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selected by the Board in the manner prescribed in Appendix 'B' for a course of training under the Board.

(20) 'KESA' means the Kanpur Electricity Supply Administration.

(21) 'Member Administration' means the Member Administration of the Board appointed under sub-section (4) of Section 5 of the Act.

(22) 'Member Engineering' means the Member Engineering of the Board appointed under sub-section (4) of section 5 of the Act.

(23) 'Member of the Service' means a person appointed in a substantive capacity under the provisions of these regulations and orders in force previous to the commencement of these regulations, to a post in the cadre of the service.

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(24) 'Resident Manager' means the Manager or Head of any project, Circle or establishment who resides in the premises or limits of such project, Circle or establishments.

(25) 'Screening Committee' means the committee constituted under Rule 4 of Appendix 'C'.

(26) 'Secretary' or 'Member Secretary' means the Secretary of the Board.

(27) 'Selection Committee' means the committee specified in Regulation 5 of Appendix 'B' and 'D' and regulation 6 of Appendix 'C'.

(28) 'Service' means the U.P. State Electricity Board Service of Engineers.

(29) 'Superintending Engineer' means a Superintending Engineer who may be appointed by the Chairman; it includes other posts of equivalent status which may be included in the cadre.

(30) 'Trained Engineer' means a trainee Engineer who after a course of successful training under the Board is declared fit for

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appointment as an Assistant Engineer under the Board.

(31) 'Waiting List' means the list of Selected Candidates waiting for appointment.

(32) 'Year of Recruitment' means the period from 1st July of a year to 30th June of next year.

(33) 'Cadre' means the strength of service of Engineers.

PART-II CADRE

4. Strength of Service:-

vide B.O.No. 26-12-98 (1) The strength of the Service and of each class of posts therein viz. Assistant Engineer/Executive Engineer/Superintending Engineer/Chief Engineer (I-II) and (I-II) shall be such as may be determined by the Board from time to time.

vide B.O.No. 26-12-92 (2) The permanent strength of the service and of each class of posts therein shall, until orders varying the same have been passed under sub-regulation (1) of these Regulations, be as specified in Appendix 'A' to these Regulations.

Provided That-

(1) any post in the cadre 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 cadre of the service, without thereby entitling any person to compensation or other redress and

(2) the Board may create, from time to time, such additional permanent or temporary posts as may be found necessary.

PART III SOURCES OF RECRUITMENT

vide B.O.No.

23-5-

7-7-95

(a) Recruitment to the service shall be made to the posts of Assistant Engineer from the following Sources :-

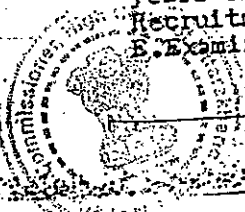
(a) By appointment from amongst 'Trained Engineers' 57%

(b) By promotion from amongst members of Jr. 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 $\frac{1}{3}$ %

(d) By promotion from amongst Jr. Engineers/Computers having qualification of B.E./A.M.I.E. who have completed three years of service as such on the first day of the year of Recruitment reckoned from the date of passing B.E./A.M.I.E. Examination in the manner prescribed in Appendix 'C' 8 $\frac{1}{3}$ %

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Provided that the number of posts to be filled up against (d) above shall be shared by the Jr. Engineer's & Computers in the proportion of quota for promotion as against (b) & (c) above.

- (2) Appointment 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.

5. Reservation of Vacancies:-

Reservation of vacancies for Scheduled Casts/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

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issued nor refused, may be admitted to an interview conducted by the recruiting authority and may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

vide *9. Age-

334-Reg
2.11.91

The age of candidates for selection as Trainee Engineer shall, on the 1st day of January of the year in which the selection is made, be not less than 21 years and more than 32 years.

Provided that-

- (1) the maximum age limit shall, in the case of retrenched employees of the State Government be greater by three years and in the case of the employees of the Board and candidates belonging to Scheduled Castes/Scheduled Tribes by five years;

vide (ii) to
Notification
3-Reg dated
3.90

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- (iii) No candidate shall be permitted to avail of more than four chances to appear at a selection; and.
- (iv) the Chairman may relax the age-limit in favour of any candidate or class of candidates if he considers it to be necessary in the interest of fair dealing or in the public interest but, where this is considered necessary, a provision must be inserted to this effect in the advertisement.

amended vide
Notification
378-Reg
dated 28.11.96

*10. Qualification-

A candidate for direct recruitment as Trainee Engineers must, besides having a thorough knowledge of Hindi in Devnagari Script hold the following qualification :-

- (1) A Degree in Electrical/ Mechanical/Telecommunication/ Instrumentation/ Electronics/ Computer Engineering/ Industrial/ Industrial & Production Engineering from a University or Institution established by law in Uttar Pradesh or from any other Institution recognised by the State Government or a degree or diploma recognised as equivalent thereto by the State Government.

OR

- (ii) Section 'A' and 'B' of the Associate Membership of the Institution of Engineers (India)

OR

- (iii) be an Associate Member of the Institution of Electrical Engineers (London)

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Provided that the Chairman shall have the right to determine the number of candidates to be taken from specific branch of Engineering from amongst the branches of Engineering as mentioned above before making a particular selection.

✓ 11. CHARACTER-

- (1) The Character of a candidate for direct recruitment to the 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

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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-

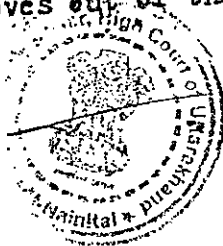
led vide
S.17/Reg/
35, dated
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The appointing authorities of the members of Service shall be as follows.

<u>Name of post</u>	<u>Appointing 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.

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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 'A' 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.

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 'C' and
 - (d) for serving the Board loyally and faithfully in the form prescribed in Appendix 'H'.

17. Appointment to the post of Assistant Engineer-

- (1) A person finally selected for appointment to the Service as Assistant Engineer 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,



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a person who is eligible for appointment by promotion to the Service under these Regulations, may be appointed, but such an appointment shall not be made for a period exceeding four months, without the specific approval of the Board.

* (3) Assistant Engineer appointed on or after the date of issue of this notification under Regulation 17(1) except these Assistant Engineers whose date of superannation falls within a period of two years from the date of their appointment on the post of Assistant Engineer, shall be required to serve on first appointment as Assistant Engineer for a minimum period of first sixty calendar months (first five years of service) in Board's large Thermal Power Stations (including Thermal Power Stations of U.P. Rajya Vidyut Ut;adan Nigam Ltd.) and that the Assistant Engineers having degree in Industrial/Industrial & Production Engineering shall be required to serve at large Thermal Power Stations throughout their service.

Provided that in each selection all such persons who are appointed on the post of Assistant Engineer by direct recruitment (except Mechanical Graduates) the first 15 percent of such candidates shall have to serve for the first five years of their service in Test & Commissioning units under Transmission Organisation in shifts. Thereafter their next 3 years of service shall have to be completed in Board's large Thermal Power Stations.

13. Appointment to the posts of A.E.E., E.E., E.E.(S.G.), S.E., C.E.(I-I) and C.E.(I-I).

(1) Appointment to the posts 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.



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*Provided further that in the case of an 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 shall be made in the order in which their names appear in the seniority list as prepared in accordance with the provision to Regulation 19.

19. SENIORITY:-

The seniority of officers on their appointment to the service shall be determined as per U.P. Rajya Vidyut Parishad Sewak Jyeshthata Niyamavali 1998 as amended from time to time

*Provided that the inter-se-seniority of Government Officers absorbed in the service of the Board, while officiating in the cadre of the 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 these 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.

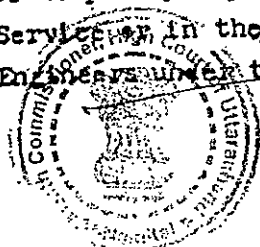
20. PROBATION:-

- (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 years. Any such extension shall specify the exact date upto 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 regular appointment on the post so held by him.

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



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- (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 subregulation (2) shall not be entitled to any compensation.

21. Confirmation:-

vide
No. 540,
26.12.98

A person recruited under these regulations shall be confirmed in his appointment as per the U.P. State Electricity Board (confirmation of Board's employees) Regulations 1995 as amended from time to time, 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 cadre of the Service, whether in a substantive or officiating capacity 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:-

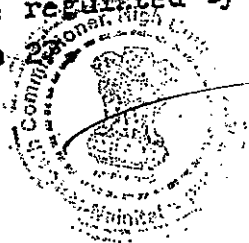
- (1) A person appointed to the Service by direct recruitment, shall, during the first year of probation, draw the minimum pay of the post in the scale admissible to him under Regulation 22 and shall receive his first increment when he has completed one year of service and has also passed the departmental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

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 provisions 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 passes 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.

- (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



✓ 25. Criteria For Crossing Efficiency Bars-

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

- (a) No member of the Service on the post of Assistant Engineer 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 on the post 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 on the post of Executive Engineer; shall be allowed to cross the efficiency bar unless he is found to have worked satisfactorily, efficiently and honestly and 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.

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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.

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

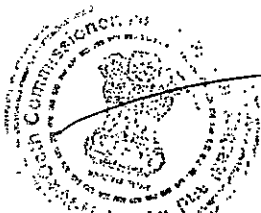
Except as otherwise provided in these Regulations or as specially, covenanted in any Service Agreement, the pay, allowances, Pension, leave and other conditions of service shall be regulated by such corresponding rules of the State Government applicable to similar category of officers and may have been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

28. Saving-

Notwithstanding anything contained in these regulations:

- (1) the conditions of service of persons who have been appointed to posts in the cadre 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 State Government or other appointing authorities until they are absorbed in the service of the Board;

vide
No. 540,
26.12.98



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vi. B.C.
34/10/1978, dated
10.84

* 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 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 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.

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30. Declaration:

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'

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(See Regulation 4(2) & 22)

The scales of pay attached to the various posts included therein are as follows:-

Sl. No.	Name of post	Pay Scale effective from 1.4.1996
1.	Assistant Engineer	Rs. 8550-275-13500 (starting Pay Rs. 9375/-)
2.	Executive Engineer	Rs. 10650-325-15200/- (Starting Pay Rs. 11300/-)
3.	Executive Engineer (Special Grade)	Rs. 14300-400-18300/- (Starting Pay Rs. 15100/-)
4.	Superintending Engineer	Rs. 16400-450-20000 (Starting Pay Rs. 17000/-)
5.	Chief Engineer (L-II)	Rs. 18400-500-22400/- (Starting Pay Rs. 18900/-)
6.	Chief Engineer(L-I)	Rs. 21350-525-23975/-



(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 & 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 the following:-

- (a) An Ex-Chairman/Member of the U.P. State Electricity Board will act as President of the Committee. In case of retired person the nomination will be made by the Chairman.
- (b) One Member of the Board to be nominated by the Chairman.
- (c) One Member of the Board to be nominated by the Chairman.
- (d) One Chief Engineer who shall also act as Secretary of the Committee to be nominated by the Chairman, U.P. State Electricity Board.

6. Marks will be awarded at the interview upto 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.

(1) All candidates will require 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 certificate prescribed in Appendix 'F' testifying to the candidate's sound bearing and general physical fitness for rough outdoor work in the Operation & Maintenance Divisions.

ended vide
O.No. 276-
e/SEB-94,
t. Nov: 8, 1994

Units of the Board onto the fact that he bears on his body marks of successful vaccination.

Amended vide B.O.
No. 14 Reg Cell/
SEB-64-157A/
1969, dated
11.1.1984

* 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 service on 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:-

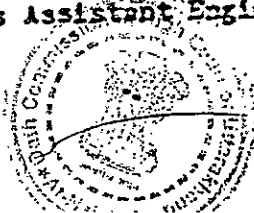
- (i) That the progress of the trainee in his studies is satisfactory;
- (ii) That the trainee gives security for refund of all payment made during the period of training in the event of his failing to qualify for appointment as Assistant Engineer or for not exercising to Bond as specified in Rule 8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

*Amended vid. BO.
No. 28 Reg C-11/SEB
3-157 A/69,
dt. 29.4.1983;

*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 the purpose of recruitment under clause(b) and (c) of Sub-Regulation 1 of Regulation 5 a selection based on seniority subject to rejection of unfit shall be made, as far as possible each year from amongst all the:-

- (i) Member of Junior Engineer Service(Electricity/Mechanical/ Electronics/Computer who are confirmed on the post and have rendered atleast 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 atleast 10 years service as Computer/Draughtsman out of which 4 years must be in the Selection Grade of Computers and possessing any of the following qualifications:
 - (A) Diploma in Electrical/Mechanical Engineering issued by Universities established in India by an Act of Central/State Government.
 - Or
 - (B) 3 years Diploma in Electrical/Mechanical/Computer Engineering issued by the State Board of Technical Education.
- (iii) By promotion from amongst Junior Engineers/Computers who are confirmed on the post and have acquired B.E./A.M.I.E. qualification and also have completed three years of service as such on the first day of the year of recruitment reckoned from the date of passing B.E./A.M.I.E. Examination.

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Notification No.
276-Reg-23/SEP-
94, dated
Nov. 8, 1994

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4. The Service records of eligible candidates will be scrutinized by a Screening Committee consisting of the following:-

- (i) The Chief Engineer(Hydel)
- (ii) The Chief Engineer (L-II)
(to be nominated by Secretary, U.P. State Electricity Board).
- (iii) A Senior Superintending Engineer to be nominated by the Chief Engineer(Hydel)

The Screening Committee will prepare a list (separately for Junior Engineers & Computer) of the 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 as prescribed in Board's notification No. B-Reg/SEB-88, dated 21.1.85 as amended.

5. The Chief Engineer will send the above list, together with the promotion list indicating the reasons for recommending 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 require any or all Candidates appear before them. The Selection Committee shall consist of the following:-

- (i) Chairman.
- (ii) One wholetime 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 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.

.....26/-

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APPENDIX 'D'

(See Sub-regulation (2) of Regulation 5)

*1. Selection to the post of Chief Engineer. (L-I)

Selection to the post of Chief Engineer (L-I) and other equivalent posts as may be specified by the Board in the cadre of the service shall be made from amongst such Chief Engineer (L-II) who have put in not less than 6 years service as Chief Engineer (L-II)/Superintending Engineer as such on the 1st July of the year in which selection is made.

*2. Selection to the post of Chief Engineer (Level-II)

Selection to the post of Chief Engineer (Level-II) and other equivalent posts as may be specified by the Board, in the cadre of the Service, shall be made from amongst Superintending Engineers who have put in 4 years service as such on July 1 of the year of selection.

