अनुभाव प्रभारी कार्मिक विभाग, उत्तराखण्ड पावर कारपोरेशन लि०, ऊर्जा भवन, देहरादून।
10. सम्बन्धित अधिकारी/ वै० पत्रावली/कार्यालय ज्ञापन पंजिका/कट फाईल।

(एम०एस०चन्दोला)

उपमहाप्रबन्धक (मानव संसाधन)

Annexure-10

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BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL

Present: Hon'ble Mr. Ram Singh

----- Vice Chairman (I)

Hon'ble Mr. D.K.Kotia

----- Vice Chairman (A)

CLAIM PETITION NO. 01/N.B./D.B./2015

1. B. M. Bhatt, S/o Shri B. D. Bhatt, presently posted as Sub-Divisional Officer, Uttarakhand Power Corporation Ltd., Tanakpur, District-Champawat (Uttarakhand).
2. Girish Chandra Joshi, S/o Shri Tikamram Joshi, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Haldwani, District Nainital.
3. Vinod Kumar Bisht, S/o Shri Ram Dutt Bisht, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Pithoragarh, District Pithoragarh.
4. Govind Singh Karki, S/o Shri Diwan Singh Karki, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Bajpur, District Udham Singh Nagar.
5. Surendra Singh Bisht, S/o Late Shri Kamal Singh Bisht, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., P. O. Selakuli, District Dehradun.
6. S. P. Kudial, S/o Shri G. N. Kudial, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Mohanpur, Dehradun, District Dehradun.
7. Kishore Kumar Pant, S/o Shri Hamdutt Pant, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Haldwani, District Nainital.



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8. Shri Vineet Saxena, S/o Late Shri S. M. Lal Saxena, Sub-Divisional Officer, Uttarakhand Power Corporation Ltd., Industrial Area Haridwar, District Haridwar.

.....Petitioners

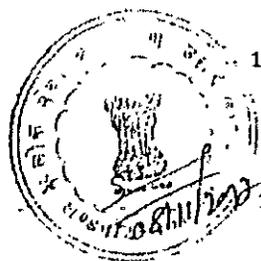
VERSUS

1. State of Uttarakhand through its Secretary, Energy, Secretariat, Dehradun.
2. Uttarakhand Power Corporation Ltd. Through its Managing Director, Urja Bhawan, Kanwli Road, Dehradun.
3. Shri Surya Darshan Singh Bisht, Executive Engineer, Office of Superintending Engineer, (EDC Urban), Uttarakhand Power Corporation Ltd., 18 EC Road, Dehradun, District Dehradun.
4. Shri Arvind Kumar, Executive Engineer, Office of Superintending Engineer, EDC (Rural), Uttarakhand Power Corporation Ltd., 18-EC Road, Dehradun, District Dehradun.
5. Shri Begraj Singh, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Rudrapur, District-Udham Singh Nagar.
6. Shri Umakant Chaturvedi, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Ranikhet, District-Almora.
7. Shri Prashant Pant, Executive Engineer, Office of Superintending Engineer, (Gramin Vidyut Mandal), 18-EC Road, Dehradun, Uttarakhand Power Corporation Ltd., Dehradun, District Dehradun.
Shri Sandeep Kumar Gupta, Executive Engineer, Office of Superintending Engineer, (Gramin Vidyut Mandal), Uttarakhand Power Corporation Ltd., Rudrapur, District Udham Singh Nagar
9. Shri Dharmveer Singh, Executive Engineer, Office of Superintending Engineer, (Materials Management), Uttarakhand Power Corporation



(Sandeep Kumar Gupta)

- Ltd., Gabbar Singh Bhawan, Kanwli Road, Dehradun, District Dehradun.
10. Shri Pradeep Kumar, Executive Engineer, Office of Superintending Engineer (EDC), Uttarakhand Power Corporation Ltd., Pithoragarh, District Pithoragarh.
 11. Shri Jakir Hussain, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Shrinagar, District Pauri Garhwal.
 12. Shri Kallash Kumar, Executive Engineer, Office of Superintending Engineer (C & P), Uttarakhand Power Corporation Ltd., Gabbar Singh Bhawan, Kanwli Road, Dehradun, District Dehraun.
 13. Shri Deepakpal Arya, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Rudrapur, District Udham Singh Nagar.
 14. Shri Manoj Gusain, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., EDC Shrinagar, District Pauri Garhwal.
 15. Shri Anup Kumar, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Shrinagar, District Pauri Garhwal.
 16. Shri Deepak Salni, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., EDC Roorkee, District Haridwar.
 17. Mohd. Afjaal, Executive Engineer, Office of Superintending Engineer (Project), R-APDRP-Near Sent Paul School, Nainital Road, Haldwani, Uttarakhand Power Corporation Ltd., District Nainital.
 18. Shri Nitin Singh Garkhal, Assistant Engineer, Sub-Divisional Officer, Uttarakhand Power Corporation Ltd., Ramnagar, District-Nainital.
 19. Shri Harun Rashid, Executive Engineer, Office of Superintending Engineer (C & P), Uttarakhand Power Corporation Ltd., Gabbar Singh Bhawan, Kanwli Road, Dehradun, District Dehraun.



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20. Km. Nandita Aggarwal, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., EDC Roorkee, District Haridwar.
21. Shri Gaurav Saklani, Executive Engineer, Office of Superintending Engineer (Project R-APDRP Part-B), Uttarakhand Power Corporation Ltd., Gabbar Singh Bhawan, Kanwli Road, Dehradun, District Dehradun.
22. Smt. Pujarani, Executive Engineer, Office of Superintending Engineer, EDC (Urban), Uttarakhand Power Corporation Ltd., Kaulagarh FRI Dehradun, District-Dehradun.
23. Shri Bhaskar Pandey, Executive Engineer, Office of Superintending Engineer, (Subhash Nagar, Haldwani), Uttarakhand Power Corporation Ltd., Haldwani, District Nainital.
24. Shri Kanhiya Jee Mishra, Executive Engineer, Office of Superintending Engineer, (EDC Urban), Uttarakhand Power Corporation Ltd., Kashipur, District Udham Singh Nagar.
25. Shri Vivek Kandpal, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., Kashipur, District Udham Singh Nagar.
26. Shri Ajeet Kumar Yadav, Executive Engineer, Office of Superintending Engineer, (EDC Urban), Uttarakhand Power Corporation Ltd., Rudrapur District Udham Singh Nagar.
27. Shri Manoj Kumar, Executive Engineer, Office of Superintending Engineer, (EDC), Uttarakhand Power Corporation Ltd., Ranikhet, District Almora.
28. Shri Ashutosh Tiwari, Executive Engineer, Office of Superintending Engineer, (EDC Urban), Uttarakhand Power Corporation Ltd., Dehradun, District Dehradun.



.....Respondents

1. Prayank Pande, Sub Divisional Officer, E.D.S., Uttarakhand Power Corporation Ltd. Nainital.


(Sunil Kumar Pokhriyal)

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2. Sri Sandeep Kumar Sharma, Presently working as A.E. RAPDRP-Part B, UPCL, Dehradun.
3. Sri Manoj Prakash Singh Rawat, presently working as S.D.O., EDSD, Rajpur Road, Dehradun.
4. Rahul Channa, S/o Sri Vishambar Nath Channa, R/O H. No. 1000, Street No. 14, Ramnagar, Roorkee.
5. Sweta Dinkar Rautela, W/ o Sri Dinkar Rautela, R/o quarter No. 1, Type 3, Urja Bhagan, Kanwali Road, Dehradun.
6. Abhinav Rawat, S/osri Jagmohan Singh Rawat, R/o Saket Colony, Lane No. 3, Ajabpur Kalan, Dehradun.
7. Anuj Kumar Tripathi, S/o Sri Budh Pal Sharma, H.N. 18/3, Suresh Sharma Nagar, Bareilly, Uttar Pradesh.
8. Meenakshi Pant, W/o Sri Nikhil Khanna, R/o 39 Narendra Vihar. Ext. Kaulagarh Road, Dehradun.
9. Vivek Upadhaya, S/o Sri Mahesh Upadhyay, Sanjay colony, R.K. Tent House Road, Kusumkhera, Haldwani.
10. Rohitashu Pandey, S/o Sri B.D.Pandey, R/o Sanjal Colony, R.K.Tent House Road, Kusumkhera, Haldwani.
11. Himanshu Badoni, S/o Sri Dwarka Prasad Badoni, R/o 27-B, Garhi Cantt, Dehradun.
12. Manisha Joshi, S/o Sri Bhuvan Chandra Joshi, R/o Joshi Niwas, Amoun, near Mazar, Tanakpur Road, Khatima.
13. Prashant Mohan Joshi, S/o Sri G.C.Joshi, R/O E-28 Shivlok Colony, Rajpur Road, Dehradun.
14. Geeta Pathak, W/o Sri Sanjay Tiwari, R/o Type 4, Yamuna Colony, Dehradun.
15. Gulshan Baloni, S/o Sri Jeewal Lal Baloni, R/o-27/3, Rana Niwas, near Uma Lodge, Karnaparyag.
16. Subhash Kumar S/o Sri Birendra Prasad, R/o Type 4/3, Urja Bhawan, Kanwali Road, Dehadun.
17. Vaibhav Sharma, s/o Sri Yogendra Sharma, R/o Tulsi Vihar Colony, Gumaniwala, Rishikesh.



(Sunil Kumar Pokhriyal)

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18. Dhananjay Kumar, S/o Sri Umesh Prasad Singh, R/o Drona Vatika, Lane No. 4, Sahastradhara Road, Dehradun.
19. Jaipriya D/o Sri Rajj Kumar Arya, R/o Quarter No. 2, Type 3, Urja Bhawan, Kanwali Road, Dehradun.
20. Arshad Ali, S/o Sri Shaqir Ahmad, R/o House No. 263/1, Aman Vihar, Lane No.12, Turner Road, Dehradun.
21. Parvesh Kumar, S/o Sri Yogendra Kumar, R/o Quarter No. 1, Type 4, Hydei Colony, Ranikhet.
22. Sunil Kumar S/o Sri Rajveer Singh, R/o Village Gumaliwala, P.O.Sohanpur, Roorkee.
23. Neha Singh, W/o Sri Mahendi Ratta, R/o House No. 176, Lane No. 6, Ramnagar Roorkee,
24. Parul Shahu R/o Sri Manish Kumar, R/o House No. P-25, Shivalik Nagar, BHEL Ranipur, Haridwar.
25. Reeta Rajpur, D/o Late Sri Gopal Chand Rajpur, R/o Village, Chama, Post Bejerh, District Pithoragarh.
26. Vikas Bharti, S/o Sri Nand Ram, R/o Type IV/4 (FH), Urja Bhawan, Kanwali Road, Dehradun.
27. Vipin Kumar, S/o Sri Rabindra Prasad, R/o Quarter No 28, Rajeshwari Puram, Jogiwala, Dehradun.
28. Samar Bahadur Yadav, S/o Sri G.P.Yadav, R/o G-75, Block No. 3, Hathibarkala Estate, Dehradun.
29. Monika Chuner, D/o Sri K.R.Chunera, R/o Village, Bhagirathi P.O. & District Bageshwar.
30. Ujjwal Bhaskar, S/o Sri Deep Chand, R/o Type 3/6, Hydei Colony, Kathgodam.
31. Santosh Agarwal, S/o Sri Panna Lal Agarwal, R/o 6-D/935, Awas Vikas Colony, Agra.
32. Ashwani Kumar Singh, S/o Sri Prem Nath, R/o 166, Purva Deen Dayal, Roorkee.
33. Mukesh Kumar, S/o Late Sri Vijay Pal Singh, R/o C-109, Plot 40 New Vishnu Garden, P.o. Gurukul Kangri, Haridwar.