3. Selection to the post of Superintending Engineer.

Selection to the post of Superintending Engineer and other equivalent posts, as may be specified by the Board, in the cadre of the service shall be made from amongst the Executive Engineers who have, on July 1 of the year of selection, put in minimum of 15 years Service on the post of Assistant Engineer and higher posts under the State Govt. or the Board.

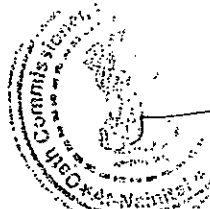
Provided that out of the above 15 years, at least 6 years service must have been rendered on the post of Executive Engineer and or other equivalent post;

Provided further that officers who have rendered not less than 6 years service as Executive Engineer as above may be considered eligible for appointment to temporary and officiating posts of Superintending Engineers even if they have rendered less than 15 years service on the post of Assistant Engineer and higher post.

4. Selection to the post of Executive Engineers

Selection to the post of Executive Engineer shall be made from amongst permanent Assistant Engineers who have completed not less than 7 years service as Assistant Engineer on July 1 of the year of selection.

Amended vide
L.O.No. 540,
dt, 26.12.98



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Provided however, that Senior Assistant Engineer (Special Grade) on promotion as Executive Engineer shall be allowed the scale of Executive Engineer (Special Grade).

4(a) Eligibility for the Scale of Senior Assistant Engineer

Officers on completion of 8 years of regular service as Assistant Engineer, Assistant Executive Engineer (combined or isolated as the case may be) on 1.4.79 or thereafter and confirmed as Assistant Engineer, shall on being found fit and deserving otherwise by the selection committee constituted under regulation 5(2) and if not already promoted in the meanwhile to the regular post of Executive Engineer, be entitled to the scale of Senior Assistant Engineer and designated as such.

The terms conditions and criterion for awarding the next time band pay scales will be the same as determined by the Board from time to time by its general or specific orders.

Provided further that:-

1. Only those permanent Assistant Engineers will be eligible to the scale of Senior Assistant Engineer who have passed Professional Part-I and Language Examination as prescribed by the Board for officers of the Uttar Pradesh State Electricity Board, whether under the State Govt. or under the Board.
2. In respect of Assistant Engineers appointed on or after 18.9.1991 orders for grant of scale and designation of Senior Assistant Engineer shall be issued only after they have completed

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ted their service under regulation 17(3) or under the proviso to regulation 17(3) as the case may be.

3. In case permanent officers for the post of Senior Assistant Engineer are not available for consideration for any reason, officers who have completed the required period of service even though temporary or officiating may be considered for that post.

4. The selection committee may for special reasons to be recorded relax any requirement under the regulation in respect of length of service/requisite experience as the case may be.

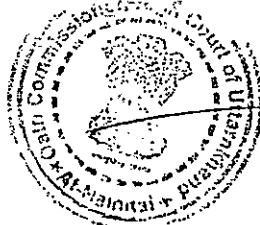
*5(1) Committee(s) to make selection:

The selection of the various post in the cadres of the service shall be made by a Selection Committee consisting of the following members.

- A. For the posts of Chief Engineers Level-I & II and Superintending Engineers.
1. Chairman, U.P. State Electricity Board.
 2. Secretary (Energy), U.P. Government or any other officer of the rank of Special Secretary nominated by him.
 3. Secretary, Public / Enterprise Department U.P. Government or any other Officer of the rank of Special Secretary nominated by him.
 4. Senior most full time Member (Engineering) of the Board.
 5. Any other Member of the Board nominated by the Chairman.

The quorum of the meeting for selection to the posts as above shall be as follows:

1. Chairman, U.P. State Electricity Board.



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2. Secretary (Energy), U.P. Govt. or any other officer of the rank of Special Secretary nominated by him.
3. Secretary, Public Enterprise Department, U.P. Govt. or any other officer of the rank of Special Secretary nominated by him.
4. Senior most fulltime Member (Engineering) of the Board.
5. Any other member of the Board nominated by the Chairman.
- B. For the posts of Executive Engineers.
 - (i) Chairman.
 - (ii) Member appointed under Section 5(4) (b) of Electricity (Supply) Act 1948.
 - (iii) Two other members of the Board nominated by the Chairman.

The quorum of the meeting for selection to posts as above shall be :-

- (a) Chairman
- (b) Member appointed under section 5(4) (b) of the Electricity (Supply) Act, 1948.
- (c) One Member out of two mentioned at (iii) above.

nded vide * 5(2) Committee to decide entitlement to the scales of Executive Engineer (Special Grade), Sr. Assistant Engineer

No. 17-Ref-
1/SEP-85-
-A/81,
28.2.85

For the scale of Executive Engineer (Special Grade), Sr. Asstt. Engineer (Special Grade) and Sr. Assistant Engineer, the screening of officers to determine whether or not they are fit and deserving for purpose of their entitlement to the scale of Executive Engineer (Special Grade), Sr. Assistant Engineer (Special Grade) or Sr. Assistant Engineer shall be carried out by the Selection Committee consisting of (i) Member (D) (ii) Secretary, U.P.S.G.B. and (iii) controller of Audit and Accounts

6. Criteria for Promotion

The selection to the post of Chief Engineer (L-I), Chief Engineer (L-II) and Superintending Engineer shall be made on the basis of MERIT while promotion to the post of E.E. shall be based on seniority subject to rejection of the unfit.

nded vide
No. 540,
ed 26.12.98

.....30/-

vide 540 12.98 7. Preparation of eligibility list- At the time of Promotion an eligibility list (Zone of consideration of General, S.C. and S.T. candidates ^{including the} names of the senior-most eligible candidates fulfilling the qualifying conditions as mentioned herein above so far as may be possible shall be prepared in the following proportion for consideration by the respective Selection Committee:-

- 1) Where the criterion for promotion is 'Merit and suitability in all respects' or 'Merit with due regard to seniority or 'Merit':-

3 times the number of vacancies subject to minimum of 8.

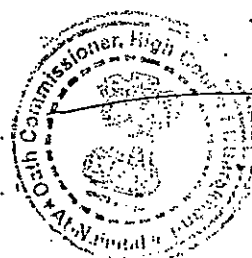
Provided that if recruitment is to be made for vacancies occurring during more than one year of recruitment, separate eligibility lists will be prepared in respect of each such year and in such case while preparing the eligibility list of second and subsequent years of recruitment the number of candidates to be included in the eligibility list shall be :-

- a) for the second year..... the number according to the said proportion plus the number of vacancies in the first year.
- b) for the third year..... the number according to the said proportion plus the number of vacancies in the first and second year and so on;

Provided further that candidates who are not considered suitable, prima-facie, for promotion shall not be taken into account in calculating the said proportion, and a note to the effect that they are not so considered shall be added against their names;

Explanation-I

In this rule 'the number of vacancies' means the total number of substantive, temporary or officiating vacancies occurring during the year of recruitment or the subsequent year (s).



ed vide
No. 540,
6.12.98

(11) Where the criterion for promotion is 'Seniority subject to rejection of unfit':-

for 1 to 5 vacancies.....2 times the number of vacancies subject to a minimum of 5.

for over 5 vacancies.....1.5 times the number of vacancies subject to a minimum of 10.

Provided that if recruitment is to be made for vacancies occurring during more than one year of recruitment, separate eligibility lists will be prepared in respect of each such year and in such a case while preparing the eligibility list for second and subsequent years of recruitment, the number of candidates to be included in the eligibility list shall be-

- a) for the second year.... the number according to the said proportion plus the number of vacancies in the first year.
- b) for the third year..... the number according to the said proportion plus the number of vacancies in the first and second years; and so on."

8. Preparation of a list for selection and of selected candidates/

(1) The Selection Committee shall, keeping in view the criteria, on the basis of the selection to a particular post in the service, prepare a list of such officers as are adjudged by it to be most suitable for promotion to that post.

(2) (a) The list in case of Selection for the post of Superintending Engineer and above shall be rearranged in order of seniority on the post from which the selection is made. The list in the case of selection to the posts of Executive Engineer shall be prepared

in order of seniority at the post of Assistant Engineer

- (b) The Chairman shall issue appointment orders in respect of Superintending Engineer, Executive Engineers (Special Grade), Executive Engineers, Sr. Asstt. Engineers, Sr. Asstt. Engineers (Special Grade) and Assistant Engineers.
- (c) The list of the officers selected for the posts above Superintending Engineers shall be placed before the Board for approval.
- (3) The list so prepared shall be reviewed and revised every year and fresh names added to it, if necessary.
- (4) If, in the process of selection, review or revision, it is proposed to supersede any officer of the post from which the selection is made, the Selection Committee shall record its reasons for the supersession. The reasons so recorded shall, however, not be communicated

9. Select list and its validity:-

- (1) The list, as approved by the Board, shall form the 'Select list' for each category of post.

- (2) The Select list shall ordinarily be in force until it is reviewed or revised in accordance with sub-para (3) of para 8 above.

Provided that in the event of a great lapse in the conduct or performance of duties on the part of any officer included in the 'Select List' a special review of the Select List may be made at any time by the Selection Committee.

Provided further that if another selection is made within the same year, special reports about the officers eligible for selection shall be obtained.

APPENDIX 'E'
(See Regulation 6)
Representation of Scheduled Castes, etc in public service

A. In pursuance of the provisions of clause (4) of Article 15 and of Article 331 of the Constitution, the Governor is pleased to order that consistently with the maintenance of efficiency of administration:

- (i) the interest of the backward classes shall, in general, be borne in mind in making appointments; and
- (ii) there shall be a general reservation of 10 percent of the vacancies for members of the Scheduled Castes in making appointments to services and posts in connection with the affairs of the State of Uttar Pradesh.

Provided that if in any one year vacancies in the Scheduled Castes fail to be recruited to any service or establishment to the extent of 10 percent, the deficiency shall be made good in the recruitment to the service or establishment concerned in the following year;

Provided further that the reservation on account of the deficiency shall not be carried forward for more than two years.

Explanation- Till such time as the reservation of 10 percent of the vacancies for members of the Scheduled Castes is not completed in the cadres of the posts included in the establishment this reservation for Scheduled Castes candidate would be 25 percent subject to the condition that total Castes candidates would be 25 percent subject to the condition that total number of such reserved vacancies, together with the carried forward vacancies, if any, does not exceed 45 percent of the total vacancies, at any particular recruitment.

दी. १११ भारत के संविधान के अनुच्छेद 335 के अधीन अनुसूचित जन-जातियों को केन्द्र अथवा प्रदेश की सेवाओं/पदों में भर्ती के सम्बन्ध में अनुसूचित जातियों के समान ही माना गया है। अतः श्री राज्यपाल ने यह निर्णय लिया है कि इस १११ आदेश के जारी होने के दिन से अनुसूचित जन-जातियों को वे सभी सुविधाएँ, जो अनुसूचित जातियों के अधिकारों को प्राप्त हैं, यथा, १११ सेवाओं में आरक्षण १२१ अधिकतम आयु-सीमा में छूट तथा १३१ लोक सेवा आयोग द्वारा आयोजित प्रतियोगितात्मक परीक्षाओं/पदों की छूट में छूट दी जाय।

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1111 अनेक में अनुचित व्यवहारों के कारण जो नुकसान होना/पटो के भी प्रमाण आत्म प्राप्त होने और भी के निर्धारित अधिकतम आहु-
तीना में 5 वर्ष की छुट्टी जायेगी। जो न केवल आयोग द्वारा आयोजित प्रतियोगी
परीक्षा परीक्षकों के हस्तक्षेप के भी जाने वाली परीक्षा/परीक्षा के भी एक
विषय: जीव भी जाना है।

1111 अनारक्षित रिक्तियों के लिए प्रस्तावित संख्या में अनुचित जन-जातियों
के उत्तम अनुभवों के प्राप्त न होने पर ऐसी रिक्तियों को अनारक्षित रिक्तियों
के तानन तद्वत भी/उत्ती तमोन-ही जायेगी किन्तु भी के अनुकूल अंतरों पर
अनेक भी पारदर्शिता की जायेगी। इस प्रकार, अनारक्षित रिक्तियों को अनुचित
जन-जातियों के विषयों के विषयों में भी अवधि तक उपलब्ध रखा जायेगा।
तत्पश्चात् इन रिक्तियों को अनारक्षित समझा जायेगा।

(See sub-regulation (2) of Regulation 13)

**Regulations for the Medical Examination of Candidates
for Recruitment as Trainee Engineers**

1. To be passed as fit for recruitment a candidate must be in good mental and bodily health and free ^{from} any physical defect likely to interfere with the efficient performance of the duties of Assistant Engineers
2. In the matter of Correlation of age, height and Chest girth of candidates, it is left to the Medical Board to use whatever correlation figures are considered most suitable as a guide in the examination of the candidates.
3. The candidate's height will be measured as follows: He will remove his shoes and be placed against the standard with his feet together and the weight thrown on the heels and not on the toes or outer sides of the feet. He will stand erect without rigidity and with the heels, calves, buttocks and shoulders touching the standard, the shin will be depressed to bring the vertex of the head level under horizontal bar and the height will be recorded in meters and centimeters. *No fixed limit of height is, however enforced.*
4. The candidate's chest will be measured as follows:-
He will be made to stand erect with his feet together and to raise his arms over his head. The tape will be so adjusted round the chest that its upper edge touches the inferior angles of the shoulder blade behind, and its lower edge upper parts of the nipples in front. The arms will then be taken down so that the shoulders are not thrown upwards or backwards as to displace the tape. The candidate will then be directed to take a deep inspiration several times and the maximum expansion of the chest will be carefully noted.
The minimum and maximum will then be recorded in centimeters 84-89, 85-92.
5. The candidate will also be weighed and his weight recorded in kilogram. Fractions of less than half a kilogram should not

noted.

5(a) The examination for determining the acuteness of vision includes two tests; one for distance, the other for near vision. Snellen's test types will be used for the test for distance vision, without glasses at a distance of 6 metres and for the test for near vision, without glasses at any distance selected by the candidates. The standards of the minimum acuteness of vision which will be used for guidance in the examination of a candidate are as follows:

Standard I

Right eye	Left eye
Distant vision-6/6 ...	V=6/6
Near vision-Read, 0.6 ...	Reads 0.6

Standard II

Better eye	Worse eye
Distant Vision V=6/6 ...	V, without glasses, not below 6/6 and after correction with glasses not below 6/24
Near Vision-Reads 0/6	Read I.

Standard III

Better eye	Worse eye
Distant vision V, without glasses not below 6/24 and after correction with glasses not below 6/6	V, without glasses= not below 6/24 after correction with glasses=not below 6/12.
Near vision-Reads 0.8	Read 1.

- (b) Each eye must have a field of vision as tested by hand movement.
- (c) Squint or any morbid condition of the eye or of the lids or of either eye liable to the risk of aggravation on recurrence will cause the rejection of the candidate
- (d) Each eye will be examined separately and the lids must be kept wide open during the test.
- (e) Inability to distinguish the principal colours will not be regarded as cause for rejection, but the fact will be noted in the proceeding and the candidate will be informed.
- (f) The degree of acuteness of vision of all candidates for

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Examinations will be entered in the proper order in the proceedings in the following manner:

V.R. = with glasses = ... Reads.....
V.L. = With glasses = ... Reads.....

- (g) In cases of serious abnormality the opinion of an ophthalmic specialist should be obtained.
- (7) The urine (passed in presence of the examiner) should be examined and the result recorded.
- (8) The following additional points should be observed:

That the candidate's hearing in each year is good and that there is no sign of disease of the ear.

A candidate who can hear a forced whisper at a distance of 3 metres with his back towards the examiner should be considered fit. Each of his ears should be tested separately, the other being plugged with oiled wool for the time being.

When any defect is found it must be noted in the certificate and the medical examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate. If the condition is remediable by operation it should be so stated.



A

FORM OF DECLARATION AS TO HEALTH TO BE COMPLETED BY CANDIDATES EXAMINED BY MEDICAL BOARD

Medical Examination by Medical Board.

Statement by candidate for appointment
 The candidate must make the statement required below prior to his examination by a Medical Board, and must sign the declaration appended thereto in the presence of the Board:

1. Name in full (In BLOCK Letters)
2. Place of birth
3. Age and date of birth

4. Particulars concerning:			
Father's age at death and cause of death	Number of brothers living, their ages and state of health	Number of brothers dead, their ages at death, & cause of death	Mother's age at death and cause of death
1	3	4	8
2	1	1	7
3	1	1	6
4	1	1	5
5	1	1	4
6	1	1	3
7	1	1	2
8	1	1	1



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5. Have any of your near relations suffered from (consumption, scrofula, cancer, asthma, fits, epilepsy, insanity or any other nervous disease)?
6. Have you ever been stroked? If so, where and for what periods
7. Have you ever served in the Navy, Army, Air Force or in any Government Department? If so, indicate post/period
8. Have you ever been examined (a) for Life Insurance or/and (b) by any Government Medical Officer of State, Civil or Military? If so, state details, and with what result?
9. Have you ever-
 (a) had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, heart disease, fainting, attacks, rheumatism, appendicitis, epilepsy, insanity, or other disease, nervous disease, discharge from ear or other ear disease, syphilis, gonorrhoea, or
 required confinement to bed or medical or surgical treatment or
 (c) undergone any surgical operations or
 (d) suffered from any illness, wound or injury sustained while on active service during war
10. Have you rupture ?
11. Have you varicose, varicose veins or piles
12. Is your vision in each eye good, Do you wear spectacles, (Candidates who wear spectacles are requested to bring the prescription or their glasses with them).....

13. Is your hearing in each ear good,
14. Have you any congenital or acquired malformation, defect or deformity,
15. When were you last vaccinated,
16. Is there any further matter concerning your health not covered by the above questions which should be communicated to the Medical Board

DECLARATION OF CANDIDATE

(To be signed in presence of Medical Board).

I declare all the above answers to be to the best of my belief, true and correct.

I have revealed without reservation as above all circumstances within my knowledge that concern my health and fitness for the appointment for which I am a candidate.

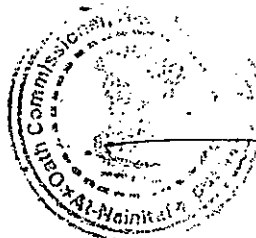
I am fully aware that if I wilfully suppress any information I shall incur the risk of not obtaining the appointment or of losing it, if granted.

Signed in presence

Candidate's Signature

Date:

Chairman of Medical Board.



41/-

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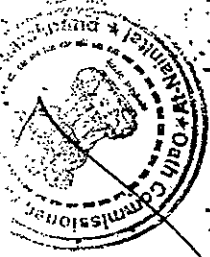
Remarks

Answers

Questions

1. Has the declaration above been signed by the candidate,
2. are there any evidences of malformation-congenital or acquired?
3. Is he free from scars and has he the full use of all his limbs?
4. Are there any indications of decided encephalic or distal state of constitution?
5. Has the candidate been satisfactorily vaccinated with t. last seven years.
6. Are there any signs of disease of the nervous system?
7. Is the hearing good?
8. Is the sight good?
9. Is the speech good as regards articulation?
10. Are there any signs of diseases of the bones joints or parts connected therewith?
11. Is there any important afflication of the skin?
12. Are the heart and arteries healthy?
13. Has the candidate haemorrhoids, varicocoele or other affections of veins?
14. Is there any evidence of disease of the respiratory or.
15. Are there any signs of disease of the digestive organs?
16. Are the teeth seriously decayed or otherwise defective?

42/-



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16. Is the candidate free from rupture?

17. Is there any indication of disease of the genital organs?

18. Is the urine free from (1) albumen, (2) sugar? Is the urine otherwise normal?

19. Is there any thing in the health of the candidate likely to render him unfit for the efficient discharge of the duties of?

20. Do you consider the candidate in all respects qualified for the efficient and continuous discharge of the duties?

Date:

Signature of Chairman of Medical Board.

43/-

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- 16. Is the candidate free from rupture?
- 17. Is there any indication of disease of the genital organs?
- 18. Is the urine free from (1) albumen, (2) sugar? Is the urine otherwise normal?
- 19. Is there any thing in the health of the candidate likely to render him unfit for the efficient discharge of the duties of?
- 20. Do you consider the candidate in all respects qualified for the efficient and continuous discharge of the duties?

Date: _____

Signature of Chairman of Medical Board.

43/-





Q

જાદા થંડો (Investment)

ਸੰਤ, ਜੋ ਸਾਨੂੰ ਸੱਚ ਦ੍ਰਿਸ਼ਟੀ ਅਧੀਨ ਵਸਤੂਵਾਂ ਦੀ ਹੋਂਦ ਬਾਰੇ ਸੁਚੇਤ ਕਰਦੇ ਹਨ, ਉਨ੍ਹਾਂ ਨਾਲ ਸੰਪਰਕ ਹੋਣਾ ਸਾਡੀ ਸਹੂਲਤ ਹੈ। ਸਾਡੀ ਸਹੂਲਤ ਹੈ। ਸਾਡੀ ਸਹੂਲਤ ਹੈ।

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APPENDIX 'B'

(See clause (d) of sub-regulation (2) of Regulation 10)

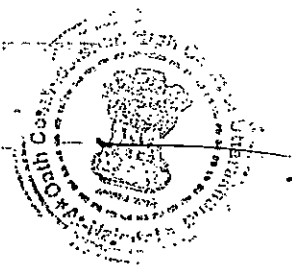
Oath of Allegiance

I hereby solemnly declare that during the tenure of my service with the U.P. State Electricity Board, I shall always apply myself loyally and faithfully to the Service of Board and that I shall always maintain absolute secrecy of the affairs thereof and shall not divulge any information which I shall come across in the course of the performance of my duties or other etc.

Signed

Designation

Date:



The U.P State Electricity board services of engineers regulations 1970 notified vide boards notification no. 8501A/SE-157 a/69 dt,dec.8.1970 as amended upto 26.12.1998.

In exercise of the powers conferred by section 79(c) of the electricity (supply) Uttar Pradesh state electricity board here by make the following regulations relating to the recruitment and condition of services of engineers under the U.P State Electricity Board.

The U.P State Electricity Board Services Of Engineers Regulations 1970

Part-I General

1. Short title and commencement-

(a) these regulations may be called the uttarpradesh state electricity board services of engineers regulations. 1970

(b) they shall come into force from the date of their publication in the state government gazettee.

2. Status

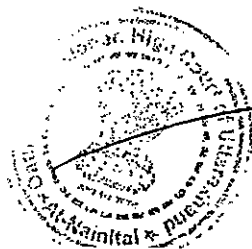
The uttarpradesh state electricity board services of engineers consist of the posts of chief engineer (I-I), chief engineer (I-II), superintending engineer, executive engineer and assistant engineer.

3. Definitions

in these regulations, unless there is anything repugnant in the subject or context

(1) 'act' means the electricity (supply) act, 1945, (act no. liv of 1948)

(2) 'appointing authority' means the authorities defined in



regulation 14.

(3) 'approved service' means services 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 and included in the cadre.

(4-c) 'senior assistant engineer (sp1. grade)' means senior assistant engineer who is allowed the scale of executive

engineer (spl.grade) without promotion to the regulat post of executive engineer 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 otherpost of equivalent status as may be notified by the board from time to time and includes 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 purpose of these regulations

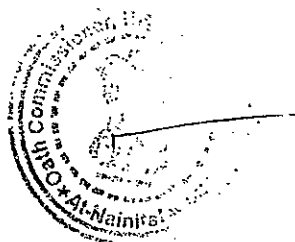
(8) 'chief project engineer' means the chief engineer of the project

under the board.

(9) 'citizen of india' means a person who is deemed to be a citizen of

indiaunder part ii of the constitution.

(10) 'constitution, means the constitution of india



(11) 'degree of a university' means the degree of the university established by law in india or any other university recognised for this purpose by the government of uttarpradêsh.

*(12) 'departmental candidate' means a candidate who

*Amended vide B.O No.
19- Reg Cell/ SEB-83-68
NG/ 79. dt. 21.3.83

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 regulation.

of regulation 5 of these regulations.

(13) 'direct recruitment means recruitment made against a post in the cadre of the service under clause (a) sub regulation 1 of regulation 5 of these regulations.

(14) "executive engineer' means the executive engineer may be appointed by the chairman; it includes other posts of equivalent status which may be included in the cadre.

(15) 'executive engineer (spl.grate), means the executive engineer who may be allowed the scale of executive engineer (spl.grade). the words executive engineer (selection grade) or executive engineer (s.g) where ever occurring in these regulations may be read as executive engineer (special grade)

(16) 'general manager' means the general manager, kesa

(17) government or the state government means government of
uttar

pradesh

(18) governor means the governor means the governor of uttar
pradesh.

(19) 'graduate engineer' means a candidate holding in
engineering from

a university established by in india or any other university

recognized for this purpose by the governor of uttarpradesh who

is selected by the board in the manner prescribed in appendix

'b' for a course of training under the board.

(20) 'kesa means the kanpur electricity supply administration

(21) 'member administration' means the member
administration of the board appointed under sub- section (4) of
section 5 of the act.

(22) 'member engineering' means the member engineering of
the board appointed under sub – section (4) of section 5 of the
act.

(23-a) -----deleted-----

(24) resident manager means the manager or head of any project, circle or established who resides in the premises or limits of such project circle or establishment.

(25) screening committee' means the committee constituted under rule 4 of appendix 'c'

(26) 'secretary or member secretary means the secretary of the board.

(27) 'selection committee' means the committee specified in regulation 5 of appendix 'b' and 'd' and regulation 6 of appendix 'c'

(28) 'service' means the u.p. state electricity board service of engineers.

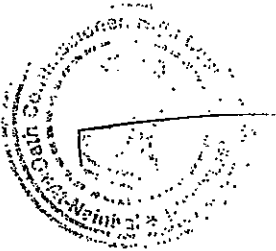
(29) 'superintending engineer' means a superintending engineer

who may be appointed by the chairman; it includes other posts of

equivalent status which may be included in the cadre.

(31) waiting list means the listed of selected candidate waiting for appointment.

(32) 'year of recruitment' means the period from 1st July of a year to 30th June of next year.



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(33) cadre means the strength of service of engineers.

(333) "cadre" means the strength of service of engineers

Part-II cadre

4. Strength of Service:-

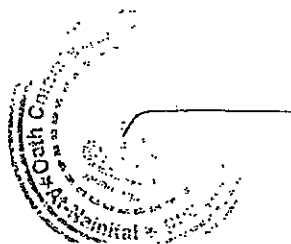
(1) The Strength of the service and of each class of posts therein viz. Assistant Engineer/Executive Engineer/Superintending Engineer/Chief Engineer (L-II) and (L-I) shall be determined by the board from time to time.

(2) the permanent strength of the service and of each class of posts therein shall, until orders varying the same have been passed under sub-regulation (1) of the regulations, be as specified in appendix "a" to these regulations:

Provided that-

(1) any post in the cadre 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 cadre of the service, without thereby entitling any person to compensation or other redress and

(2) the board may create, from time to time, such additional permanent or temporary posts as may be found necessary.



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PART III SOURCES OF
RECRUITMENT

5. (1) recruitment to the service shall be made to the posts of assistant engineer from the following sources:-

(a) by appointment from amongst "Trained engineers".....57%

(b) by promotion from amongst members of jr. 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".....1/3%

(d) by promotion from amongst Jr. engineers/computers having qualification of D.E /A.M.I.E. who have completed three years of service as such on the first day of the year of recruitment reckoned from the date of passing B.E.S. examination in the manner prescribed in appendix "G".....1/3%

6.

Provided that the number of posts to be filled-up against (d) above shall be shared by the jr. engineer's & computers in the proportion of quota for promotion as against (b) & (c) above.

(2) Appointment to the other higher posts shall be made by promotion on the basis of selection 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 board or from among the merit position holders of Roorkee and Banaras universities and Indian institute of technology, Kanpur, and such other institutes 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 casts/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 issued nor refused, may he admitted to an interview conducted by the recruiting authority and may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.



9. Age:-

The Age of candidates for selection as trainee engineer shall, on the 1st day of January of the year in which the selection is made, be not less than 21 years and not more than 32 Years:

Provided that-

(1) the maximum age limit shall, in the case of retrenched employees of the state government be greater by three years and in the case of the employees of scheduled castes/scheduled tribes belonging to scheduled Tribes by five years;

(ii) deleted

(iii) no candidate shall be permitted to avail of more than four chances to appear at a selection; and

(iv) the chairman may relax the age-limit in favour of any candidate or class of candidates if he considers it to be necessary in the interest of fair dealing or in the public interest but, where this is considered necessary, a provision must be inserted to this effect in the advertisement.

10. Qualification:-

A candidate for direct recruitment as trainee engineers having a thorough knowledge of hindi in devanagari script, besides the following qualification:-

(1) a degree in electrical/mechanical/telecommunication/instrumentation/electronics/computer engineering/ industrial or production engineering from a university or institution established by law in uttarpradesh or from any other institution

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recognised by the state government or a degree or diploma recognised as equivalent thereto by the state government.

or

(ii) Section 'a' and 'b' of the associate membership of the institution of engineers (India)

or

(iii) be an associate member of the institution of electrical engineers

Provided that the chairman shall have the right to determine the number of candidates to be taken from specific branch of engineering amongst the branches of engineering as mentioned above before making a particular selection.