[Signature]
(Sunil Kumar Bishwarya)

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34. Puneet Kumar Srivastava, S/o Sri H.S. Srivastava, R/o 3-Model Colony, Rudrapur.
35. Praveen Singh Negi, S/o Sri Bharat Singh Negi, R/o Village Bagl, Vishapti Kesetra, Bhaniyawala, Dehradun.
36. Lalit Mohan, S/o Sri Bishan Ram Arya, R/o Indira Colony, Gali No. 1, Rudrapur, U.S. Nagar.
37. Rakesh Singh Burfal, S/o Sri B.S. Burfal, R/o Village Darathi, P.O. Rathi, District Munsiyari, Pithoragarh.
38. Neeti Vishesh W/o Sri Vishesh Kumar, J.T.O. (Indoor), B.S.N.L. Telephone Exchange, Police Line, Pithoragarh.
39. Amit Tomar, S/o Sri N.S. Tomar, R/o 25, Shivpuram, Paniyala Road, Roorkee.
40. Chandra Mohan, S/o Sri Shiv Lal R/o 18, EC. Road, Type 4/5, UPCL Colony, Dehradun.
41. Shilpi Shaini W/o Sri Ravikant Saini, R/o E.H. 19, Sector 6, BHEL, Haridwar.
42. Jyotsna Shrestha, D/o Sri M.B. Pradhan, R/o 61, Hathibarkala, Dehradun.

.....Interveners.

Present: Sri I. P. Gairola, Ld. Counsel
for the petitioners.

Sri V.P. Devrani, Ld. A.P.O.
for the State

Sri D.S. Patni, and Sri. Bhagwat Mehra, Ld.
Counsel for the respondent no. 2.

Sri Rakesh Thapliyal, Ld. Counsel
for the respondent nos. 6, 10 and 17

Sri Piyush Garg, Ld. Counsel
for the respondent No. 23

Sri Vinay Kumar, Ld. Counsel
for the respondent No. 24.

Ms. Rangoli Purohit, Ld. Counsel
for the respondent No. 25

Sri S.S. Yadav, Ld. Counsel
for the respondents No. 26 & 28



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Sri Vipul Sharma Sri Shashank Pandey, &
Sri S.S. Yadav, Ld. Counsels for the
Interveners

JUDGMENT

DATED: NOVEMBER 07, 2017

(Hon'ble Mr. Ram Singh, Vice Chairman (J))

1. By way of this original petition, the petitioners have prayed for a direction to quash the final seniority list dated 03.1.2015, select list/recommendation of departmental promotion committee dated 04.01.2015 and the promotion order dated 05.01.2015 issued by the respondent no. 2 and for any other suitable orders along with cost of the petition.
2. Briefly stated facts are that the petitioners the Junior Engineers, were promoted on the post of Assistant Engineers (Electrical & Mechanical) in the year 2007-08 and 2008-09. The other private respondents were appointed on the post of Assistant Engineers in the year 2008-09 after selection and completion of training against the vacancies of 2006-07. The respondent department issued a combined seniority list of the cadre of Assistant Engineers (Electrical & Mechanical) in which respondents No. 3 to 22 were given seniority right from the date when they joined the services as Trainee after their selection on the basis of advertisement. The petitioners have challenged their seniority on the ground that their substantive appointment cannot be treated from the date of their induction as trainees but from the date of their substantive appointment in the cadre by the department after completion of their training.
3. The tentative seniority list was challenged in the department on the various grounds. The petitioners filed objections against the tentative seniority list dated 26.12.2013 which were decided in casual manner and without deciding the objections of the petitioner No. 7, the final



(Sund Kumar Pokhriyal)

seniority list was issued. The matter was challenged before the Hon'ble High Court whereupon a direction was issued to the respondent department to decide the objections of the petitioners as well as other employees and to issue final seniority list within a period of one month from 06.06.2014 with a direction to proceed further for promotion only after final seniority list is issued. According to the petitioner, in gross violation of the order of Hon'ble High Court, final seniority list dated 03.1.2015 was issued and was uploaded on the website of the department on 04.1.2015 and on the same day, promotions were made after conducting the DPC proceedings. Hence, the petitioners have filed this petition for seeking the relief to quash the final seniority list dated 03.1.2015, the select list and the recommendations of DPC dated 4.1.2015 and promotions letters issued thereafter on 5.1.2015 by the respondent department.

4. The petition was opposed by the respondent department as well as by the private respondents on the ground that direct selection for the post of Assistant Engineer was commenced pursuant to the advertisement issued in October 2006 against the vacancies of 2006-07. The private respondents were appointed as Trainee Engineers vide order dated 30.04.2008 followed by another order dated 30.06.2009 and the selection of the respondents pertains to the recruitment year 2007-08 and they were given status of the Trainee Engineers. The seniority in the cadre of Assistant Engineer shall be determined from the date of their initial appointment as Trainee Engineers. The petition filed by the petitioners is misconceived and the seniority list and promotions are as per law and the petition deserves to be dismissed.



5. After hearing both the parties, the petition was decided on the basis of the relevant concerned Regulations of 1970. The judgment of this Tribunal dated 09.11.2016 was challenged before the Hon'ble High Court in appeal wherein, it was argued that the relevant Rules of seniority for the concerned persons were amended in 1998 and the

(Sundar Kumar Pocherajal)

petition was decided on the basis of the old Regulations. After considering the points raised before the Hon'ble High Court, the Hon'ble High Court set aside the decision of this Tribunal and the matter was remitted back for hearing afresh and the concerned department was directed to file all the relevant Rules and Regulations before the Tribunal and all the persons having interest were given opportunity to appear before the Tribunal and put their submissions as interveners.

6. In compliance of the order of the Hon'ble High Court, the matter was again heard before the court. The respondent department was directed to file all the concerned Regulations as applicable upto date. Other interveners were also heard in the petition. All the parties were again given opportunity to file the relevant documents and copy of the Rules and Regulations before the Court.
7. We have heard the arguments of learned counsel for the petitioners, respondents and the interveners and gone through all the records.
8. The basic question before the court is to decide whether the Training period of the direct recruits (trainees) for the Electrical & Mechanical Branch of Assistant Engineers is to be counted for the seniority or not. To answer this question, it is necessary to ascertain all the relevant Rules or Regulations relating to the matter.



9. It is an admitted fact that in the concerned Service Regulations for the Assistant Engineers (Electrical & Mechanical) Branch is the Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970 (hereinafter referred to as said Regulations). As per Regulation-2 of the said Regulations, cadre consisting the post of Chief Engineer, Additional Chief Engineer, SuperIntending Engineer, Executive Engineer and Assistant Engineer. Regulation 3(30) of the said Regulation, defines the terms of Trained Engineer as follows:


 (Sumit Kumar Palchayal)

"3(30) 'Trained Engineer' means a Trained Engineer who after a course of successful training under the Board is declared fit for appointment as an Assistant Engineer under the Board."

Regulation-4 provides for Strength of Service, which may be prescribed by the Board from time to time and is prescribed in Appendix 'A' to the Regulations. Regulation-5 is the most relevant Rule mentioned in Part-III Sources of Recruitment and the relevant extract of the Regulation 5(1) reads as under":

"5.(1) Initial recruitment to the service shall be made to the post of Assistant engineer in the following manner:-

- (a) By appointment from amongst Trained Engineer's 65 1/3%
- (b) BY promotion from amongst members of Junior Engineers Service in the Selection Grade in the manner prescribed in Appendix 'C' 33 1/3%
- (c) By promotion from amongst the confirmed and qualified Computers (Selection Grade) (E/M) in the manner prescribed in Appendix 'C'. 1 1/3 %

Provided that as between members of Junior Engineers and Computer the vacancy shall be shared by them in the proportion of their respective cadre strength from time to time."

10. Regulation-7 provides for number of recruits to be taken; according to which the Board shall ascertain the probable number of vacancies likely to occur in the various classes of posts in the Service during the course of the next year.. Board will also decide the number of vacancies to be allocated to Graduate Engineers and the number of vacancies for the reserved candidates.

11. The definition clause in Regulation 3(13) prescribes for direct recruitment, which reads as under:



(Suneel Kumar Polchraj)

"(13)'Direct Recruitment' means recruitment made against a post in the cadre of the service under clause (a) of sub-regulation 1 of Regulation 5 of these Regulations."

12. Regulation 15 provides for publication of combined waiting list on the basis of the list received under Rule 6 of Appendix-B and the Select List referred to in Rule 7 of Appendix 'C'. According to Regulation 17, appointment to the cadre of Assistant Engineer, shall be made in the same order in which their names appear in the combined waiting list prepared under Regulation 15. Regulation 19, prescribes for determination of seniority.
13. Regulation 19 of the said Regulation has now been amended by the 1998 Regulation and now the 1998 Regulations are the relevant rules for determination of the seniority. The U.P. State Electricity Board Employees Seniority Regulations 1998, were published on 24.02.1998 and its Regulation 3 provides that Regulations will be effective even after being adverse to any matter in any other service regulation framed earlier to it. As per Regulation 2, these Regulations will be applicable for determination of seniority of all those employees of the U.P. State Electricity Board, whose appointment are made under the Regulation framed under Section 79C of the Electricity supply Act, 1948.
14. Hence, it is an admitted fact now that for the appointment on the post of Assistant Engineer (Electrical & Mechanical), the relevant service Regulations are of 1970, whereas, for determination of the seniority, the relevant Regulations are the U.P. State Electricity Board Employees Seniority Regulation, 1998. Regulation- 4 of the Regulation of 1998, defines the cadre, feeding cadre, Basic/Original Appointment and the Recruitment Year. Feeding cadre now has been defined as the cadre of service, out of the members of which under the relevant



(Sunit Kumar Pokhregal)

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service regulations promotion may be made at the higher service or post.

15. Regulation 4, Clause-h of the Regulation defines the Basic/Original appointment as under:

"(h)- The meaning of "Basic/Original Appointment" is such appointment at any post in the cadre of service, which is not the ad hoc appointment and such appointment which has been done after selection according to the service Rules, concerned with the service. "

16. Regulation- 8 of 1998 Regulations, provides for the situation when the appointment to a cadre are made by the direct as well as by promotion and it provides that when the appointments are made by both the sources, the seniority will be counted from the date of their substantive appointment and when two or more persons are appointed by the same appointment letter then according to the serial their names are mentioned therein. Provisions of Regulation 8(1) also provides for a proviso to the fact that if by any order the appointment is made with effect from back date, then substantive appointment will be treated from the date mentioned in the order otherwise the appointment will be treated from the date of order of appointment. This is very relevant and important provision to be seen in this matter.

17. Coming back to the crux of the points to be decided is that what will be the date of substantive appointment for the persons who are recruited directly. Learned counsel for the petitioner has argued that the substantive appointment should be considered, which is made to the cadre post. We agree with this argument. As per the Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970 (the said Regulations), the cadre of posts are Assistant Engineer, Executive Engineer, SuperIntending Engineer and Chief Engineer. There is no post of Trainee Engineer in the cadre. Regulation 5 of the said



(Sumil Kumar Porchayee)

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Regulations provides for source of recruitment i.e. 65 1/3% appointment from amongst trained engineers, and it does not mention the words direct recruitment from the graduate engineers. Trained Engineers have been defined in the Regulations as an engineers who after completion of successful training under the board, is declared fit for appointment as Assistant Engineer under the Board. Learned counsel for the petitioner has argued that there is no provision of direct recruitment for the post of Assistant Engineer in Electrical & Mechanical Branch unlike the provisions of direct recruitment for Assistant Engineer (Civil) branch as provided in another Rules of 1970. Their contention is acceptable because the said direct recruitment to the post upto 65 1/3 % of cadre is to be made only from those engineers who have earlier been selected by a direct recruitment process and completed successful training. In view of the court it is a separate group, which is selected by a procedure mentioned in Appendix 'B' for training. Learned counsel for the petitioner has argued that may it they be directly recruited candidates, but they are not directly recruited to the cadre of Assistant Engineer but they are directly recruited to train the Engineers and the trained engineer is no where in the cadre, hence their initial appointment on the post of Trained Engineer cannot be said to be substantive appointment in the cadre of Assistant Engineer.



18. We have gone through the Appendix 'B' which relates to sub clause-(a) of sub clause (1) of Regulation 5, that provides for the appointment from amongst trained engineers. Learned counsel for the respondents have argued that Appendix 'B' prescribes the procedure for direct recruitment and when a person selected by following this procedure, is given appointment for training and after completion of training, his substantive appointment to the post of Assistant Engineer will automatically relate back to his first date of appointment as trainee. Whereas, learned counsel for the petitioner has argued differently and

(Counsel Kumar Polhraj)

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has submitted that the person will be directly appointed for training and he may be given increment etc. but for the purpose of seniority, his substantive appointment to the cadre will be from the date when his appointment to the cadre of Assistant Engineer is made after completion of successful training.

19. Hence, the main issue to be decided by this court is whether initial appointment as trainee should be treated as substantive appointment to the cadre or his appointment after completion of training will be treated as a substantive appointment to the cadre.
20. We have gone through the Appendix 'B' of the said relevant Rules. The title of this Appendix provides only "Procedure for Direct Recruitment" and it does not write as "procedure for direct recruitment of Assistant Engineer". This Appendix 'B' prescribes different stages while directly recruiting the candidates for training, as its clause-1 provides for publication of vacancies by the Board in the newspaper; clause-2 provides for submission of application by the candidates to the Secretary of the Board; clause-3 provides for a written test and/or interview to be held by the Board; clause-4 provides for fees to be paid by the candidates; clause-5 provides for constitution of selection committee; clause-6 provides for the procedure how marks will be awarded in the competitive examination; clause-7 provides for physical standard and medical examination; clause-8 provides for training; clause-9 provides for facilities during training; clause-10 provides for conditions by which during the training period trainee will be governed such rules and regulations may be prescribed from time to time and he has to pass necessary test failing which the services of the trainee will be terminated.
21. After completion of this stage, Clause-11 of the said Appendix 'B' comes into play and it provides as under:



dr
(Sund Kumar Polchraj)

"11. On completion of the training and before appointment as Assistant Engineer, a trainee will be required to pass a final test, as may be prescribed. He may also be required to sign a Service Agreement setting forth the terms and conditions of his appointment as may be prescribed."

Hence, a bare reading of clause-11, clearly provides for a stage after completion of the training and before his appointment to the cadre of Assistant-Engineer and that the trainee will be required to pass final test. This clause presumed the appointment of a trainee as Assistant Engineer only after passing the successful training test because this provides that if he fails to complete the training, he will not be appointed as Assistant Engineer.

22. The court is of the view that simultaneous reading of this provision with Regulation 5 (i.e. source of recruitment) of the said Regulations, clearly demonstrate that the substantive appointment on the post of Assistant Engineer cadre can only be made after completion of successful training and he is appointed to the cadre and such appointment stage to the cadre of Assistant Engineer comes only at the stage which is prescribed in clause-11 of Appendix 'B' i.e. when directly recruited candidates after completion of training, is considered for appointment to the cadre. Hence, in our view, the substantive appointment to the cadre post of Assistant Engineer is the date when a trained engineer is appointed to the cadre.



23. The argument of learned counsel for the respondents had been that after completion of training, his appointment to the cadre of Assistant Engineer, will relate back to the date of his initial appointment as trainee. We do not agree with this argument because of the reasons that prima facie by reading clause-11 of Appendix 'B' and Regulation 5 of the said Regulations, the appointment to the cadre post of Assistant Engineer is made only from amongst the trained engineers. It

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cannot be said to be a direct recruitment to the Assistant Engineer post. The direct selection/recruitment is made for selecting the trainees and only after their successful training, the persons became eligible for the appointment as Assistant Engineer cadre and this is the General Rules that a person cannot be appointed to a post before acquiring the essential eligibility qualification.

24. The respondents have argued that the Regulation 13 of Appendix 'B' provides for losing of seniority, hence it conveys the meaning that the seniority will be counted from the date of their initial appointment as trainee. The court do not agree with this argument because of the reasons that this provision pertains to the inter-se seniority of the direct selectees as this Appendix 'B' pertains to them only and not the promotees.

25. Learned counsel for the respondents has argued that the direct recruits, were appointed after due selection process, they were given salary with increments as other regular employees, hence they will be deemed to be appointed on the cadre on the very first day. The court is of the view that the seniority is to be counted only from the date of their substantive appointment. Appointment as trainee is not an appointment to the cadre because a trainee becomes eligible only after completion of training and if the Rules had meant for this purpose, then for the source of recruitment, the word 'direct recruitment' instead of "appointment amongst trainee engineers" would have been used like another set of Regulations for the recruitment of Engineers in Civil Branch, where terminology has been different and the source of recruitment of 65 1/3 % has been written as direct recruitment. Whereas, the word direct recruitment has not been used in the said Regulations relating to Engineers in Electrical & Mechanical Branch.



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26. Learned counsel for the respondents has also argued that as per new seniority rules of 1998, their appointment will be treated from their basic/original appointment. We do not agree with this argument because in these Rules also basic/original appointment has been defined such appointment to any post in the cadre of service, whereas, trainee is not in a cadre of service and if as per law, their training was to be included in the service then in their appointment letter which were issued after training for example (Annexure A-1), which was issued after training on 30.06.2009, the date of absorption in the cadre should have been mentioned with back date. Whereas, in the appointment letter i.e. 30.06.2009 (Annexure-A1), it has been specifically mentioned that the trainees were first appointed on the date mentioned in column-7 and they were absorbed in the regular cadre of Assistant Engineer on the date mentioned in column-8 which is almost one year later of their recruitment as trainee.

27. For the purpose of seniority, Regulation-8 of the 1998 Regulations is very specific and its clause (i) specifically provides that the seniority will be given from the date of substantive appointment and when two persons are appointed by one appointment letter, their seniority will be in the order in which their names are given therein. This provision of Regulation 8(1) specifically further provides that where according to the service regulations appointments are made by promotion and direct recruitment i.e. in both the ways, in that case the seniority of the persons appointed in this way will be determined under the provisions of the following sub rule from the date of order of their basic appointment and if two or more persons are appointed together, then in that sequence in which their names have been kept in the order of appointment. Hence as per this provision, the substantive appointment will be deemed to be effective from the date of appointment order issued to the cadre unless this appointment has been made effective from an earlier date. In the present case, when



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the respondents were absorbed in the regular cadre after training they were not absorbed in the cadre with back date. Had it been so, then their training period could be counted for the seniority but in the absence of this, as per Regulation 8 of 1998 Regulations, their seniority will be counted from the date of their substantive appointment to the cadre and the substantive appointment to the cadre is obviously the date on which the respondents (direct recruits) were absorbed in the cadre after training.

28. Relying upon the above rule position, court is of the view that as per the facts admitted to the parties, petitioner no. 1 was appointed in the year 2007-08 and rest of the petitioners were appointed in the recruitment year 2008-09 against the vacancies of 2007-08 and 2008-09, whereas, the respondents were appointed in the year 2008-09, against the vacancies of 2006-07. Learned counsel for the respondents have argued that except the petitioner no. 1, other petitioners have no locus standi because of the reasons that they were appointed in the same year when the respondents were appointed. The Rule 8 of 1998 of seniority Regulations provides for the restriction, which provides that where the appointment from any source are less than prescribed quota and against such unfilled vacancies, the appointments are made in the subsequent year or years then the persons appointed in this way will not get seniority of any previous years but they will get seniority of that year, in which their appointments are made, but their names will be kept at the top, after which the names of other appointed persons will be kept in sequence of turn. Hence in accordance with this provision, the respondents who were appointed to the cadre after training against the vacancy of earlier year they will rank en bloc senior against other appointees who were appointed beyond their quota in the previous year. Hence on that basis, the court is of the view that the respondents will not get seniority from the back years but they will get seniority in the year



(Suresh Kumar Pachayyal)

when their substantive appointments are made but they will be placed in en block senior to the extent of their earlier vacancy against the other appointees i.e. promotees.