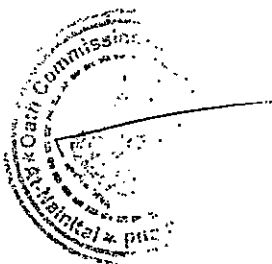
11. Character:-

(1) The character of a candidate for direct recruitment to the service must be such as to render him suitable in all respects for employment under the Board. He must produce satisfactory 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 relatives) 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 authority as may be considered necessary.



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(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'.

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Part-V—Appointment, Probation And Confirmation

14. Appointing authorities:-

The appointing authorities of the members of service shall be as follows:

Authorities	Name of Post	Appointing
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.



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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' in such a manner that every 1st and 4th taking candidate in a promoted officer (J.E. or computer vacancy, as the case may be) and the remaining vacancies are filled by trained engineer.

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 'C' and

(d) for serving the board loyally and faithfully in the form prescribed in appendix 'H'.

17. APPOINTMENT TO THE POST OF ASSISTANT ENGINEER—

(1) A person finally selected for appointment to the vide service as assistant engineer 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 appointment 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, 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 be made for a period exceeding four months, without the specific approval of the board.

(3) Assistant engineer appointed on or after the date of issue of this notification under regulation 17(1) except those assistant engineers whose date of superannuation falls within a period of two years from the date of their appointment on the post of assistant engineer, shall be required to serve on first appointment as assistant engineer for a minimum period of first sixty calendar months (first five years of service) in board's large thermal power stations (including thermal power stations of U.P. RAJYA VIDYUT UTPADAN NIGAM LTD.) and that the assistant engineers having degree in industrial/industrial & production engineering shall be required to serve at large thermal power stations throughout their service.

Provided that in each selection all such persons who are appointed in the post of Assistant Engineer by direct recruitment (except mechanical graduates) the first 15 percent of such candidates shall have to serve for the first five years of their service in Test & Commissioning units under transmission organisation in shifts. thereafter, their next 3 years of service shall have to be completed in board's large thermal power stations i.e. appointment to the posts of A.E., E.E., E.E.(S.G.), S.E., C.E.(L-II) and C.E.(L-I).

(1) Appointment to the posts 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.

Provided further that in the case of an 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 shall be made in the order in which their names appear in the seniority list as prepared in accordance with the provision to Regulation 19.

vide G.O. 540, 26.12.98

19. SENIORITY:- THE seniority of officers on their appointment to the service shall be determined as per U.P. Rajya Vidyut Parishad Sewak Jyeshtheta Niyamavali 1998 as amended from time to time.

Provided that the inter-se-seniority of Government officers absorbed in the service of the Board, while officiating in the cadre of the 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 absorption 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 years. Any such extension shall specify the exact date upto 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 regular appointment on the post so held by him.

(b) Allow to count towards the period of probation continuous service, if any, rendered in an or temporary capacity on post in the cadre officiating service or in the cadre of an equivalent of the 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 a 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 person recruited under these regulations shall be confirmed in his appointment as per the U.P. State Electricity Board (confirmation of Board's employees) Regulations 1995 as amended from time to time, 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 cadre of the Service, whether in a substantive or officiating capacity or a temporary measure, shall be as sanctioned

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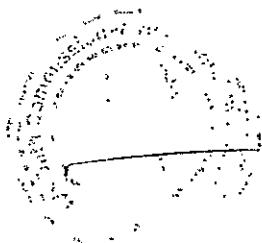
by the Board from time to time. The scales of pay in force at the time of the commencement of these Regulations will be found in Appendix 'A'.

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, if any, compensatory allowance, or post-graduate pay, 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 exempt therefrom. He shall receive the second increment after completion of another one year service satisfactorily.



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 provisions 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 passes 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.

(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 BAR:-

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

(a) No member of the Service on the post of ASSISTANT ENGINEER shall be allowed to cross the first efficiency bar unless

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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 on the post 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 on the post of EXECUTIVE ENGINEER shall be allowed to cross the efficiency bar unless he is found to have worked satisfactorily efficiently and honestly and 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.

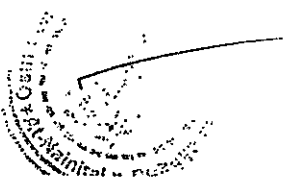
27. REGULATION OF PAY, ALLOWANCES, PENSION, ETC.:-

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 anything contained in these regulations:(1) the conditions of service of persons who have been appointed to posts in the cadre 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 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 cadres of the service shall be governed by the Board's standard terms and



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conditions of service if they have been taken over the Board on such 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 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. Declaration:-

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 therein are as follows:

Sl. No.	Name of Post	Pay Scale effective from 1.1.1996
1.	Assistant Engineer	Rs. 8550-275-13500(Starting Pay Rs. 9375/-)
2.	Executive Engineer	Rs. 10650-325-15200/-(Starting Pay Rs. 11300/-)
3.	Executive Engineer (Special Grade)	Rs. 14300-400-18300/-(Starting Pay Rs. 15100/-)
4.	Superintending Engineer	Rs. 16400-450-20000/-(Starting Pay Rs. 17000/-)

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5. Chief Engineer (L-II) Rs. 18400-500-22400/-(Starting Pay Rs. 18900/-)
6. Chief Engineer (L-I) Rs. 21350-525-23975/-

APPENDIX 'B'

(See Clause (7) of Sub-Regulation (1) of Regulation 6)

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 & 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)



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

(iii) Interview fee Rs. 20 (Rs. 7 for SC/ST candidates)

The fee as may be decided by the Chairman.

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

(a) An Ex-Chairman/Member of the U.P. State Electricity Board will act as President of the Committee. In case of retired person, the nomination will be made by the Chairman.

(b) One Principal of the Government Engineering College or equivalent in the field of engineering education.

(c) [Handwritten content – likely indicating a Chief Engineer or equivalent official]

(d) One Chief Engineer who shall also act as Secretary of the Committee to be nominated by the Chairman, U.P. State Electricity Board.

6. Marks will be awarded at the interview up to a 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.

(1) All candidates will require 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 certificate prescribed in Appendix 'F' testifying to the candidate's sound bearing and general physical fitness for rough outdoor work in the Operation & Maintenance Division.

Units of the Board and 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:



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

Amended vid. B.O. No. 28 Reg C11/SEB-3-157 A/769, dt. 29.4.1983

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)

(a) For the purpose of recruitment under clause (b) and (c) of Sub-Regulation 1 of Regulation 5 a selection based on seniority subject to rejection of unfit shall be made, as far as possible each year from amongst all the:—

(i) Member of Junior Engineer Service (Electricity/Mechanical/Electronics/Computer, 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 Computers and possessing one of the following qualifications:

(A) Diploma in Electrical/Mechanical Engineering issued by Universities established in India by an Act of Central/State Government.

Or

(B) 3 years Diploma in Electrical/Mechanical/Computer Engineering issued by the State Board of Technical Education.

(iii) By promotion from amongst Junior Engineers/Computers who are confirmed on the post and have acquired B.E./A.M.I.E. qualification and also have completed three years of service as such on the first day of the year of recruitment reckoned from the date of passing B.E./A.M.I.E. Examination.

(b)

1. Deleted.

2. Deleted.

3. Deleted.

4. The Service records of eligible candidates will be scrutinised by a Screening Committee consisting of the following:—

(i) The Chief Engineer (Hydel)

(ii) The Chief Engineer (L.I.)

(to be nominated by Secretary, U.P. State Electricity Board).

(iii) A Senior Superintending Engineer to be nominated by the Chief Engineer (Hydel)

The Screening Committee will prepare a list (separately for Junior Engineers & Computers) of the 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 as prescribed in Board's notification No. 8-Res/SE3-88, dated 21.1.85 as amended.

5. The Chief Engineer will send the above list together with the gradation list indicating the relative seniority, length of service, if any, and the character roll/personnel files of all eligible candidates, of the Board, by a fixed date.

6. The Selection Committee of the Board shall scrutinise the recommendations for final selection (as in clause 5). The Selection Committee requires 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 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

APPENDIX-D

(See Sub-regulation (2) of Regulation 5)

1. Selection to the post of Chief Engineer. (L-1)

Selection to the post of Chief Engineer (L-I) and other equivalent posts as may be specified by the Board in the cadre of the service shall be made from amongst such Chief Engineer (L-II) who have put in not less than 6 years service as Chief Engineer (L-II)/Superintending Engineer as such on the 1st July of the year in which selection is made.

2. Selection to the post of Chief Engineer (Level-II) Selection to the post of Chief Engineer (Level-II)

and other equivalent posts as may be specified by the Board, in the cadre of the Service, shall be made from amongst Superintending Engineers who have put in 4 years service such on July 1 of the year of selection.

3. Selection to the post of Superintending Engineer.



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Selection to the post of Superintending Engineer and other equivalent posts, as may be specified by the Board, in the cadre of the service shall be made from amongst the Executive Engineers who have, on July 1 of the year of selection, put in minimum of 15 years Service in the post of Assistant Engineer and higher posts under the State Govt. or the Dead.

Provided that out of the above 15 years, at least 6 years service must have been rendered on the post of Executive Engineer and or either equivalent post;

Provided further that officers who have rendered not less than 6 years service as Executive Engineer as above may be considered eligible for appointment to temporary and officiating posts of Superintending Engineers even if they have rendered less than 15 years service on the post of Assistant Engineer and higher post.

1. Selection to the post of Executive Engineers.

Selection to the post of Executive Engineer shall be made from amongst permanent Assistant Engineers who have completed not less than 7 years service as Assistant Engineer on July 1 of the year of selection.

Provided however, that Senior Assistant Engineer (Special Grade) on promotion as Executive Engineer shall be allowed the scale of Executive Engineer (Special Grade).

4(b) Eligibility for the Scale of Senior Assistant Engineer

Officers on completion of 8 years of regular service as Assistant Engineer, Assistant Executive Engineer (combined or isolated as the case may be) on 1.4.79 or thereafter and confirmed as Assistant Engineer, shall on being found fit and deserving otherwise by the selection committee constituted under regulation 5(2) and if not already promoted in the meanwhile to the regular post of Executive Engineer, be entitled to the scale Senior Assistant Engineer and designated as such.

The terms conditions and criterion for awarding the next time bound pay scales will be the same as determined by the Board from time to time by its general or specific orders.

Provided further that

1. Only these permanent Assistant Engineers will be eligible to the scale of Senior Assistant Engineer who have passed Professional Part-I and Language Examination. as prescribed by the Board for officers of the Uttar Pradesh

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State Electricity Board, whether under the State Govt. or under the Board.

2. In respect of Assistant Engineers appointed on or after 18.9.1991 orders for grant of scale and designation of Senior Assistant Engineer shall be issued only after they have completed their service under regulation 17(3) or under the proviso to regulation 17(3) as the case may be.

3. In case permanent officers for the post of Senior Assistant Engineer are not available for consideration for any reason, officers who have completed the required period of service even though temporary or officiating may be considered for that post.

The selection committee may give special reasons to be recorded to relax any requirement under the regulation in respect of length of service/requisite experience as the case may be.

*5(1) Committee(s) to make selection



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The selection of the various post in the cadres of the service shall be made by a Selection Committee consisting of the following members.

For the posts of Chief Engineers Level-I & II and Superintending Engineers.

1. Chairman, U.P. State Electricity Board
- 2 Secretary (Energy), U.P. Government or any other officer of the rank of Special Secretary nominated by him. Enterprise Department
3. Secretary, Public / U.P. Government or any other Officer of the rank of Special Secretary nominated by him. IN
4. Seniormost full time Member (Engineering) of the Board.
5. Any other Member of the Board nominated by the Chairman

The quorum of the meeting for, selection to the posts as above shall be as follows:

1. Chairman, U.P. State Electricity Board
2. Secretary (Energy), U.P. Govt. or any other officer of the rank of Special Secretary nominated by him.

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3. Secretary, Public Enterprise Department, U.P. Govt. or any other officer of the rank of Special Secretary nominated by him.

4. Senior Most full time Member (Engineering) of the Board.

5. Any other member of the Board nominated by the Chairman.

B. For the posts of Executive Engineers.

(1) Chairman.

(11) Member appointed under Section Electricity (Supply) Act 1948.

(111) Two other members of the Board nominated by the Chairman.

The quorum of the meeting for selection to posts as above shall be -

(a) Chairman

(b) Member appointed under section 5(4) (b) of the Electricity (Supply) Act, 1948.

(c) One Member out of two mentioned at (iii) above.

5(2) Committee to decide entitlement to the scales of Executive D.No.17-Re-Engineer (Special Grade), Sr. Assistant Engineer"

For the scale of Executive Engineer (Special Grade), Sr. Asstt. Engineer (Special Grade) and Sr. Assistant Engineer, the screening of officers to determine whether or not they are fit and deserving for purpose of their entitlement to the scale of Executive Engineer (Special Grade), Sr. Assistant Engineer (Special Grade) or Sr. Assistant Engineer shall be carried out by the Selection Committee consisting of (i) Member (D) (ii) Secretary, U.P.S..B. and (iii) controller. of Audit and Accounts

6. Criteria for Promotion

The selection to the post of Chief Engineer (L-I), Chief Engineer (L-II) and Superintending Engineer shall be made on the basis of MERIT while promotion to the post of E.E. shall be based-on seniority subject to rejection of the unfit.

7. Preparation of eligibility list-

At the time of Promotion an eligibility list (Zone of consideration of General, S.C. and S.T. candidates names of the senior-most eligible candidates fulfilling the qualifying conditions as mentioned herein above se far as may be possible shall be prepared in the following properties for consideration by the respective election Committee:-

- 1) Where the criteria for promotion is 'Merit and suitability in all respects of Merit with due regard to seniority or 'Merit':-

*3 times the number of vacancies subject to a minimum of 8".

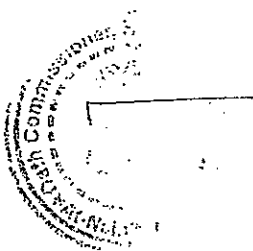
Provided that if recruitment is to be made for vacancies occurring during more than one year of recruitment, separate eligibility lists will be prepare in respect of each such year and in such case while preparing the eligibility list of second be subsequent years of recruitment the number of candidates to be included in the eligibility list shall be

a) for the second year..... the number according to the said preparation plus the number of vacancies in the first year.

b) for the third year the number according to the said preparation plus the number of vacancies in the first and second year and sc en;

Provided further that candidates who are not considered suitable, prima-facie, for promotion shall not be taken into account in calculating the said proportion, and a note to the effect that they are not se considered shall be added against their names;

Explanation-I



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In this rule 'the number of vacancies' means the total number of substantive, temporary or officiating vacancies occurring during the year of recruitment or the subsequent year (s)

dated vide 06.12.1998

(11) Where the criterion for promotion is & seniority subject to rejection of unfit

for 1 to 5 vacancies..... 2 times the number of vacancies subject to a

minimum of 5.

for ever 5 vacancies..... 1.5 times the number of vacancies subject to a minimum of 10.