29. In the present case, the petitioner no. 1 was appointed earlier where other petitioners were appointed in the later year but they need to be adjusted vis-a-vis the respondents appointed in that year as per Rule 8 enumerated as above.
30. Learned counsel for the petitioners has also argued that as per the direction of the Hon'ble High Court, the respondent department was directed to finalize the seniority list as per the rules but they have finalized the seniority list in a haste on 03.1.2015 which was published on their website on 04.1.2015 and same day after four minutes of such uploading, DPC was held and recommendations were forwarded and next date i.e. 5.1.2015 promotion order was issued. It has been argued that the whole exercise was done in so haste, which proves that it was not done in the manner as it appears. This court is of the view that the act of the respondents on Sunday completed in a few minutes by issuing of seniority list, conducting of DPC and completing the whole exercise of promotion was not done in proper manner. The respondents were required to follow the rules and regulations and as well as condition of appointment letters issue by the department, which were totally ignored. Hence, the seniority list as well as promotional exercise by the DPC and issuing of promotion letters, which are on the basis of seniority list challenged therein, deserves to be set aside.



ORDER

The claim petition is allowed. The final seniority list dated 03.1.2015 issued by the respondent no. 2, select list/recommendations of DPC dated 4.1.2015 and the promotion letter/order dated 5.1.2015 issued by the respondent no.2 are hereby set aside.

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The respondent no. 2 is hereby directed to prepare a fresh seniority list according to the Rules and Regulations and as per the observation made above, treating the appointment of the respondents (direct recruits) from the date of their substantive appointment to the cadre, after completion of their training period for the purpose of seniority, within a period of three months from the date of receipt of copy of this order and after publishing the seniority list, the promotional exercise can be taken accordingly as per law. No order as to costs.

Sd/-
(D.K.KOTIA)
VICE CHAIRMAN (A)

Sd/-
(RAM SINGH)
VICE CHAIRMAN (J)

DATE: NOVEMBER 07, 2017
NAINITAL
KNP



certified True Copy Issued under the authority of the Registrar.

Sd/-
08/11/2017

Sd/-
(Sunil Kumar Pochreyal)

Annexure-11

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SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	31.03.2023		<p>WPSB No. 579 of 2017</p> <p><u>Hon'ble Vipin Sanghi, C.J.</u></p> <p><u>Hon'ble Alok Kumar Verma, J.</u></p> <p>Mr. Dharmendra Barthwal, learned counsel for the petitioners.</p> <p>Mr. Rajendra Dobhal, learned Senior Counsel assisted by I.P. Gairola, learned counsel for the private respondents.</p> <p>Mr. Abhijay Negi, learned counsel for respondent No. 31.</p> <p>This Application (IA No. 19219 of 2023) has been filed by the private respondents stating that some of them are due to retire, and the seniority list prepared by the petitioner, in respect of which there is no stay operating, has not been given effect to. The order dated 13.12.2017 passed by this Court reads as follows:-</p> <p><i>"Mr. R.K. Raizada, Senior Advocate, assisted by Mr. D.S. Patni, Advocate for the petitioner. Mr. I.P. Gairola, Advocate for respondent nos. 1 to 8.</i></p> <p><i>Mr. Narayan Dutt, Brief Holder for the State of Uttarakhand/ respondent no. 9.</i></p> <p><i>Issue notice to respondent nos. 10 to 35, by registered post, acknowledgment due.</i></p> <p><i>Steps to be taken within two days.</i></p>

			<p><i>List this matter on 03.01.2018.</i></p> <p><i>There will be a stay of operation of the impugned judgment for a period of three weeks to the extent that the orders of promotion are set-aside.</i></p> <p><i>We make it clear that there will be no stay of the order directing the preparation of the seniority list; but, we also make it clear that this will be without prejudice to the contentions of the petitioner and also subject to the result of the writ petition.</i></p> <p><i>The seniority list to be prepared should be produced before this Court in a sealed cover.</i></p> <p><i>Stay application stands disposed of."</i></p> <p>From the aforesaid order, it would be seen that the directions setting aside the promotions was stayed. At the same time, the Court made it clear that the seniority list may be prepared without prejudice to the rights and contentions of the petitioner and also subject to the result of the writ petition.</p> <p>The seniority list was to be produced before the Court in a sealed cover. The same has been filed before this Court, but the sealed cover has not been opened. In our view, the same should have been opened, since the Court expressly stated that there is no stay directing preparation of the seniority list, and that the seniority list would be subject to outcome of the writ petition.</p> <p>Accordingly, we direct that the seniority list lying in a sealed cover be opened. The same may</p>
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			<p>be given effect to, without prejudice to the rights and contentions of the parties, and subject to further orders in the writ petition.</p> <p>The Application stands disposed of in the aforesaid terms.</p> <p>List on 22.06.2023, along with connected matters.</p> <p>(Alok Kumar Verma, J) (Vipin Sanghi, CJ) 31.03.2023 31.03.2023</p> <p>12th hour</p>
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SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	19.04.2023		<p>WPSB No. 579 of 2017 WPSB No. 543 of 2017 WPSB No. 550 of 2017 WPSB No. 552 of 2017 WPSB No. 554 of 2017 WPSB No. 563 of 2017</p> <p><u>Hon'ble Vipin Sanghi, C.J.</u> <u>Hon'ble Alok Kumar Verma, J.</u></p> <p>Mr. Dharmendra Barthwal, learned counsel for the petitioners in WPSB No. 579 of 2017.</p> <p>Mr. Rajendra Dobhal, learned Senior Counsel assisted by Mr. I.P. Gairola, learned counsel for the private respondents.</p> <p>Mr. Abhijay Negi, learned counsel for respondent No. 31:</p> <p>We direct listing of the matter on mentioning, since it was informed that though the sealed cover was opened, the seniority list has not been given effect to in terms of the order dated 31.03.2023. The purpose of directing opening of the sealed cover was to enable its implementation without prejudice to the rights and contentions of the parties, and subject to further orders in the writ petition.</p>

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			<p>Accordingly, we direct the UPCL to give effect to the seniority list in terms of the order dated 31.03.2023, without any further delay.</p> <p>List on the date already fixed.</p> <p>Writ petition (S/B) No. 476 of 2019 shall also be listed along with the present petition.</p> <p>It shall be open to the parties to obtain copy of the seniority list, upon opening of the sealed cover, today itself.</p> <p>(Alok Kumar Verma, J.) 19.04.2023</p> <p>(Vipin Sanghi, C.J.) 19.04.2023</p> <p>Negi</p>
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मा० उच्च न्यायालय, नैनीताल में योजित वाद संख्या 579 of 2017 में दिनांक 13-12-2017 को दिये गये अन्तरिम आदेश के अनुपालन में अवर अभियन्ता से पदोन्नत सहायक अभियन्ताओं एवं सीधी भर्ती के माध्यम से नियुक्त सहायक अभियन्ताओं की पुनर्व्यवस्थित अनन्तिम ज्येष्ठता सूची (सीधी भर्ती के सहायक अभियन्ताओं की प्रशिक्षण अवधि को exclude करने के उपरान्त परिकल्पित)

चयन वर्ष 2008-09			
क्रमांक	उत्कृष्ट अभियन्ता (विद्युत एवं यांत्रिक) का नाम	कारपोरेशन में प्रोन्नति/नवनियुक्ति पर कार्यभार ग्रहण करने का दिनांक	एक वर्ष की प्रशिक्षण अवधि पूर्ण होने का दिनांक
-1-	-2-	-3-	-4-
1	श्री एम सिंह (सीधी)	01-07-08	-
2	श्री रमेश सिंह चौधरी (पदोन्नत)	22-07-08	-
3	श्री सुनेश सिंह मिश्र (पदोन्नत)	22-07-08	-
4	श्री पूर्व दर्शन सिंह मिश्र (सीधी भर्ती)	01-09-07	01-09-08
5	श्री अशोक कुमार (सीधी भर्ती)	31-07-07	31-07-08
6	श्री योगेश मोहन शिवमठ (सीधी भर्ती)	31-07-07	31-07-08
7	श्री नरेश सिंह (सीधी भर्ती)	31-07-07	31-07-08
8	श्री लक्ष्मण सुकुमारी (सीधी भर्ती)	02-06-08	02-06-09
9	श्री प्रमोद नन्दा (सीधी भर्ती)	10-06-08	10-06-09
10	श्री संदीप कुमार गुप्ता (सीधी भर्ती)	25-08-08	25-08-09
11	श्री प्रदीप सिंह (सीधी भर्ती)	22-05-08	22-05-09
12	श्री प्रदीप कुमार (सीधी भर्ती)	21-05-08	21-05-09
13	श्री अशोक कुमार (सीधी भर्ती)	06-06-08	06-06-09
14	श्री प्रदीप कुमार (सीधी भर्ती)	30-06-08	30-06-09
15	श्री दीपक प्रकाश शर्मा (सीधी भर्ती)	05-06-08	05-06-09
16	श्री नरेश सुखदेव (सीधी भर्ती)	28-05-08	28-05-09
17	श्री नरेश कुमार (सीधी भर्ती)	22-05-08	22-05-09
18	श्री दीपक शर्मा (सीधी भर्ती)	28-05-08	28-05-09
19	श्री अशोक कुमार (सीधी भर्ती)	30-05-08	30-05-09
20	श्री प्रदीप सिंह चर्खार (सीधी भर्ती)	22-05-08	22-05-09
21	श्री लक्ष्मण शर्मा (सीधी भर्ती)	02-06-08	02-06-09
22	श्री अशोक कुमार (सीधी भर्ती)	19-05-08	19-05-09
23	श्री अशोक कुमार (सीधी भर्ती)	22-05-08	22-05-09
24	श्री दीपक शर्मा (सीधी भर्ती)	17-05-08	17-05-09
25	श्री अशोक कुमार (पदोन्नत)	19-11-08	-
26	श्री प्रदीप कुमार (पदोन्नत)	12-06-09	-
27	श्री अशोक कुमार मिश्र (पदोन्नत)	19-11-08	-
28	श्री दीपक शर्मा (पदोन्नत)	03-01-09	-
29	श्री अशोक कुमार पन्ना (पदोन्नत)	19-11-08	-
30	श्री अशोक सिंह कार्की (पदोन्नत)	19-11-08	-
31	श्री अशोक कुमार चक्रवर्ती (पदोन्नत)	19-11-08	-
32	श्री अशोक शर्मा (पदोन्नत)	11-01-09	-
33	श्री अशोक सिंह (पदोन्नत)	19-11-08	-
34	श्री अशोक शर्मा (पदोन्नत)	23-03-17	-
35	श्री अशोक शर्मा (पदोन्नत)	19-11-08	-
36	श्री अशोक सिंह (पदोन्नत) (सोवनिशुदा)	19-11-08	-
37	श्री अशोक मिश्र (पदोन्नत) (10एमआई0ई0)	30-06-09	-
38	श्री अशोक चक्रवर्ती (पदोन्नत) (10एमआई0ई0)	30-06-09	-
39	श्री अशोक कुमार शर्मा (पदोन्नत)	30-06-09	-
40	श्री अशोक कुमार सिंह (पदोन्नत) (बी0ई0)	30-06-09	-
41	श्री अशोक प्रकाश सिंह शर्मा (पदोन्नत)	30-06-09	-

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42	श्री प्रवच पन्डे (पदोन्त)	30-06-09	-
43	श्री मनाच कुन्त (प्रेन्त)	27-11-09	-
44	श्री सुनीत कुन्त चौख (प्रेन्त)	27-11-09	-
45	श्री राकेय कुन्त सिङ (पदोन्त)	30-06-09	-
46	श्री राशिजन सिङ (पदोन्त)	30-06-09	-
47	श्री मनाच कुन्त पन्डे (पदोन्त)	30-06-09	-
48	श्री वेदप्रकाश (प्रेन्त)	27-11-09	-
49	श्री केचय सिङ (प्रेन्त)	30-06-09	-
50	श्री हरिधर सिङ सन (पदोन्त)	30-06-09	-
51	श्री जयव धरदास (पदोन्त)	30-06-09	-
52	श्री मनाच कुन्त (प्रेन्त) (१०१०३आई०ई०)	30-06-09	-
53	श्री अरुण कुन्त (पदोन्त)	30-06-09	-
54	श्री मनुच कपडास (पदोन्त)	30-06-09	-
55	श्री कटोच धर (पदोन्त)	30-06-09	-
56	श्री कटोच धर बोधी (पदोन्त)	30-06-09	-
57	श्री राम सिङ (प्रेन्त)	27-11-09	-
58	श्री कृष्ण कुन्त कुठेरी (पदोन्त)	30-06-09	-
59	श्री सुनीत कुन्त (प्रेन्त)	30-06-09	-
60	श्री सुनीत चौख (प्रेन्त) (१०१०३आई०ई०)	30-06-09	-
61	श्री मनाच कुन्त पदिसमत (प्रेन्त)	27-11-09	-
62	श्री कलादी बत (प्रेन्त)	30-06-09	-
63	श्री केशव राम कुठेरी (प्रेन्त)	27-11-09	-
64	श्री केशव चौख (प्रेन्त)	27-11-09	-
65	श्री केशव (पदोन्त) (१०१०३आई०ई०)	30-06-09	-
66	श्री सुनीत कुन्त बोधी (पदोन्त)	30-06-09	-
67	श्री नन्द सिङ सुदीर (प्रेन्त)	27-11-09	-
68	श्री केशव कुन्त सन (पदोन्त)	30-06-09	-
69	श्री मनाच कुन्त (पदोन्त)	30-06-09	-
70	श्री केशव मनाच (प्रेन्त)	27-11-09	-
71	श्री नन्द सिङ नेदी (प्रेन्त)	27-11-09	-
72	श्री सुनीत धर (पदोन्त)	30-06-09	-
73	श्री सिध सिङ सिध (पदोन्त)	30-06-09	-
74	श्री सुनीत कपडास (पदोन्त)	30-06-09	-
75	श्री केशव सिङ (पदोन्त)	30-06-09	-
76	श्री केशव (प्रेन्त)	30-06-09	-
77	श्री केशव केशव (पदोन्त)	30-06-09	-
78	श्री इरिय बत (पदोन्त) (सी०टे०)	30-06-09	-
79	श्री केशव सिङ मन्मर (पदोन्त) (१०१०३आई०ई०)	30-06-09	-
80	श्री केशव कुन्त (प्रेन्त) (अ०जा०)	27-11-09	-
81	श्री केशव सिङ (पदोन्त) (अ०जा०)	30-06-09	-
82	श्री सुनीत सिङ (प्रेन्त) (अ०जा०)	27-11-09	-
83	श्री केशव कुन्त मयाता (पदोन्त) (अ०जा०)	30-06-09	-
84	श्री सिध सिङ (प्रेन्त) (अ०जा०)	27-11-09	-
85	श्री सिध कुन्त (प्रेन्त) (अ०जा०)	27-11-09	-
86	श्री केशव सिङ बोहान (पदोन्त) (सी०टे०)	30-06-09	-
87	श्री केशव (पदोन्त) (अ०जा०)	30-06-09	-
88	श्री सिध वन्द आर्य (प्रेन्त) (अ०जा०)	27-11-09	-
89	श्री केशव प्रसाद गट्ट (पदोन्त) सेवानिवृत्त (१०१०३आई०ई०)	30-06-09	-
90	श्री केशव वन्द (पदोन्त) (अ०जा०)	30-06-09	-
91	श्री केशव (पदोन्त) (अ०जा०)	30-06-09	-

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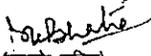
(123)

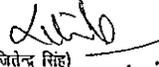
125-

93	श्री रमेश चन्द्र शर्मा (पदोन्त) (अउज्जो)	30-06-09	-
94	श्री अमी चन्द (पदोन्त) (अउज्जो)	30-06-09	-


(सुमित सिंघत)
कार्मिक अधिकारी


(रक्षित कुमार)
वरिष्ठ अधिशासी (एएफआर)


(रमेश मथिया)
वरिष्ठ कार्मिक अधिकारी


(जितेन्द्र सिंह)
वरिष्ठ कार्मिक अधिकारी



(केशव चौरी)
महाप्रबन्धक (माउसंग)(प्रशासक)



T.C.

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मा10 उच्च न्यायालय, नैनीताल में योजित वाद संख्या 579 of 2017 में दिनांक 13-12-2017 को दिये गये अन्तरिम आदेश के अनुपालन में अवर अभिन्ता से पदोन्नत सहायक अभियन्ताओं एवं सीधी भर्ती के माध्यम से नियुक्त सहायक अभियन्ताओं की पुर्नव्यवस्थित ज्येष्ठता सूची (सीधी भर्ती के सहायक अभियन्ताओं की प्रशिक्षण अवधि को exclude करने के उपरान्त परिकल्पित)

चयन वर्ष 2008-09			
क्र०सं०	सहायक अभिन्ता (विद्युत एवं यांत्रिक) का नाम	कारपोरेशन में प्रोन्नति/ नवनियुक्ति पर कार्यभार ग्रहण करने का दिनांक	एक वर्ष की प्रशिक्षण अवधि पूर्ण होने का दिनांक।
1	2	3	4
1.	श्री हरि सिंह (पदोन्नत)	01-07-08	-
2.	श्री दशरथ सिंह चौधरी (पदोन्नत)	22-07-08	-
3.	श्री सुरेन्द्र सिंह बिष्ट (पदोन्नत)	22-07-08	-
4.	श्री सूर्य दर्शन सिंह बिष्ट (सीधी भर्ती)	01-09-07	01-09-08
5	श्री अरविन्द कुमार (सीधी भर्ती)	31-07-07	31-07-08
6	श्री योगेन्द्र मोहन (दिवगंत) (सीधी भर्ती)	31-07-07	31-07-08
7	श्री देगराज सिंह (सीधी भर्ती)	31-07-07	31-07-08
8	श्री उमाकान्त चतुर्वेदी (सीधी भर्ती)	02-06-008	02-06-09
9	श्री प्रशान्त पन्त (सीधी भर्ती)	10-06-08	10-06-09
10	श्री संदीप कुमार गुप्ता (सीधी भर्ती)	25-08-08	25-08-09
11	श्री धर्मवीर सिंह (सीधी भर्ती)	22-05-08	22-05-09

12	श्री प्रदीप कुमार (सीधी भर्ती)	21-05-08	21-05-09
13	श्री जाकिर हुसैन (सीधी भर्ती)	06-08-08	06-06-09
14	श्री कैलाश कुमार (सीधी भर्ती)	30-06-08	30-06-09
15	श्री दीपक पाल आर्य (सीधी भर्ती)	05-06-08	05-06-09
16	श्री मनोज गुसाईं (सीधी भर्ती)	28-05-08	28-05-09
17	श्री अनूप कुमार (सीधी भर्ती)	22-05-08	22-05-09
18	श्री दीपक सैनी (सीधी भर्ती)	28-05-08	28-05-09
19	श्री मोहम्मद अफजाल (सीधी भर्ती)	30-05-08	30-05-09
20	श्री नितिन सिंह गर्खाल (सीधी भर्ती)	22-05-08	22-05-09
21	श्री हारून रसीद (सीधी भर्ती)	02-06-08	02-06-09
22	कु० नन्दिता अग्रवाल (सीधी भर्ती)	19-05-08	19-05-09
23	श्री गौरव रागलानी (सीधी भर्ती)	22-05-07	22-05-09
24	श्रीमती पूजा रानी (सीधी भर्ती)	17-05-08	17-05-09
25	श्री एस०पी० कुडियाल (पदोन्नत)	19-11-08	-
26	श्री प्रदीप कुमार (पदोन्नत)	12-06-09	-
27	श्री विनोद कुमार बिष्ट (पदोन्नत)	19-11-06	-
28	श्री जे० सी० जोशी (पदोन्नत)	19-11-06	-
29	श्री किशोर कुमार पन्त (पदोन्नत)	19-11-08	-
30	श्री गोविन्द सिंह कार्की (पदोन्नत)	10-11-08	-
31	श्री विनीत कुमार सक्सेना (पदोन्नत)	19-11-08	-
32	श्री भूदेव दास (पदोन्नत)	11-01-09	-