Provided that if recruitment is to be made for vacancies occurring during

more than one year of recruitment, separate eligibility lists will be prepared in respect of each such year and in such a case while preparing

the eligibility list for second and subsequent years of recruitment, the number of Candidates to be included in the eligibility list shall be-

a) for the second year..... the number according to the said proportion plus the number of vacancies in the first year.

b) for the third year..... the number according to the said proportion plus the number of vacancies in the first and second years; and so on.

8. Preparation of a list for selection and of selected candidates

(1) The Selection Committee shall, keeping in view the criteria, on the

basis of the selection to a particular post in the service, prepare a list of

such officers as are judged by it to be most suitable for promotion to that post.

(2) (a) The list in case of Selection for the post of Superintending Engineer and above shall be rearranged in order of seniority on the post from which the selection is made. The list in the case of selection to the posts of Executive Engineer shall be prepared in order of seniority in the post of Assistant Engineer

(b) The Chairman shall issue appointment orders in respect of Superintending Engineer, Executive Engineers (Special Grade), Executive Engineers, Sr. Asst.. Engineers, Sr. Asst.. Engineers (Special Grade) and Assistant Engineers.

(c) The list of the officers selected for the posts even Superintending Engineers shall be placed before the Board for approval.



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(3) The list so prepared shall be reviewed and revised every year and fresh names added to it, if necessary.

(4) If, in the process of selection, review or revision, it is proposed to supersede any officer of the post for which the selection is made, the Selection Committee shall record its reasons for the supersession.

The

reasons so recorded shall, however, not be communicated

9. Select list and its validity:

(1) The list, as approved by the Board, shall be the Select list for each category of post.

(2) The Select list shall ordinarily be in force until it is reviewed or revised in accordance with sub-para

(3) of para 8 above.

Provided that in the event of a great lapse in the conduct or performance of duties on the part of any officer included in the Select List special review of the Select List may be made at any time by the Selection Committee.

Provided further that if another selection is made within the same year,

special reports about the officers eligible for selection shall be obtained.

APPENDIX E

(See Regulation 6)

No Representation of scheduled Castes, etc in public service

A. In pursuance of the provisions of clause (4) of Article 15 and of Article

331 of the Constitution, the Governor is pleased to order that consistently

with the maintenance of efficiency of administration.

(1) the interest of the backward classes shall, in general, be borne in mind

in making appointments; and

(ii) there shall be a general reservation of 10 percent of the vacancies for

members of the Scheduled Castes in making appointments to services and

posts in connection with the affairs of the State of Uttar Pradesh.

Oath
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Provided that if in a Scheduled Castes fail to be recruited to say service or establishment to the extent of 15 percent, the deficiency shall be made

good in the recruitment to the service or establishment concerned in the

following year;

Provider further that the reservation on account of the deficiency shall not

be carrier forward for more than ...years..

Explanation- Till such time as the reservation of 18 percent of the vacancies for members of the Scheduled Castes. is not completed in the

cadres of the posts included in the establishment this reservation for Scheduled Castes candidate: would be 25 percent subject to the condition

that total Castes candidates would be 25 percent subject to the condition

that total number of such reserved vacancies, together with the carried

forward vacancies, if any, does not exceed 45 percent of the total

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(ii) In future, members of the Scheduled Tribes will get two percent reservation in state services/posts and there will be a relaxation of five years in the maximum age limit prescribed for recruitment. One third of the examination/interview fees will be charged for competitive examinations conducted by the Public Service Commission.

(iii) If sufficient number of candidates belonging to Scheduled Tribes are not available for the reserved vacancies, then such vacancies will be treated as unreserved vacancies and recruitment will be done in the same manner but will be carried forward on subsequent occasions of recruitment. In this manner, reserved vacancies will be kept available for the candidates belonging to Scheduled Tribes for a period of five years. Thereafter, these vacancies will be treated as unreserved.



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vacancies, at any particular recruitment

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APPENDIX 'F'

(SEE SUB-REGULATION (2) OF REGULATION 13)

Regulations for the Medical Examination of Candidates for Recruitment as Trainee Engineers

1. To be passed as fit for recruitment a candidate must be in good mental and bodily health and free from any physical defects likely to interfere with the efficient performance of the duties of Assistant Engineers.
2. In the matter of correlation of age, height and chest girth of candidates, it is left to the Medical Board to use whatever correlation figures are considered most suitable as a guide in the examination of the candidates.
3. The candidate's height will be measured as follows: He will remove his shoes and be placed against the standard with his feet together and the weight thrown on the heels and not on the toes or outer sides of the feet. He will stand erect without rigidity and with the heels, calves, buttocks and shoulders touching the standard; the chin will be depressed to bring the vertex of the head level under the horizontal bar and the height will be recorded in metres and centimetres. No tibial height or weight measurement.

4. The candidate's chest will be measured as follows: He will be made to stand erect with his feet together and to raise his arms over his head. The tape will be so adjusted round the chest that its upper edge touches the inferior angles of the shoulder blades behind, and its lower edge the upper parts of the nipples in front. The arms will then be taken down so that the shoulders are not thrown upwards or backwards so as to displace the tape. The candidate will then be directed to take a deep inspiration several times and the maximum expansion of the chest will be carefully noted.

The minimum and maximum will then be recorded in centimetres 84-89, 85-92.

In recording the measurements, fractions of less than half a centimetre should not be noted.

5. The candidate will also be weighed and his weight recorded in kilograms. Fractions of less than half a kilogram should not be noted.

6 a) The examination for distance vision includes two tests for near vision, Snellen's test and card test, which are conducted by the following:

STANDARD I

Right eye $V=6/6$ Left eye $V=6/6$

STANDARD II

Right eye $V=6/6$ without glasses Left eye $V=6/6$ without glasses



1/12

STANDARD III

Below 1C.Reads 6/24 with either eye without correction.Below
1C.Reads 6/24 with either eye with correction.

- b) Each eye must have a field of vision as textured by hand movement
- c) Squint or any morbid condition of the eye or lids of either eye liable to the risk of aggravation or recurrence will cause rejection of the candidate
- d) each eye will be examined separately and the lids must be kept wide open during the test
- e)Inability to distinguish the principal colours will not be regarded as a cause of rejection but the fact must be noted in the proceedings and will be informed.
- f) The degree of acuteness of vision of all candidates for ...candidates will be entered in the presence of the examiners in the following manner:v.r. = with glasses = readsv.l. = with glasses = reads
- (g) in case of serious abnormality the opinion of an ophthalmic specialist should be obtained.
- (7) The urine (passed in presence of the examiner) should be examined and the result recorded.

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(8) The following additional points should be observed: that the candidate's hearing in each ear is good and that there is no sign of disease of the ear.

A candidate who can hear a forced whisper at a distance of 3 metres with his back towards the examiner should be considered fit. Each of his ears should be tested separately, the other being plugged with oiled wool for the time being.

When any defect is found it must be noted in the certificate and the medical examiner should state his opinion whether or not it is likely to interfere with the efficient performance of the duties which will be required of the candidate. If the condition is remediable by operation it should be so stated.

5. Have any of your near relatives suffered from tuberculosis, consumption, scrofula, cancer, asthma, fits, epilepsy, insanity or any other nervous diseases?

6. Have you ever been stroked? If so, where and for what period?

7. Have you ever served in the navy, army, air force or in any government department? If so, indicate post/period

8. Have you ever been examined (a) for life insurance or/ and (b) by any government doctor or officer of state, civil or military? If so, state details, and with what result?



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(204)

9. Have you ever—(a) had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, pleurisy, heart disease, fainting attacks, rheumatism, appendicitis, epilepsy, insanity, or other diseases, nervous disease, discharge from ear or other ear diseases, syphilis, gonorrhoea, or (b) continue to bed or received medical treatment or (c) undergone any surgical operation or (d) suffered from any illness, wound or injury sustained while on active service during war

10. Have you rupture?

11. Have you varicoccele, varicose veins or piles?

12. Is your vision in each eye good, do you wear spectacles, (candidates who wear spectacles with them) must bring the prescription of their glasses

13. Is your hearing in each ear good?

14. Have any congenital or acquired ailment, defect or deformity?

15. When were you last vaccinated?

is there any further matter concerning your health not covered by the above questions which should be communicated to the medical board?

DECLARATION OF CANDIDATE

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(205)

(To be signed in presence of Medical Board)

I declare all the above answers to be the best of my belief, true and correct.

I have revealed without reservation my health circumstances within my knowledge that concern my fitness for the appointment for which I am a candidate.

I am fit, and I am willing to undergo any examination I shall incur the risk of not obtaining the appointment or make it, if granted.

Signed in presence Chairman of Medical Board Date:

Questions answers remarks

1. Has the declaration above been signed by the candidate?
2. Are there any evidences of malformation—congenital or acquired?
3. Is he free from scars and has he the full use of all his limbs?
4. Are there any indications of decided cachectic or diathetic state of constitution?
5. Has the candidate been satisfactorily vaccinated within the last seven years?
6. Are there any signs of disease of the nervous system?
7. Is the hearing good?

8. Is the sight good?
9. Is the speech good as regards articulation?
10. Are there any signs of disease of the bones, joints or parts connected therewith?
11. Is there any important affliction of the skin?
12. Are the heart and arteries healthy?
13. Has the candidate haemorrhoids, varicocele or other affections of veins?
14. Is there any evidence of disease of the respiratory organs?
15. Are there any signs of disease of the digestive organs or of the mouth seriously decayed or otherwise defective?
16. Is the candidate free from rupture?
17. Is there any indication of disease of genital organs?
18. Is the urine free from (1) albumen, (2) sugar? Is the urine otherwise normal?
19. Is there anything in the health of the candidate likely to render him unfit for the efficient discharge of the duties?
20. Do you consider the candidate in all respects qualified for the efficient and continuous discharge of the duties?

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APPENDIX 'G'

(See Clause (C) of sub-regulation (2) of Regulation (6)

FORM OF DECLARATION

(A)

(For those who do not own any immovable property)

I Hereby declare that I have no immovable property. If I hereafter acquire any immovable property, I will declare the fact within one month of the date on which accrual of the property comes to my knowledge.

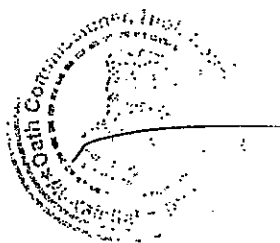
Signature...
Designation...
Date... :

(B)

(For those who own immovable property)

Landed Property

Land held in		Acquired or ancestral, if acquired date of acquisition		Annual Revenue	Estimated Value	Remark
District	Tahsil	Village	Area in Acres			
1	2	3	4	5	6	7
						8



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House Property

House situated in		No of the house	Acquired or ancestral if acquired date of acquisition	Whether used for residential purpose or let out on hire	Annual rent	Estimated value	Remark	
Sl. No.	Village, Town or City							District
1	2	3	4	5	6	7	8	9

If I, acquire any more immovable property in future, I will declare the fact in the above form within one month of the date on which accrual of the property comes to my knowledge.

Signed... ..
 Designation... ..
 Date... ..

(45)

N. B.—Immovable property includes house or landed property held under a mortgage or a lease.

Property held or managed by or on behalf of an officer's wife or other member of his family, joint with or living with or in any way dependent on him is for the purpose of the declaration considered to be held or managed by the officer himself.

(C)

(For those who do not have any shares or investments)

I Hereby declare that I do not own any shares or other investments. If I hereafter acquire any shares or make other investments, I will declare the fact in the quinquennial declaration for the period concerned.

Signature... ..
 Designation... ..
 Date... ..

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(For those who do not have any shares or investments)

I Hereby declare that I do not own any shares or other investments. If I hereafter acquire any shares or make other investments, I will declare the fact in the quinquennial declaration for the period concerned.

Signature.....

Designation.....

Date.....



(D)

(For those who own shares or have other investment)

I hereby declare that I possess shares and investments as under :

Shares

Sl. No.	Particulars	Date of acquisition	Value of each share	Number of shares held	Total value of shares	Remarks
1	2	3	4	5	6	7

(46)

Investment

Sl. No.	Particulars	Date of making investment	Value	Remarks
1	2	3	4	5

If I acquire further shares or make other investments, I will declare the fact in the quinquennial declaration for the period concerned.

Signature.....
Designation.....
Date.....

(211)

Declaration form regarding movable/immovable property

(a) For those who do not possess any immovable property.

I hereby declare that I do not own any immovable property. If I hold any immovable property thereafter, I will make a five year declaration for the relevant period.

Signature:

Name :

Post :

Date :

(b) For those who own immovable property.

I hereby declare that I am the owner of the following immovable property :-

Real Estate

Where the property is			Ar ea in He cta res	Earned or Ancestral property, if acquired, date of acquisitio n thereof	Annual Revenu e	Estimate d Value	Commen t
Distrcit	Tehsil	Gram					
1	2	3	4	5	6	7	8



1

Home Wealth

Where the property is located			House Number	Earned or Ancestral property, if acquired, date of acquisition thereof	Are you using it for your own residence or have you given it on rent ?	Annual rent	Estimated Value	Comment
S.No.	Village/ Town / Sub-Town	District						
1	2	3	4	5	6	7	8	9

If I acquire any immovable property in future, I will declare this fact in the above mentioned form within one month from the date of acquisition of the property/date of receiving the information.

Signature:

Name :

Post :

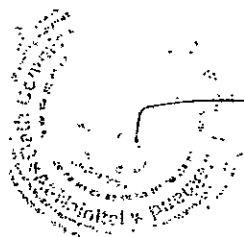
Date :

Note:- In immovable property, such building and land estate which is held or restricted by the officer/employee or his wife/husband or on his behalf any member of his family who is

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joint with him or lives with him or is in any way dependent on him, by way of mortgage or lease, shall be deemed to be held or restricted by the officer only for the purpose of this declaration



1.