33	श्री महेन्द्र सिंह(पदोन्नत)	19-11-08	-
34	श्री राजीव लाचन (पदोन्नत)	23-03-17	-
35	श्री मोहन लाल (पदोन्नत)	19-11-08	-
36	श्री यशपाल सिंह (पदोन्नत) (सेवानिवृत्त)	17-11-08	-
37	श्री शैलेन्द्र बिष्ट (पदोन्नत) (ए0एम0आई0ई0)	30-06-09	-
38	श्री अमित सक्सेना (पदोन्नत) ए0एम0आई0ई0)	30-09-06	-
39	श्री प्रदीप कुमार शर्मा (पदोन्नत)	30-06-09	-
40	श्री विनय कुमार सिंह (पदोन्नत) (बी0ई0)	30-06-09	-
41	श्री मनोज प्रकाश सिंह रावत (पदोन्नत)	30-06-09	-
42	श्री पयंक पाण्डे (पदोन्नत)	30-06-09	-
43	श्री मनोज कुमार (प्रोन्नत)	27-11-09	-
44	श्री सुनील कुमार गौतम (प्रोन्नत)	27-11-09	-
45	श्री राकेश कुमार सिंह (पदोन्नत)	30-06-09	-
46	श्री शशिकान्त सिंह (पदोन्नत)	30-06-09	-
47	श्री मनोज कुमार पाण्डे (पदोन्नत)	30-06-09	-
48	श्री देवप्रकाश (प्रोन्नत)	27-11-09	-
49	श्री कैलाश सिंह (पदोन्नत)	30-06-09	-
50	श्री होशियार सिंह सौन (पदोन्नत)	30-06-09	-

51	श्री अजय भारद्वाज (पदोन्नत)	30-06-09	-
52	श्री पवन कुमार (पदोन्नत) (ए0एम0आई0ई0)	30-06-09	-
53	श्री अंजीव कुमार (पदोन्नत)	30-06-09	-
54	श्री अनुज अग्रवाल (पदोन्नत)	30-06-09	-
55	श्री संतोष डबराल (पदोन्नत)	30-06-09	-
56	श्री सतीश चन्द जोशी (पदोन्नत)	30-06-09	-
57	श्री स्वर्ण सिंह (प्रोन्नत)	27-11-09	-
58	श्री कुल भूषण कुकरेती (पदोन्नति)	30-06-09	-
59	श्री सुनील कुमार (पदोन्नत)	30-06-09	-
60	श्री सुनील उनियाल (पदोन्नत) (ए0एम0आई0ई0)	30-06-09	-
61	श्री पंकज कुमार थपलियाल (प्रोन्नत)	27-11-09	-
62	श्री ख्याली दत्त (पदोन्नत)	30-6-09	-
63	श्री रौशन लाल रतूडी (प्रोन्नत)	27-11-09	-
64	श्री सौरभ चमोली (प्रोन्नत)	27-11-09	-
65	श्री राजकुमार (पदोन्नत) (ए0एम0आई0ई0)	30-06-09	-
66	श्री भुवनेश कुमार जोशी (पदोन्नत)	30-06-09	-
67	श्री नरेन्द्र सिंह पुंडीर (प्रोन्नत)	27-11-09	-
68	श्री शैलेन्द्र कुमार सैनी (पदोन्नति)	30-06-09	-
69	श्री अजय कुमार (पदोन्नति)	30-06-09	-

70	श्री राकेश ममगाई (प्रोन्नत)	27-11-09	-
71	श्री नरेन्द्र सिंह नेंगी (प्रोन्नत)	27-11-09	-
72	श्री मुकेश चन्द (पदोन्नत)	30-06-09	-
73	श्री वीरेन्द्र सिंह बिष्ट (पदोन्नत)	30-06-09	-
74	श्री अक्षय कपिल (पदोन्नत)	30-06-09	-
75	श्री जगपाल सिंह (पदोन्नत)	30-06-09	-
76	श्री राजपाल (पदोन्नत)	30-06-09	-
77	श्री राजीव खड़कवाल (पदोन्नत)	30-06-09	-
78	श्री हरीश बल्लब (पदोन्नत) (बी0टैक0)	30-06-09	-
79	श्रीमति प्रीती भटनागर (पदोन्नत) (ए0एम0आई0ई0)	30-06-09	-
80	श्री संजय कुमार (प्रोन्नत) (अ0जा0)	27-11-09	-
81	श्री संजय प्रसाद आर्य (पदोन्नत) (अ0जा0)	27-11-09	-
82	श्री कंवल सिंह (पदोन्नत) (अ0जा0)	30-06-09	-
83	श्री गुरुदीप सिंह (प्रोन्नत) (अ0जा0)	27-11-09	-
84	श्री रूपेश कुमार नथाला (पदोन्नत) (अ0जा0)	30-06-09	-
85	श्री विक्रम सिंह (प्रोन्नत) (अ0ज0जा0)	27-11-09	-
86	श्री विनोद कुमार (प्रोन्नत) (अ0जा0)	27-11-09	-
87	श्री नारायण सिंह चौहान (पदोन्नत) (बी0टैक0)	30-06-09	-

88	श्री ओमपाल (पदोन्नत) (अ०जा०)	30-06-09	-
89	श्री गिरीश चन्द्र आर्य (प्रोन्नत) (अ०जा०)	27-11-09	-
90	श्री जगदम्बा प्रसाद भट्ट (पदोन्नति) सेवानिवृत्त (ए०एम०आई०ई०)	30-06-09	-
91	श्री प्रकाश चन्द्र (पदोन्नत) (अ०जा०)	30-06-09	-
92	श्री मोहनराम (पदोन्नत) (अ०जा०)	30-06-09	-
93	श्री रमेश चन्द्र आर्य (पदोन्नत) (अ०जा०)	30-06-09	-
94	श्री अभी चन्द (पदोन्नत) (अ०जा०)	30-06-009	-

(सुमित सिंघल)
कार्मिक अधिकारी

(एस०के० भाटिया)
वरि० कार्मिक अधिकारी

(राकेश कुमार)
वरि० अधिशासी (पु०क०)

(जितेन्द्र सिंह)
वरि० कार्मिक अधिकारी

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मा0 उच्च न्यायालय, नैनीताल में योजित वाद संख्या 579 of 2017 में दिनांक 13-12-2017 को दिये गये अन्तरिम आदेश के अनुपालन में अवर अभियन्ता से पदोन्नत सहायक अभियन्ताओं एवं सीधी भर्ती के माध्यम से नियुक्त सहायक अभियन्ताओं की पुनर्व्यवस्थित अनन्तिम ज्येष्ठता सूची (सीधी भर्ती के सहायक अभियन्ताओं की प्रशिक्षण अवधि को exclude करने के उपरान्त परिकल्पित)

चयन वर्ष 2010-11			
क्र० सं०	सहायक अभियन्ता का नाम	कार्यभार ग्रहण करने का दिनांक	एक वर्ष की प्रशिक्षण अवधि पूर्ण होने का दिनांक
-1-	-2-	-3-	-4-
1	श्री अशोक चन्द (सीधी भर्ती)	08-01-10	08.01.2011
2	श्री प्रहलद चन्द (सीधी भर्ती)	08-01-10	08.01.2011
3	श्रीमती स्वप्न कुमारी (सीधी भर्ती)	31-12-09	31.12.2010
4	श्री अशोक कुमार सिन्हा (सीधी भर्ती)	04-01-10	04.01.2011
5	श्री सुभाष कुमार (सीधी भर्ती)	29-12-09	29.12.2010
6	श्री रमेश चन्द (सीधी भर्ती)	08-01-10	08.01.2011
7	श्रीमती विनोद चन्द (सीधी भर्ती)	30-12-09	30.12.2010
8	श्री प्रदीप चन्द चौधरी (सीधी भर्ती)	30-12-09	30.12.2010
9	श्री विनय कुमार (सीधी भर्ती)	25-01-10	25.01.2011
10	श्री अरवि चन्द (सीधी भर्ती)	08-01-10	08.01.2011
11	श्री सुभाष कुमार (सीधी भर्ती)	04-01-10	04.01.2011
12	श्री रमेश चन्द (सीधी भर्ती)	02-03-10	02.03.2011
13	श्री विनय कुमार (सीधी भर्ती)	28-01-10	28.01.2011
14	श्री सुभाष कुमार (सीधी भर्ती)	29-12-09	29.12.2010
15	श्री विनय कुमार (सीधी भर्ती)	01-02-10	01.02.2011
16	श्री अरवि चन्द (सीधी भर्ती)	29-12-09	29.12.2010
17	श्री अरवि चन्द (सीधी भर्ती)	25-02-10	25.02.2011
18	श्री सुभाष कुमार (सीधी भर्ती)	08-01-10	08.01.2011
19	श्री विनय कुमार (सीधी भर्ती)	08-01-10	08.01.2011
20	श्री सुभाष कुमार (सीधी भर्ती)	31-12-09	31.12.2010
21	श्रीमती अरवि चन्द (सीधी भर्ती)	29-12-09	29.12.2010
22	श्रीमती अरवि चन्द (सीधी भर्ती)	31-12-09	31.12.2010
23	श्री अरवि चन्द (सीधी भर्ती)	01-01-10	01.01.2011
24	श्रीमती अरवि चन्द (सीधी भर्ती)	29-12-09	29.12.2010
25	श्री अरवि चन्द (सीधी भर्ती)	11-01-10	11.01.2011
26	श्री सुभाष कुमार (सीधी भर्ती)	02-01-10	02.01.2011
27	श्रीमती अरवि चन्द (सीधी भर्ती)	30-12-09	30.12.2010
28	श्री सुभाष कुमार (सीधी भर्ती)	30-12-09	30.12.2010
29	श्रीमती अरवि चन्द (सीधी भर्ती)	08-01-10	08.01.2011
30	श्री अरवि कुमार (सीधी भर्ती)	29-12-09	29.12.2010
31	श्री अरवि सिंह बर्मात (सीधी भर्ती)	30-12-09	30.12.2010
32	श्री अरवि कुमार सिंह (सीधी भर्ती)	29-12-09	29.12.2010
33	श्री अरवि कुमार (सीधी भर्ती)	02-01-10	02.01.2011
34	श्री अरवि कुमार (सीधी भर्ती)	30-12-09	30.12.2010
35	श्री अरवि सिंह नेगी (सीधी भर्ती)	24-02-10	24.02.2011
36	श्रीमती अरवि चन्द (सीधी भर्ती)	30-12-09	30.12.2010
37	श्रीमती अरवि चन्द (सीधी भर्ती)	30-12-09	30.12.2010
38	श्री अरवि बहादुर यादव (सीधी भर्ती)	02-03-10	02.03.2011
39	श्रीमती अरवि चन्द (सीधी भर्ती)	08-01-10	08.01.2011

(सुमित सिंघल)
कार्मिक अधिकारी

(राजेश कुमार)
वरिष्ठ अधिशासी (पुष्काण)

(रमेश चन्द)
वरिष्ठ कार्मिक अधिकारी

(जितेन्द्र सिंह)
वरिष्ठ कार्मिक अधिकारी

(के.वी. चौधरी)
महाप्रबन्धक (राजसं)(प्रशासी)

T.C 133

मा० उच्च न्यायालय, नैनीताल मेक योजित वाद संख्या 579 of 2017 में दिनांक 13-12-2017 को दिये गये अन्तरिम आदेश के अनुपालन में अवर अभियन्ता से पदोन्नत सहायक अभियन्ताओं एवं सीधी भर्ती के माध्यम से नियुक्त सहायक अभियन्ताओं की पुर्नव्यवस्थित अनन्तिम ज्येष्ठता सूची (सीधी भर्ती के सहायक अभियन्ताओं की प्रशिक्षण अवधि को exclude करने के उपरान्त परिकल्पित)

चयन वर्ष 2010-11			
क्र०सं०	सहायक अभियन्ता का नाम	कारपोरेशन में प्रोन्नत / नवनियुक्ति पर कार्यभार ग्रहण करने का दिनांक	एक वर्ष की प्रशिक्षण अवधि पूर्ण होने का दिनांक।
1	2	3	4
1.	श्री अभिनव रावत (सीधी भर्ती)	06-01-10	08-01-2011
2.	श्री राहुल घानना (सीधी भर्ती)	08-01-10	08-01-2011
3	श्रीमती श्वेता पुर्निया (सीधी भर्ती)	31-12-09	31-12-2010
4	श्री अनुज कुमार त्रिपाठी (सीधी भर्ती)	04-01-10	04-01-2011
5.	श्री सुभाष कुमार (सीधी भर्ती)	29-12-09	29-12-2010
6	श्री वैभव शर्मा (सीधी भर्ती)	08-01-2010	08-01-2011
7	श्रीमती मिनाक्षी खन्ना (सीधी भर्ती)	30-12-09	30-12-2010
8	श्री प्रशांत मोहन जोशी (सीधी भर्ती)	30-12-09	30-12-2010
9	श्री विपिन कुमार (सीधी भर्ती)	25-01-10	25-01-11
10	श्री अहमद अली (सीधी भर्ती)	08-01-10	08-01-11
11	श्री गुलशन बुलानी (सीधी भर्ती)	04-01-10	04-01-11
12	श्री रोहताशु पाण्डे (सीधी भर्ती)	02-03-10	02-03-11

13	श्री हिमांशु बड़ोनी (सीधी भर्ती)	28-01-10	28-01-11
14	श्री धनन्जय कुमार (सीधी भर्ती)	29-12-09	29-12-10
15	श्री विवके उपाध्याय (सीधी भर्ती)	01-12-10	01-12-11
16	श्री मनीश जोशी (सीधी भर्ती)	29-12-09	29-12-10
17	श्री संतोष कुमार अग्रवाल (सीधी भर्ती)	25-02-10	25-02-11
18	श्री पुनीत कुमार (सीधी भर्ती)	08-01-10	08-01-11
19	श्री विकास भारती (सीधी भर्ती)	08-01-10	08-01-11
20	श्री सुनील कुमार (सीधी भर्ती)	31-12-09	31-12-10
21	श्रीमती जयप्रिया आर्य (सीधी भर्ती)	29-12-09	29-12-10
22	श्रीमती गीता पाठक (सीधी भर्ती)	31-12-09	31-12-10
23	श्री चन्द्रमोहन (सीधी भर्ती)	01-01-10	01-01-11
24	श्रीमती रीता राजपूत (सीधी भर्ती)	29-12-09	29-12-10
25	श्री ललित मोहन (सीधी भर्ती)	12-01-10	11-01-11
26	श्री मुकेश कुमार (सीधी भर्ती)	02-01-10	02-01-11
27	श्रीमती शिल्पी सैनी (सीधी भर्ती)	30-12-09	30-12-10
28	श्रीमती मोनिका चुनेरा (सीधी भर्ती)	30-12-09	30-12-10
29	श्रीमती नीति रंजना (सीधी भर्ती)	08-01-10	08-01-11
30	श्री प्रवेश कुमार (सीधी भर्ती)	29-12-09	29-12-10
31	श्री राकेश सिंह बर्फाल (सीधी भर्ती)	30-12-09	30-12-10
32	श्री अश्विनी कुमार सिंह (सीधी भर्ती)	29-12-09	29-12-10
33	श्री उज्जवल कुमार भास्कर (सीधी भर्ती)	02-01-10	02-01-11

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	भर्ती)		
34	श्री अमित कुमार (सीधी भर्ती)	30-12-09	31-12-10
35	श्री प्रवीण सिंह नेगी (सीधी भर्ती)	24-02-10	24-02-11
36	श्रीमती ज्योत्सना श्रेष्ठ (सीधी भर्ती)	30-12-09	30-12-10
37	श्रीमती पारूल साहू (सीधी भर्ती)	30-12-09	30-12-10
38	श्री रमेश बहादुर यादव (सीधी भर्ती)	02-03-10	02-03-11
39	श्रीमती नेहा सिंह (सीधी भर्ती)	08-01-10	08-01-11

(सुमित सिंघल)
कार्मिक अधिकारी

(राकेश कुमार)
वरि० अधिशासी (पु०क०)

(एस०के० भाटिया)
वरि० कार्मिक अधिकारी

(जितेन्द्र सिंह)
वरि० कार्मिक अधिकारी

Annexure-13

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IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE MS. RITU BAHRI
AND
HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27TH JUNE, 2024

WRIT PETITION (S/ B) No. 579 OF 2017

Uttarakhand Power Corporation Ltd.

..Petitioner

Versus

Shri B.M. Bhatt and others.

..Respondents

With

WRIT PETITION (S/ B) No. 130 OF 2017

Kanhaiya Ji Mishra.

..Petitioner

Versus

State of Uttarakhand and others.

..Respondents

With

WRIT PETITION (S/ B) No. 543 OF 2017

Rahul Channa and others.

..Petitioners

Versus

State of Uttarakhand and others.

..Respondents


(Sunil Kumar Polchreyal)

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With

WRIT PETITION (S/ B) No. 550 OF 2017

Kanhaiya Ji Mishra.

..Petitioner

Versus

State of Uttarakhand and others.

..Respondents

With

WRIT PETITION (S/ B) No. 552 OF 2017

Umakant Chatuvedi and others.

..Petitioners

Versus

Uttarakhand Public Service Tribunal and others.

..Respondents

With

WRIT PETITION (S/ B) No. 554 OF 2017

Gushan Bulani and others.

..Petitioners

Versus

State of Uttarkhand and others.

..Respondents

With

WRIT PETITION (S/ B) No. 563 OF 2017

Ashutosh Tiwari and another.

..Petitioners

Versus

State of Uttarakhand and others.

..Respondents


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Counsel for the petitioner/ : Mr. Avtar Singh Rawat and Mr. C.D. Bahuguna, learned Senior Counsel assisted by Mr. Dharmendra Barthwal and Mr. Bhagwat Mehra.
Uttarakhand Power Corporation Limited in WPSB/579/2017.

Counsel for the petitioner in : Mr. Piyush Garg, learned counsel.
WPSB/130/2017, WPSB/550/2017 & WPSB/563/2017.

Counsel for the petitioner in : Mr. M.C. Pant, learned counsel.
WPSB/543/2017.

Counsel for the petitioner in : Mr. Xitij Kaushik and Mr. Pankaj Chaturvedi, learned counsel.
WPSB/552/2017.

Counsel for the petitioner in : Ms. Priyanka Agarwal, learned counsel.
WPSB/554/2017.

Counsel for the State of : Mr. K.N. Joshi, learned Deputy Advocate General for the State of Uttarakhand.
Uttarakhand.

Counsel for the private : Mr. Rajendra Dobhal, learned Senior Counsel assisted by Mr. I.P. Gairola, learned counsel.
respondents in all the Writ Petitions. Mr. Shashank Pandey, learned counsel.
Mr. Bhupesh Kandpal, learned counsel.

COMMON JUDGMENT : (per Hon'ble The Chief Justice Ms. Ritu Bahri)

This order shall dispose of above mentioned 07 cases, as common questions of facts and law are involved in them.

2. By means of the present Writ Petitions, the petitioners are challenging the judgment and order dated 07.11.2017 passed by the Uttarakhand Public Services Tribunal, Bench at Nainital, whereby the Claim Petition of private contesting respondents, i.e. Claim Petition No. 01/NB/DB/2015, has been allowed, and the final seniority list issued on 03.01.2015, as well as the select list/

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recommendations of the DPC dated 04.01.2015, and the promotion letter/ order dated 05.01.2015, whereby the proforma respondents were promoted to the post of Executive Engineer, have been quashed, and set-aside. Further, the Tribunal directed the respondent in said Claim Petition to prepare a fresh seniority list according to the Rules and Regulations, and as per the observations made by the Tribunal by treating the appointment of the respondents (direct recruits) from the date of their substantive appointment to the cadre, after completion of their training period for the purpose of seniority.

3. The brief facts are that the U.P. State Electricity Board, in order to provide and regulate the recruitment and service conditions of the Assistant Engineers, framed and enforced 'the Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970' (hereinafter to be referred as "*the 1970 Regulations*"). The 1970 Regulations stood amended, to the extent of repugnancy only, by Regulations, namely U.P. State Electricity Board Servants' Seniority Regulations, 1998, which were issued by the U.P. State Electricity Board.


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4. Thereafter, the State of Uttarakhand was created on 09th November 2000. Consequent upon the creation of the State, Uttaranchal Power Corporation Ltd. (now renamed as "Uttarakhand Power Corporation Ltd.) (hereinafter to be referred as "UPCL"), was incorporated under the Companies Act, 1956 on February 12, 2001. UPCL has been entrusted to cater to the Transmission & Distribution Sectors inherited after the de-merger from U.P. Power Corporation Ltd., the erstwhile U.P.S.E.B since 01st April 2001. The Electricity Act, 2003 mandated the separation of Transmission functions under Power Sector Reforms. On 1st June 2004, the Power Transmission Corporation Limited (PTCUL) was formed to maintain & operate 132 KV & above Transmission Lines & substations in the State, and is a separate entity.

5. On 01.10.2006, UPCL issued an advertisement in all leading newspapers, inviting applications from eligible persons, for appointment to the post of Assistant Engineer (E&M). The upper age limit for applying, pursuant to the said advertisement, was 40 years as on 01.07.2006. By the said advertisement 37 vacancies of Assistant Engineer (E&M) were advertised. The

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advertised vacancies were for the recruitment year 2006-07.