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Date: Signature of Chairman, Medical Board

APPENDIX H

Oath of Allegiance

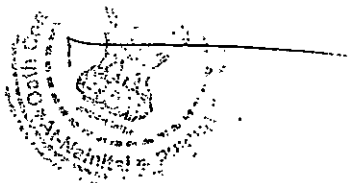
(See clause(d) of sub-regulations(2) of Regulation 10)

I hereby solemnly declare that during the tenure of my service with the U.P. State Electricity Board, I shall always apply myself loyally and faithfully to the Service of Board and that I shall always maintain absolute secrecy of the affairs thereof and shall not divulge any information which I shall come across in the course of the performance of my duties or other

Signed

Designation

Date:



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Am-240 EHO 27

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BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL

Present: Hon'ble Mr. Ram Singh

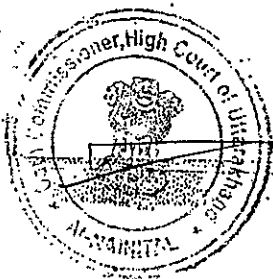
----- Vice Chairman (J)

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 Ramdutt Pant, posted as Assistant Engineer, Uttarakhand Power Corporation Ltd., Haldwani, District Nainital.

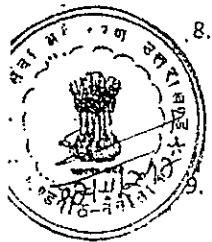


8. Shri Vineet Saxena, S/o Late Shri S. M. Lal Saxena, Sub-Divisional Officer, Uttarakhand Power Corporation Ltd., Industrial Area Haridwar, District Haridwar.

.....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-Aimora.
7. Shri Prashant Pant, Executive Engineer, Office of Superintending Engineer, (Gramin Vidyut Mandal), 18-EC Road, Dehradun, Uttarakhand Power Corporation Ltd., Dehradun, District Dehradun.
8. 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



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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 Kailash 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 Saini, 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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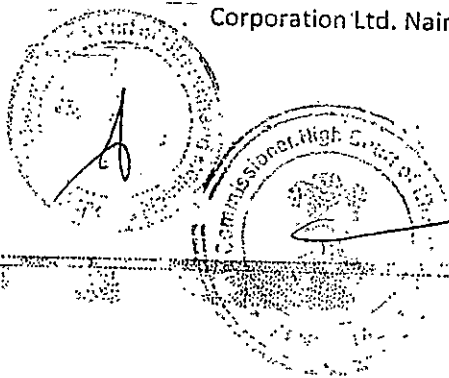
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20. Km. Nandita Aggarwal, Executive Engineer, Office of Superintending Engineer, Uttarakhand Power Corporation Ltd., EDC Roorkee, District Haridwar.
21. Shri Gaurav Saklani, Executive Engineer, Office of Superintending Engineer (Project R-APDRP Part-B), 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

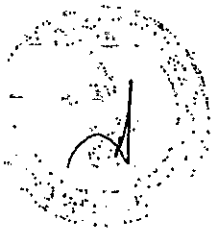
1. Prayank Pande, Sub Divisional Officer, E.D.S., Uttarakhand Power Corporation Ltd. Nainital.



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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/o Sri 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, Dehradun.
17. Vaibhav Sharma, s/o Sri Yogendra Sharma, R/o Tulsi Vihar Colony, Gumaniwala, Rishikesh.



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18. Dhānanjay Kumar, S/o Sri Umesh Prasad Singh, R/o Drona Vatika,
Lane No. 4, Sāhastradhara 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,
Hydel 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, Shiwalik
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 Chunera, 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, Hydel
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.



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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 Bagi, 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.
Counsels for the respondent no. 2.

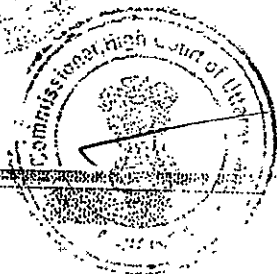
Sri Rakesh Thapliyal, Ld. Counsel
for the respondent nos. 6, 10 and 17

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 petitioner's 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



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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



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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:



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"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:

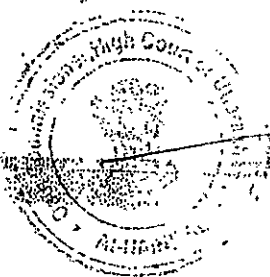


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"(13) 'Direct Recruitment' means recruitment made against a post in the cadre of the service under clause (a) of sub-regulation 1 of Regulation 5 of these Regulations."

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



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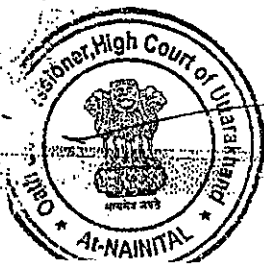
service regulations promotion may be made at the higher service or post.

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

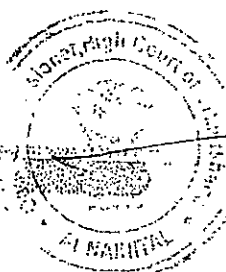


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Regulations provides for source of recruitment i.e. 65 1/3% appointment from amongst trained engineers, and it does not mention the words direct recruitment from the graduate engineers. Trained Engineers have been defined in the Regulations as an engineers 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



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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:



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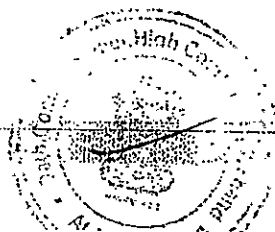
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"11. On completion of the training and before appointment as Assistant Engineer, a trainee will be required to pass a final test, as may be prescribed. He may also be required to sign a Service Agreement setting forth the terms and conditions of his 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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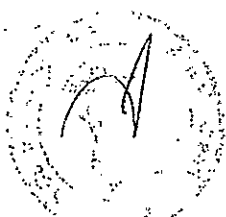
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cannot be said to be a direct recruitment to the Assistant Engineer post. The direct selection/recruitment is made for selecting the trainees and only after their successful training, the persons became eligible for the appointment as Assistant Engineer 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 loosing 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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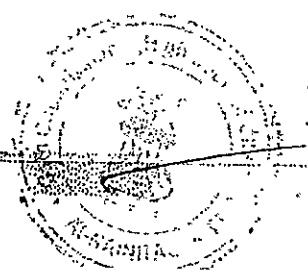
the respondents were absorbed in the regular cadre after training they were not absorbed in the cadre with back date. Had it been so, then their training period could be counted for the seniority but in the absence of this, as per Regulation 8 of 1998 Regulations, their seniority will be counted from 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 Regulation 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



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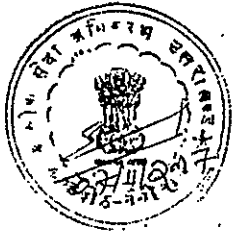
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when their substantive appointments are made but they will be placed in en block senior to the extent of their earlier vacancy against the other appointees i.e. promotees.

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.



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

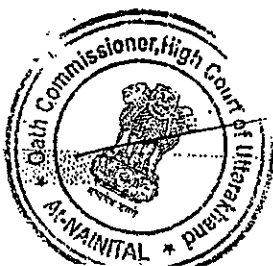
KNP



*certified True Copy issued
under the authority of the Registrar.*

19/11/2017

Fin
Sl. No. 35955
Dated 20/11/17



Annexure No-3

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BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL

Present: Hon'ble Mr. Ram Singh

----- Vice Chairman (J)

Hon'ble Mr. D.K.Kotla,

----- Vice Chairman (A)

CLAIM PETITION NO. 16/N.B./D.B./2014

Sanjeev Kumar, S/o Shri Som Prakash Gupta, presently posted as Sub
Divisional Officer (Civil) Uttarakhand Power Corporation Ltd, 132 K.V. Sub
Station Kathgodam, District Nainital.

.....Petitioner

VERSUS

1. State of Uttarakhand through Secretary, Energy, Secretariat, Dehradun.
2. Uttarakhand Power Corporation Ltd. through its Managing Director, Urja Bhawan, Kanwli, Dehradun.
3. Pradeep Kumar Pant posted as Assistant Engineer (Civil) C/o Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwli, Dehradun.
4. Rakesh Kumar Assistant Engineer (Civil) C/o Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwli, Dehradun.
5. Mohd. Saleem Assistant Engineer (Civil) C/o Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwli, Dehradun.

.....Respondents

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

Sri V.P.Devrani, Ld. A.P.O.
for the respondent no. 1

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

Ms. Rangoli Purohit, Ld. Counsel
for the respondent nos. 3 & 5.

Sri Arun Pratap Singh Sah, Ld. Counsel
for the other respondent No. 4.

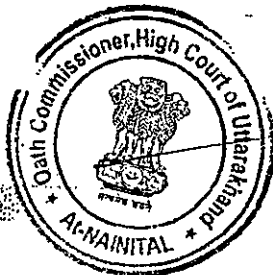


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JUDGMENTDATED: NOVEMBER 07, 2017(Hon'ble Mr. Ram Singh, Vice Chairman (J))

1. The petitioner has prayed for a direction to quash the final seniority list dated 19.10.2013 and promotion letter/order of the respondent No. 5 dated 02.08.2014 issued by the respondent No. 2, with a further direction to restrain respondent no. 2 from promoting Assistant Engineers to the post of Executive Engineers during the pendency of claim petition and any other suitable relief alongwith cost of the petition.
2. The petitioner who was appointed as Junior Engineer (Civil) in Uttarakhand Power Corporation has staked his claim against the respondents on the basis that private respondents, who were directly recruited as Assistant Engineer (Civil) (Trainee) by the respondent no. 2 on 21.06.2008, will get their seniority only after completion of the successful training of one year as Assistant Engineer (Trainee), whereas, in the seniority list issued by the respondent no. 2, they have been assigned the seniority from the date of their joining as Assistant Engineer (Trainee). The petitioner has taken a stand that after completion of training, their appointment will be counted as substantive appointment and they will get seniority only after completion of training as Assistant Engineer (Trainee). According to the petitioner, the service conditions are regulated by the U.P. State Electricity Board Assistant Engineers (Civil) Service Regulations, 1970.
3. The claim has been contested by the respondent department as well as private respondents mainly on the ground that relevant regulations for the post of Assistant Engineers (Civil) is the U.P. State Electricity Board Assistant Engineers (Civil) Service Regulations, 1970



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and the U.P. State Electricity Board Assistant Engineer Regulations, 1970, are not applicable to the Civil Engineers but are applicable to the cadre of Mechanical & Electrical Engineers only and in the relevant regulations for the Civil Engineers, there is no provision of training and the source of recruitment for the Assistant Engineers (Civil) is by way of the direct recruitment as per Appendix-A while the procedure for promotees is laid down in Appendix 'B'. Unlike the Assistant Engineers in Electrical & Mechanical Branch, there is no definition of trained engineer in the Rules and training has not been prescribed under the Rules before any substantive appointment, hence, according to the respondents, the seniority has been fixed as per relevant rules and the petition deserves to be dismissed.

4. The matter was decided once by this Tribunal, but the relevant rules were not submitted by the Corporation before the court and the Hon'ble High court after setting aside the decision has remitted it for fresh hearing.
5. Both the parties as well as interveners' were heard.
6. The petitioner has staked his claim on the basis of Rule 19 of the Uttar Pradesh State Electricity Board Service Engineer Regulations, 1970 which pertains to the cadre of the Electrical & Mechanical wing of Engineers in the Uttarakhand Power Corporation Ltd. The respondents have submitted that for the Engineers in the Civil Branch, separate rules were framed and the same were submitted before the court. The court is of the view that the U.P. State Electricity Board Service Engineers Regulations, 1970 pertains to the Electrical & Mechanical cadre of engineers and the relevant service rules for the Assistant Engineers (Civil) branch is the Uttar Pradesh Electricity Board Assistant Engineer (Civil) Service Regulations, 1970 (hereinafter referred to as the relevant Regulations).



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7. It is an admitted fact that on 01.10.2006, Uttarakhand Power Corporation Issued an advertisement for the post of Assistant Engineer (Civil) for the recruitment year 2006-07 and the private respondents appeared for the same. The petitioner, Sanjeev Kumar was promoted as Assistant Engineer (Civil) after getting some relaxation against the promotion quota vacancy in the recruitment year 2008-09.

8. In the relevant Service Regulations of 1970, the source of recruitment has been mentioned in Regulation-5, which reads as under:

"5. Source of Recruitment:- (1) Recruitment to the Service, in any year, shall be made as follows:-

- (i) By direct recruitment in accordance with the rules and procedure laid down in Appendix 'A' 65 1/2%
- (ii) By promotion of Junior Engineers (Civil) in the manner prescribed in Appendix 'B' 33 1/3%
- (iii) By promotion from amongst the confirmed and qualified Computers (Selection Grade) (Civil) in the manner prescribed in Appendix 'B'

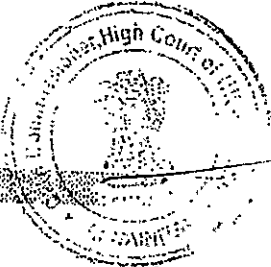
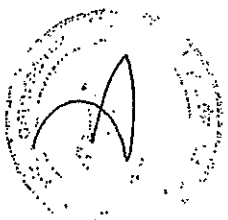
It makes clear that unlike the source of recruitment of Electrical & Mechanical Engineers, relevant Regulations, 1970 for Civil Engineers provides for direct recruitment in accordance with the procedure in Appendix 'A' upto 65 1/2% of the posts. Whereas, in the concerned Regulations of 1970, for Electrical & Mechanical Engineers, the word 'direct recruitment' has not been used and their source of recruitment is from amongst the trained engineers. For Civil Engineers, there is no definition for trained engineers in the rules. It makes a basic difference between two rules.

9. The court is of the view that the relevant Regulations for the post of Assistant Engineer (Civil) to which the petitioner belongs is the Uttar



Pradesh Electricity Board Assistant Engineer (Civil) Service Regulations, 1970 and its Regulation 18, provides for seniority in service and it says that the seniority shall be determined according to the date of appointment in a substantive vacancy in the cadre of the Service. The rules prescribe the direct recruitment for the post of Assistant Engineer and neither there is provision of training in the rules nor there is any definition of any trained engineers unlike the Regulations of Assistant Engineers for the Electrical & Mechanical Branch. It reveals that the private respondents were substantively appointed through direct recruitment quota posts on 30.04.2008 during the selection year 2007-08.

10. To determine the seniority, the said Regulation 18 lays down the procedure for determination of seniority and 4th proviso provides that between the 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.
11. Regulation 18 further provides that if, in any year, it has not been possible to prepare the Combined Waiting List due to late selection either from J.E. (C) or from Computer (S.G) (Civil) or from outside or due to any other unavoidable reason, 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 seniority determined accordingly. This rule provides that in any year recruitment for a particular source fall short of the number of vacancies then 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, for determining of vacancies.