6. Respondent nos. 10 to 35 possess B.E. and B.Tech. degree, therefore, they all were eligible for appointment to the post of Assistant Engineer (E&M), as per the advertisement. After short-listing, admit cards were issued to eligible candidates, and on the strength of such admit cards, the proforma private respondents participated in the written examination, which was held on 31.12.2006. Those candidates, who qualified the written examination, were called for interview, and all the proforma respondents appeared before the Interview Board. On the recommendation of the Selection Committee, the competent authority appointed respondent nos. 10 to 29 as Assistant Engineer (E&M) for the selection year 2007-08. Pursuant to issuance of the appointment letters, respondent nos. 10 to 29 joined their duties as Assistant Engineer (Trainee) in UPCL up to June 2008. Respondent nos. 30 to 33 joined on the post of Assistant Engineer (Trainee) up to December 2008. The appointment letter was issued to the respondents nos. 34 and 35 in February, 2009. Respondents no. 34


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joined in May, 2009 and respondent no. 35 joined in April, 2009 respectively at UPCL on their respective posts.

7. After examination, a list, in the order of merit, was prepared, and the successful candidates were offered to join as Assistant Engineer (Trainee). Here, it is relevant to state that the list of the successful candidates, so prepared, contained names of those candidates also, who were offered appointment, and were recruited, after the candidates placed at higher position in the list had not joined as Assistant Engineer (Trainee). It is worthwhile to mention that such candidates, who were in waiting-list, were offered appointment on the posts within one year from the date of publication of the result of the examination of recruitment process.

8. Thereafter, the petitioners in the Claim Petition were promoted on the post of Assistant Engineer (Electrical & Mechanical) in the year 2007-08 & 2008-09. The other private respondents were appointed on the post of Assistant Engineer in the year 2008-09, after selection and completion of training against the vacancies of 2006-07. The respondent-department issued a combined seniority list of the cadre of Assistant Engineers

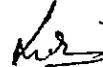
(^{Signature}
Sanil Kumar Bichrajol)

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(Electrical & Mechanical), in which respondents nos. 3 to 22 were given seniority right from the date when they joined the services as Trainee after their selection on the basis of advertisement. The petitioners in the claim petition have challenged their seniority on the ground that their substantive appointment cannot be treated from the date of their induction as Trainees, but from the date of their substantive appointment in the cadre by the department, after completion of their training.

9. The Uttarakhand Public Services Tribunal has allowed the Claim Petition, and had set-aside the seniority list issued on 03.01.2015, and recommendation of the DPC dated 04.01.2015, and the promotion letter/ order dated 05.01.2015, whereby the directly recruited Assistant Engineers have been given promotion on the post of Executive Engineer by treating them senior from the date of their joining the department. The Tribunal has held that these directly recruited Assistant Engineers can be given seniority from the date they have finished their training, and not from the date they joined after regular selection process.

10. Heard learned counsel for the parties.


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11. Counsel for the petitioners in the present case has argued that the State of Uttarakhand was created on 09.11.2000, and, thereafter, Uttaranchal Power Corporation Ltd., now renamed as Uttarakhand Power Corporation Ltd., was incorporated under the Companies Act, 1956 on 12.02.2001. It is their specific case that for the purpose of regulating the recruitment and service conditions, the State of Uttarakhand has adopted the Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970, which were subsequently amended by Regulations, namely U.P. State Electricity Board Servant Seniority Regulations 1998 issued by the U.P. State Electricity Board. Hence, for the purpose of recruitment and seniority, the above-said Regulations are being applied till date, and reference can now be made to the above-said Regulations, with respect to seniority.

12. Reference again can be made to the Notification (Annexure No. 4) dated 31.03.2001 issued by the Managing Director of the Corporation, after creation of the State of Uttarakhand, wherein it is stated that till new Regulations are formulated, they will follow the Uttar Pradesh Power Corporation Regulations. This notification


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has been issued until the new Regulations are made after the creation of the State of Uttarakhand, and the Regulations of the Uttar Pradesh Power Corporation shall be followed till then. Subsequently, another notification has also been placed on record by the Uttaranchal Power Corporation Ltd. - Annexure No. 5 dated 05.12.2001, whereby it has been clarified that no Rules and Regulations of the Uttar Pradesh Power Corporation enforced after 01.11.2001 will be applicable unless and until such Rules and Regulations are made applicable by the Corporation.

13. A reading of both the office memorandums dated 31.03.2001 - Annexure No. 4 and 05.12.2001 - Annexure No. 5 makes it abundantly clear that initially, vide office memorandum dated 31.03.2001 - Annexure No. 4, a conscious decision has been taken that unless new Regulations are framed the old Regulations of the U.P. Power Corporation will be applicable, and since this letter had already been issued, then as per the office memorandum dated 05.12.2001, it has again been said that the U.P. Power Corporation Regulations will not be enforced unless and until they are made applicable by the Corporation, and the Office Memorandum dated

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31.03.2001 - Annexure No. 4 has been issued, and would be applicable till the new Regulations are made by the Uttarakhand Power Corporation. Till date, no new Regulations have been framed with regard to recruitment, and seniority of the employees of the Uttarakhand Power Corporation.

14. Hence, taking the office memorandum dated 31.03.2001 - Annexure No. 4 issued by the Managing Director for all intents and purposes, the rule of seniority, as per the 1970 Regulations, amended in 1998, have to be applied. The moment new Regulations come, the UP Regulations will not be applicable.

15. Now for the purpose of regulating determination of seniority, as per the provisions of 1970 Regulations and 1998 Regulations, the rule of seniority, as per 1970 regulations is as under. For the purpose of these Writ Petitions, Rule 19 deals with seniority, which reads as under:

"19. Seniority.

The seniority of officers on their appointment to the service shall be determined according to the date of the order of appointment to a particular post in the cadres of the service;

Provided firstly that if two or more candidates are appointed on the same date, their seniority inter se shall be determined according to the order in which

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their names appear in the orders of appointment issued by the Appointing Authority, or in other words, the order in which their names are placed in the 'Select List' or 'Combined Waiting List', as the case may be;

Provided secondly that the Appointing Authority may direct that an officer whose period of probation is extended for failure to prove his fitness for confirmation be placed in the seniority list next below the last confirmed member;

Provided thirdly that the relative seniority of members of the Service who are appointed by direct recruitment shall be in accordance with the order of preference in which they are placed by the Selection Committee at the time of selection, as approved by the Appointing Authority;

Provided fourthly that as between candidates who are appointed by direct recruitment and who are recruited by promotion in the same year, the seniority shall be determined in the order in which their names are arranged in the combined waiting list prepared under Regulation 15, provided that if in any year, it has not been possible to prepare the combined waiting list due to late selection either from Junior Engineers Service or from Computers (Selection Grade) or found outside or due to any other unavoidable reasons, the names in the gradation list shall be arranged in the same order in due course in respect of the vacancies allotted to each of the categories of candidates in that particular year, as in the combined waiting list and the seniority determined accordingly;

Provided fifthly, that the inter se seniority of Government Officers absorbed in the service of the Board, while officiating in any cadre of the Board's service, shall be the same as on the post held by them in the Government in a permanent/substantive capacity and in the case of those officers who were not permanent on any post at the time of absorption shall be the same as on the lower post held by them after regular selection in an officiating capacity."

16. As far as the recruitment made in the year 2007-08 & 2008-09 of the Assistant Engineers is concerned, nobody is disputing the fact that the process of selection was made as per the advertisement, and


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appointment was made as per the merit list prepared by the Recruitment Agency. With respect to fixation of seniority, Rule 19 is to be applied, and as per Rule 19, referred to above, the seniority of the officers has to be determined as per the date of order of appointment to a particular post in the cadre of the service. Hence, for all intents and purposes, after selection, when the Assistant Engineers joined the post to the cadre of the service, their seniority has to be determined from that date, and after joining if they are sent on training, that period is to be taken as part of their service after joining.

17. Similar is the provision of Rule 8 of the Regulations of 1998 relating to seniority, which is reproduced as under :-

"8. In that condition seniority should be determined when appointments are made from promotions and direct recruitment.

(1) Where according to the service regulations appointments, promotion and direct recruitment are to be done in both the ways, at that place the seniority of the persons appointed in this way will be determined under the provisions of the following sub Rule from the date of order of their basic appointment and if two or more persons are appointed together, then in that sequence it will be determined, in which their names have been kept in the order of appointment.

Restriction is this that if in the order of appointment any such specific prior date is specified by which any person is appointed basically, then when that date will be considered as the date of appointment, the date or order of


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the basic appointment and in other matters its meaning will be date of issuing order.

The further restriction is this that any candidate recruited directly may lose his seniority if on the proposal of any vacant post given to him, he fails in assuming charge without legal reasons. Regarding the legal acceptance of the reasons, the decision of the appointing authority will be final.

(2) Due to any one selection:

- (a) The inter se seniority of persons appointed directly will be the same as it has been shown in the merit list prepared by the commission of committee as it is.
- (b) The inter se-seniority of the appointment persons by promotion will be the same which according to this situation that the promotion is done from the single feeder cadre or from many feeder cadres. According to the principles given in the regulation 6 or regulation 7, as it is, may be determined.

(3) Where due to any selection the appointments are made in both the ways by promotion and by direct recruitment, at that place seniority of the promoted persons vis-à-vis a seniority of the persons recruited directly, so far it is possible according to the prescribed quota for both the sources in sequence of turns. Place will be of the promoted persons will be determined.

As for example -

(1) Where there is a quota of promoted persons and of the persons directly recruited is in the proportion of 1:1 at that place the seniority will of the following sequence :-

- 1st - promoted person
- 2nd - the person directly recruited and in this way further also


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(2) Where the said quota is in proportion of 1:3 at that place the seniority will be in the following sequence :-

- 1st - Promoted person
- 2nd to 4th - persons directly appointed
- 5th - promoted persons
- 6th to 8th - directly recruited persons and this way further also

Restriction is that :-

- (1) Where from any source appointment are made more than the prescribed quota, at that place for the seniority of the persons appointed more than the quota for those subsequent year or years will be increased, in which are vacancies according to quota.
- (2) Where the appointments from any source are less than the prescribed quota and against such unfilled vacancies, the appointments are made in the subsequent year or years then the persons appointed in this way will not get seniority of any previous years but they will get seniority of that year, in which their appointments are made, but their names will be kept at the top, after which the names of other appointed persons will be kept in sequence of turn.
- (3) Where according to the service Regulations in the circumstance, mentioned in the relevant service regulations, the vacancies without being filled from any source may be filled from other source and appointments should be made more than the quota, at that place the person appointed in this way will get the seniority of that every year as if they are appointed against the vacancies of their quota."

18. At this stage, the only dispute in the present case is with respect to the seniority, whether the period of training is to be counted as part of service. This issue has already come up before the Hon'ble Supreme Court in


15 (Suresh Kumar Polcharegal)