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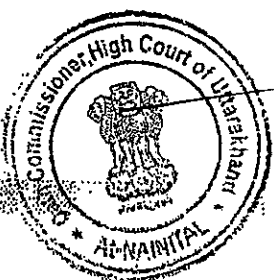
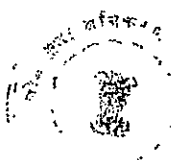
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12. In the present case, private respondents were appointed against the vacancies of 2006-07 pursuant to the order dated 30.04.2008 while the claim petitioner was promoted as Assistant Engineer (Civil) with one time relaxation on 30.04.2009 against the promotion quota. The petitioner has also argued that the Regulations, 1998 shall be applied for determination of seniority. Although, this Regulation 18 of the relevant Regulations was not amended by the Regulation of 1998 like the amendment in Regulation 19 of the Regulation concerning to Electrical & Mechanical Engineers. However, Rule 3 of the 1998 Regulation provides that Regulation 1998 will have overriding effect only upto the inconsistency of earlier Regulations. Whereas in the present case, 1970 Regulations of Civil Engineers are not inconsistent with 1998 Regulations. Even if 1998 Regulations are applied for determination of the seniority, it makes no difference because as per proviso-II of Rule 8 (III) where appointments from any one source fall short of the prescribed quota and appointment against such unfilled vacancies are made in subsequent year or years, the persons so appointed shall not get seniority of any earlier year but shall get the seniority of the year in which their appointments are made, so however, that their names shall be placed at the top followed by the names, in the cyclic order of the other appointees. Hence, according to Regulation of 1998, if the persons appointed against their quota in the later year, they will get their seniority, not from the year of vacancies but from the year of substantive appointment vis-à-vis other appointees of that year, but they will rank en block senior to other. This is the law position set out by the Rules.

13. The petitioner has also argued that the appointment to the private respondents can be given only after training and their appointments were made so by the different appointment order. Learned counsel for the private respondents has argued that in the relevant



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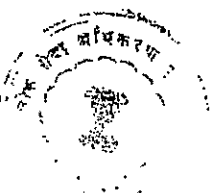
Regulations neither there is provision of training nor there is any such provision which makes it clear that after direct recruitment, their appointment will not be made in the department unless training is completed, hence, training will make no difference. The respondents have argued that the matter of Assistant Engineer (Civil) cannot be governed by the Regulations applicable to the Assistant Engineers (Electrical & Mechanical) branch, in which for the source of recruitment, it is clearly mentioned that the appointment shall be made from the trained engineers and the training is must for them. We agree with the argument of the respondents because of the reasons that in the relevant Regulations, the recruitment of service as per Regulation 5(1)(i) of the relevant Rules, which reads as under:

"5. Source of Recruitment:- (1) Recruitment to the Service, in any year, shall be made as follows: (i) By direct recruitment in accordance with the rules and procedure laid down in Appendix 'A' 65%.

(ii).....".

In the Rules of Electrical & Mechanical Engineers, the source of recruitment is from amongst the trained engineers.

14. This court is of the view that for the Engineers in the Civil branch, training is not must as per the relevant Regulations. Appendix-'A' to the U.P. State Electricity Board Assistant Engineers (Civil) Service Regulations, 1970, lays down the procedure of direct recruitment but does not prescribe any type of training nor any precondition of completion of training before the appointment to the cadre of service. Appendix-'B' lays down the procedure for promotion and Regulation 15 lays down the manner in which the list of direct recruits and promotees selection during one selection year shall be maintained according to which the appointment shall be made and



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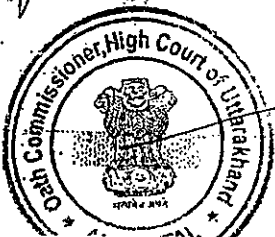
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no provision for training is mentioned. Learned counsel for the private respondents have also argued that the Civil Engineers are concerned with construction activities etc, therefore, training for civil engineers cannot be a pre-condition apart from the rules and after appointment of the private respondents, they were posted in the field and performed all the duties as regular Assistant Engineer. The respondents have also argued that the petitioner has no locus standi to challenge the appointment of direct recruits particularly when the petitioner was appointed on promotion against the subsequent year vacancies accrued in 2008-09. Whereas, the private respondents were appointed by direct recruitment on 30.04.2008 against the vacancies of previous year before the petitioner.

15. The court is of the view that the claim petitioner was promoted against the vacancies of 2008-09 and was promoted in the last of selection year 2008-09 and cannot claim seniority over the private respondents. It has also been contended that the corporation had issued a final seniority list on 19.10.2013 in which claimant was not included, as the said seniority list was in respect of Assistant Engineers (Civil) appointed upto selection year 2007-08. The petitioner was promoted in the selection year 2008-09, and there is no occasion for him to challenge the seniority list dated 19.10.2013, in which his name was not included.

16. This Court is of the view that when the petitioner was appointed through promotion against the vacancies of later year, he cannot claim seniority against the private respondents who were recruited against the vacancies of earlier year and even before the appointment of the petitioner. Even if the petitioner was appointed before the private respondents in the same year but private respondents who were appointed against the vacancies of previous year, will rank enbloc senior to the petitioner as per the rules. In these circumstances, the contention of the petitioner is not



Sl. No. 35955
Dated 20/11/22

Altal
ALTAF HUSSAIN
Advocate
Reg. No. - UH/470/2022
Oath Commissioner
High Court of Uttarakhand
AL-FINAL
Sl. No. 22116
Date 13/06/25

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

WPSB NO. 579 OF 2017

DISTRICT: NAINITAL

Ameyure No. 8

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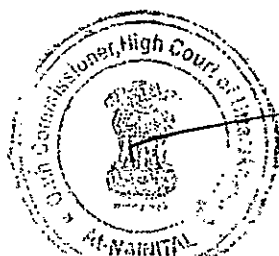
1 - UTTARAKHAND POWER CORPORATION LTD.

..... Petitioner

Versus.

- 1 - SHRI B.M.BHATT
- 2 - SHRI GIRISH CHANDRA JOSHI
- 3 - SHRI VINOD KUMAR BISHT
- 4 - SHRI GOVIND SINGH KARKI
- 5 - SHRI SURENDRA SINGH BISHT
- 6 - SHRI S.P. KUDIAL
- 7 - SHRI KISHORE KUMAR PANT
- 8 - SHRI VINEET SAXENA
- 9 - STATE OF UTTARAKHAND
- 10 - SHRI SURYA DARSHAN SINGH BISHT
- 11 - ARVIND KUMAR
- 12 - BEGRAJ SINGH
- 13 - SHRI UMAKANT CHATURVEDI
- 14 - SHRI PRASHANT PANT
- 15 - SHRI SANDEEP KUMAR GUPTA
- 16 - SHRI DHARMVEER SINGH
- 17 - SHRI PRADEEP KUMAR
- 18 - SHRI JAKIR HUSSAIN
- 19 - SHRI KAILASH KUMAR
- 20 - SHRI DEEPAK PAL ARYA
- 21 - SHRI MANOJ GUSAIN
- 22 - SHRI ANUP KUMAR
- 23 - SHRI DEEPAK SAINI
- 24 - MOHD. AFJAAL
- 25 - SRI NITIN SINGH GARKHAL
- 26 - SHRIHARUN RASHID
- 27 - KM. NANDITAAGGARWAL
- 28 - SHRI GAURAVSAKLANI
- 29 - SMT. PUJARANI
- 30 - SHRI BHASKARPANDEY
- 31 - SHRI KANHAIYAJEE MISHRA
- 32 - SHRI VIVEK KANDPAL
- 33 - SHRI AJEET KUMAR YADAV
- 34 - SHRI MANOJ KUMAR
- 35 - SHRI ASHUTOSH TIWARI
- 36 - SUNIL UNIYAL
- 37 - PAWAN KUMAR
- 38 - RAM KUMAR
- 39 - AMIT SAXENA

..... Respondent





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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

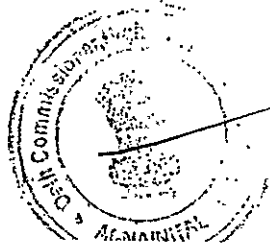
Rahul Channa and others.

..Petitioners

Versus

State of Uttarakhand and others.

..Respondents



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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



Ad



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

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 WPSB/552/2017. Chaturvedi, learned counsel.

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

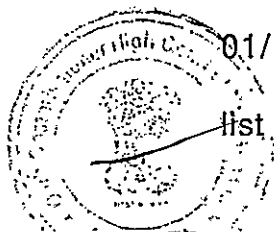
Counsel for the State of : Mr. K.N. Joshi, learned Deputy Advocate Uttarakhand. General for the State of Uttarakhand.

Counsel for the private : Mr. Rajendra Dobhal, learned Senior respondents in all the Writ Counsel assisted by Mr. I.P. Gairola, Petitions. learned counsel.
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 2006-07. The respondent-department issued a combined seniority list of the cadre of Assistant Engineers



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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.

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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

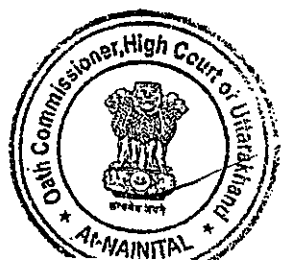
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has been issued until the new Regulations are made after the creation of the State of Uttarakhand, and the Regulations of the Uttar Pradesh Power Corporation shall be followed till then. Subsequently, another notification has also been placed on record 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:

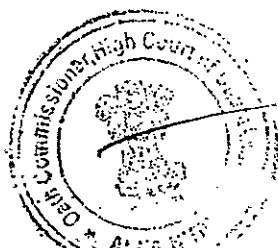
- (a) The inter se seniority of persons appointed directly will be the same as it has been shown in the merit list prepared by the commission of committee as it is.
- (b) The inter se-seniority of the appointment persons by promotion will be the same which according to this situation that the promotion 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 :-

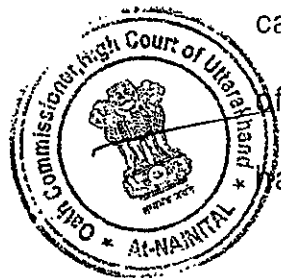
- 1st - Promoted person
- 2nd to 4th - persons directly appointed
- 5th - promoted persons
- 6th to 8th - directly recruited persons and this way further also

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



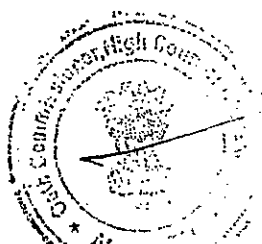
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Union of India and others etc. v. S.D. Gupta and others, AIR 1996 SC 3325. In the said case, the Hon'ble Supreme Court was examining the question of seniority of direct recruits vis-à-vis the promotees. As far as the direct recruits were concerned, the Hon'ble Supreme Court observed that even if a person is appointed by way of direct recruitment on *ad hoc* basis, he will be confirmed after probation, however, he becomes part of the service cadre on the date of his initial appointment, and if a promotee is given promotion on the basis of rota quota of vacancies, where in a cadre 40% quota is to be filled by promotees, and 60% quota by way of direct recruits, the promotees, who are given promotion against their quota post, cannot be made junior to a direct recruit, even if the vacancy of direct recruit arose before their promotion. The direct recruit becomes part of the cadre only after appointment.

19. The Hon'ble Supreme Court, thereafter, in the year 2021 in the case of *Muzeeb Burrahman & Ors. v. U.P. Power Corporation Ltd. & Ors., (Civil Appeal Nos. 5646-5647 of 2021)* was examining the same Regulations of 1970 & 1998. While examining the U.P. Power Corporation Regulations, which are relevant in the



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present case also, the Supreme Court held that a person appointed against a clear substantive vacancy in the direct recruit quota can legitimately claim to be born in the cadre from the date of his initial appointment and not after completion of training or probation. The Hon'ble Supreme Court observed as under :

"This Court is of the opinion that the conclusions recorded by the High Court reflect the correct position of the Rules. A person appointed against a clear substantive vacancy in the direct recruit quota, under the existing Rules, can legitimately claim to be born in the cadre from the date of his initial appointment and not after completion of training or probation."

20. Since, in the facts of the present case, as per the Office Memorandum dated 31.03.2001 - Annexure 4, till the new regulations were framed, the Uttarakhand Power Corporation Ltd. was to follow the Regulations of 1970 and 1998 of the U.P. Power Corporation Ltd. for the purpose of recruitment and fixation of seniority. It is not the case of the respondents that any new Regulations have been framed by the Uttarakhand Power Corporation Ltd. Hence, for all intents and purposes, as per the Office Memorandum dated 31.03.2001, the seniority Rules of the U.P. Power Corporation Ltd., i.e. the 1970 Regulations and 1998 Regulations, have to be followed, and the Rule seniority, which is Rule 19 reproduced above, is very

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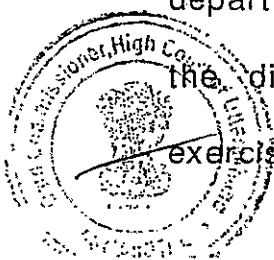


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clear that the seniority has to be fixed from the date a selected candidate joins on the post. Hence, for all intents and purposes, the training period cannot be deleted once an Assistant Engineer, after due selection process, has joined the cadre.

21. Another fact, which can be highlighted, is that even if during service any employee is sent for further training, that period cannot be deleted from his seniority. It is part of his service, and at the initial stage if he is given training, or even after ten years he is sent for training, that period of training has to be part of his regular service record.

22. In view of the above discussion, the present Writ Petitions are being allowed. The order of the Tribunal is being set-aside. A direction is being given to the Uttarakhand Power Corporation Ltd. to fix the seniority after giving the benefit of seniority to all the Assistant Engineers, who joined in the year 2006-07, 2007-08 & 2008-09 from the date of their joining the department, and keeping in view the rota quota between the direct recruits and the promotees. The entire exercise shall be completed with a period of eight weeks



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from the date of production of a certified copy of this judgment.

23. Pending application(s), if any, also stand disposed of accordingly.

RITU BAHRI, C.J.

ALOK KUMAR VERMA, J.

Dt: 27th June, 2024
Rahul

Altaf
ALTAF HUSSAIN
Advocate
Reg. No.- UH/470/2022
Oath Commissioner
High Court of Uttarakhand
At-Dehra Dun
Sl. No. 22116
Date..... 13/06/25



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HARSHIT BISHT || OTHERS || 8755218268 || BISHT.HARSHIT2711@GMAIL.COM || 05-06-2025 08:29:42 PM



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

WPSB NO. 579 OF 2017

DISTRICT: NAINITAL

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1 - UTTARAKHAND POWER CORPORATION LTD.

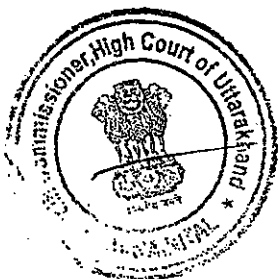
..... Petitioner

Versus.

- 1 - SHRI B.M.BHATT
- 2 - SHRI GIRISH CHANDRA JOSHI
- 3 - SHRI VINOD KUMAR BISHT
- 4 - SHRI GOVIND SINGH KARKI
- 5 - SHRI SURENDRA SINGH BISHT
- 6 - SHRI S.P. KUDIAL
- 7 - SHRI KISHORE KUMAR PANT
- 8 - SHRI VINEET SAXENA
- 9 - STATE OF UTTARAKHAND
- 10 - SHRI SURYA DARSHAN SINGH BISHT
- 11 - ARVIND KUMAR
- 12 - BEGRAJ SINGH
- 13 - SHRI UMAKANT CHATURVEDI
- 14 - SHRI PRASHANT PANT
- 15 - SHRI SANDEEP KUMAR GUPTA
- 16 - SHRI DHARMVEER SINGH
- 17 - SHRI PRADEEP KUMAR
- 18 - SHRI JAKIR HUSSAIN
- 19 - SHRI KAILASH KUMAR
- 20 - SHRI DEEPAK PAL ARYA
- 21 - SHRI MANOJ GUSAIN
- 22 - SHRI ANUP KUMAR
- 23 - SHRI DEEPAK SAINI
- 24 - MOHD. AFJAAL
- 25 - SRI NITIN SINGH GARKHAL
- 26 - SHRIHARUN RASHID
- 27 - KM. NANDITAAGGARWAL
- 28 - SHRI GAURAVSAKLANI
- 29 - SMT. PUJARANI
- 30 - SHRI BHASKARPANDEY
- 31 - SHRI KANHAIYAJEE MISHRA
- 32 - SHRI VIVEK KANDPAL
- 33 - SHRI AJEET KUMAR YADAV
- 34 - SHRI MANOJ KUMAR
- 35 - SHRI ASHUTOSH TIWARI
- 36 - SUNIL UNIYAL
- 37 - PAWAN KUMAR
- 38 - RAM KUMAR
- 39 - AMIT SAXENA

TRUE COPY OF THE JUDGMENT ORDER. IT IS ISSUED UNDER THE UTTARAKHAND HIGH COURT ELECTRONIC JUDGMENT COPY RULES, 2022 TO HARSHIT BISHT

..... Respondent



Handwritten signature



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HIGH COURT OF UTTARAKHAND AT NAINITAL

Clarification Application (MCC No. 19229 of 2024)

Clarification Application (MCC No. 19230 of 2024)

In

Writ Petition (S/B) No. 579 of 2017

Uttarakhand Power Corporation Ltd.

.....Petitioner

Versus

Shri B.M. Bhatt and others

.....Respondents

Present:-

Mr. Dharmendra Barthwal, Advocate with Mr. Bhagwat Mehra, Advocate for the petitioner.

Mr. I.P. Gairola, Advocate for respondent nos. 1 to 8.

Mr. C.D. Bahuguna, Senior Advocate assisted by Mr C.S. Dalakoti, Advocate for the respondent nos. 17, 19 & 22.

Mr. Vinay Kumar, Advocate for the respondent no. 6.

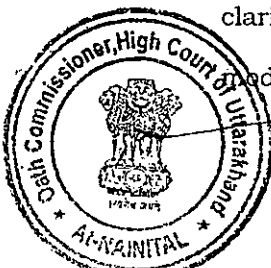
**Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Alok Kumar Verma, J.**

Hon'ble Ravindra Maithani, J.

The instant petition was decided on 27.06.2024. In para 22 of the judgment, the Court passed the final directions. It reads as follows:-

"22. In view of the above discussion, the present Writ Petitions are being allowed. The order of the Tribunal is being set-aside. A direction is being given to the Uttarakhand Power Corporation Ltd. to fix the seniority after giving the benefit of seniority to all the Assistant Engineers, who joined in the year 2006-07, 2007-08 & 2008-09 from the date of their joining the department, and keeping in view the rota quota between the direct recruits and the promotes. The entire exercise shall be completed with a period of eight weeks from the date of production of a certified copy of this judgment."

2. Now, the respondent nos. 17, 19 and 22 have filed clarification application (MCC No. 19229 of 2024), by which modification is sought in para 18 of the judgment dated 27.06.2024.



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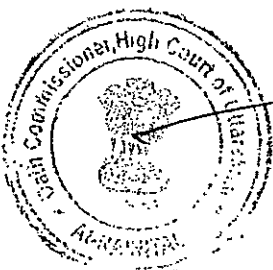
3. The petitioner has also filed clarification application (MCC No. 12930 of 2024). In para 4 of the clarification application, the petitioner writes that **"Thus, from what has been stated hereinabove a reasonable and genuine confusion has arisen - As to whether for application of rota-quota the Corporation has to take into consideration the date when Recruitment Process had commenced or the Date of Joining of the concerned incumbent?"** While raising its concern, the petitioner has referred to paras 18, 20 and 22 of the judgment dated 27.06.2024.

4. Heard learned counsel for the parties and perused the record.

5. Learned counsel for the petitioner would submit that insofar as the seniority is concerned, it may not be difficult to determine pursuant to the judgment dated 27.06.2024, but insofar as *rota quota* is concerned, there is some confusion by virtue of observations made in para 18 of the judgment, therefore, clarification is required.

6. Learned Senior Counsel for the respondent nos. 17, 19 and 22 would submit that in para 18 of the judgment dated 27.06.2024, this Court has made reference to the judgment in the case of Union of India and others, etc. v. S.D. Gupta and others, AIR 1996 SC 3325, but some observations are beyond as to what has been held in the case of S.D. Gupta (*supra*), particularly while fixing the *rota quota*.

7. Learned counsel for the respondent no. 6 would submit that there is no confusion as such. He would submit that a short point had fallen for consideration in the instant writ petition i.e. as to



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whether the period of training has to be counted as part of service or not? He would submit that so far as question of *rota quota* is concerned, it would be fixed in accordance with statutory rules/regulations.

8. Learned counsel for respondent nos. 1 to 8 would submit that no clarification as such is required.

9. In para 18 of the judgment dated 27.06.2024, this Court has referred to the judgment in the case of S.D. Gupta (*supra*) and observed as follows:-

"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 *Union of India and others etc. v. S.D. Gupta and others*, AIR 1996 SC 3325. In the said case, the Hon'ble Supreme Court was examining the question of seniority of direct recruits vis-à-vis the promotes. As far as the direct recruits were concerned, the Hon'ble Supreme Court observed that even if a person is appointed by way of direct recruitment on *ad hoc* basis, he will be confirmed after probation, however, he become part of the service cadre on the date of his initial appointment, and if a promote is given promotion on the basis of *rota quota* of vacancies, where in a cadre 40% quota is to be filled by promotes, and 60% quota by way of direct recruits, the promotes, who are given promotion against their quota post, cannot be made junior to a direct recruit, even if the vacancy of direct recruit arose before their promotion. The direct recruit becomes part of the cadre only after appointment."

10. Learned Senior Counsel appearing for the respondent nos. 17, 19 & 22 would submit that the observation of the Court in para 18 of the judgment that "where in a cadre 40% quota is to be filled by promotes, and 60% quota by way of direct recruits, the promotes, who are given promotion against their quota post,



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cannot be made junior to a direct recruit" is creating confusion. He would submit that *rota quota* is to be made applicable as per statutory rules. He would also submit that the observation in the case of S.D. Gupta (*supra*) was on different aspect. Such observation was not made in the case of S.D. Gupta (*supra*).

11. This Court had in clear terms given direction as to what this Court has decided and this has been so stated in para 22 of the judgment. With regard to *rota quota* as such no direction has been made. The Court has simply stated "...and keeping in view the *rota quota* between the direct recruits and the promotees".

12. This Court only intends to clarify that *rota quota* shall be given in accordance with the existing statutory rules/regulations.

13. Clarification applications stand disposed of accordingly.

(Alok Kumar Verma, J.)

(Ravindra Maithani, J)

14.02.2025

Avneet/



Altaf
ALTAF HUSSAIN
Advocate
Reg. No. - UI/470/2022
Oath Commissioner
High Court, Uttarakhand
ALNAINITAL
22/11/25
13/06/25

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उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)
Uttarakhand Power Corporation Ltd.

(A Govt. of Uttarakhand Undertaking)

CIN : U40109UR2001SGC025867

Email ID: rjmallk@upcl.org, Website: www.upcl.org

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पत्रांक: 2180 /अधि०निदे०(मा०सं०)/उपाकालि/

दिनांक : 15/05/2025

मुख्य सचिव/अध्यक्ष, उपाकालि,
उत्तराखण्ड शासन,
देहरादून।

गोपनीय

विषय:- उपाकालि में प्रोन्नत एवं सीधी भर्ती के सहायक अभियन्ताओं की पारस्परिक ज्येष्ठता सूची के निर्धारण हेतु गठित समिति की आख्या के सम्बन्ध में।

आदरणीय महोदय,

उपरोक्त विषयक अवगत होना चाहें कि उपाकालि में प्रोन्नत एवं सीधी भर्ती के सहायक अभियन्ताओं की पारस्परिक ज्येष्ठता सूची निर्धारित किये जाने हेतु वाद संख्या WPSB/579/2017, "उपाकालि बनाम बी०एम० भट्ट एवं अन्य" में मा० उच्च न्यायालय नैनीताल द्वारा पारित निर्णय दिनांक 27.06.2024 एवं दिनांक 14.02.2025 के अनुपालन किये जाने हेतु उत्तराखण्ड शासन द्वारा कार्यालय ज्ञाप संख्या 17 दिनांक 12.03.2025(संलग्न) के माध्यम से शासन स्तर पर एक उच्च स्तरीय समिति का गठन किया गया, जिसमें श्री सुधीर कुमार, अपर सचिव न्याय महोदय एवं डॉ० अहमद इकबाल, अपर सचिव ऊर्जा महोदय सदस्य हैं, एवं अधोहस्ताक्षरी संयोजक नामित किये गये हैं।

उपरोक्त के सम्बन्ध में अवगत होना चाहें कि समिति की दूसरी बैठक दिनांक 08.04.2025 को आहूत हुयी, जिसमें सदस्य समिति द्वारा एकमत होकर यह निर्णय लिया गया कि श्री ललित मोहन रयाल, अपर सचिव, कार्मिक एवं सर्तकता अनुभाग को प्रकरण में परामर्श हेतु विशेष आमन्त्री के रूप में बैठक में भाग लेने हेतु अनुरोध किया जाय एवं उक्त के अनुपालन में अधोहस्ताक्षरी द्वारा अपने कार्यालय पत्रांक 1593 दिनांक 09.04.2025 के माध्यम से श्री ललित मोहन रयाल, अपर सचिव, कार्मिक एवं सर्तकता अनुभाग को बैठक में विशेष आमन्त्री के रूप में प्रतिभाग करने हेतु अनुरोध किया गया। उक्त उपरान्त समिति की तीसरी बैठक दिनांक 17.04.2025 को आहूत हुयी जिसमें कि श्री ललित मोहन रयाल, अपर सचिव, कार्मिक एवं सर्तकता अनुभाग ने भी बैठक में प्रतिभाग किया।

उक्त समिति द्वारा उपरोक्त कार्यालय ज्ञाप अनुसार आवश्यक चर्चा एवं सम्बन्धित नियमों के परीक्षण उपरान्त अपनी आख्या दिनांक 17.04.2025 तैयार की गयी है।

अतः उपरोक्त आख्या आपके संज्ञानार्थ एवं अग्रिम दिशा-निर्देश हेतु सादर प्रस्तुत की जा रही है।

संलग्न- यथाउपरोक्त।

(डॉ० आर० जे० मलिक)

अधिशाली निदेशक(मा०सं०)/समिति संयोजक



सुधीर कुमार, अपर सचिव न्याय, उत्तराखण्ड शासन, देहरादून।

अहमद इकबाल, आई०ए०एस०, अपर सचिव ऊर्जा, उत्तराखण्ड शासन, देहरादून।

ललित मोहन रयाल, अपर सचिव, कार्मिक एवं सर्तकता अनुभाग, उत्तराखण्ड शासन, देहरादून।

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Uttarakhand Power Corporation Ltd.
(An undertaking of the Uttarakhand Government)
Uttarakhand Power Corporation Ltd.
(A Govt of Uttarakhand Undertaking)
CIN: U40109UR2001SGC025867
Email ID: rjmalik@upcl.om, Website: www.upcl.org

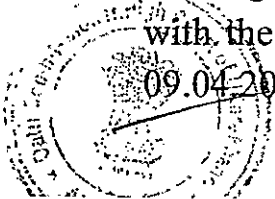
Letter No.: 2180/Admn. (Hon'ble) / Sub-Cal. /. Date : 15/05/2025
Chief Secretary/Chairman, Deputy Commissioner,
Uttarakhand Government,
Dehradun.

Subject:- Regarding the report of the committee constituted for determining the mutual seniority list of Assistant Engineers promoted and directly recruited in UPCA.

Dear Sir,

Regarding the above subject, we would like to inform that in order to determine the mutual seniority list of promoted and direct recruited Assistant Engineers in UPCALI, in compliance with the decision dated 27.06.2024 and dated 14.02.2025 passed by the Hon'ble High Court of Nainital in case number WPSB/579/2017, 'UPCALI vs. B.M. Bhatt and others', a high level committee was constituted at the government level by the Government of Uttarakhand through office memorandum number 17 dated 12.03.2025 (attached), in which Mr. Sudhir Kumar, Additional Secretary Justice and Dr. Ahmed Iqbal, Additional Secretary Energy are members, and the undersigned has been nominated as the convener.

In relation to the above, we would like to inform that the second meeting of the Committee was convened on 08.04.2025, in which it was unanimously decided by the member committee that Shri Lalit Mohan Rayal, Additional Secretary, Personnel and Vigilance Section should be requested to attend the meeting as a special invitee for consultation in the matter and in compliance with the above, the undersigned through his office letter No. 1593 dated 09.04.2025 requested Shri Lalit Mohan Rayal, Additional Secretary,



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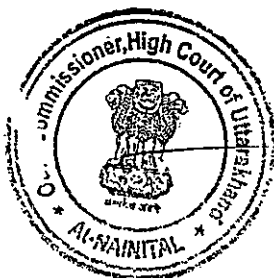
Personnel and Vigilance Section to participate in the meeting as a special invitee. After the above, the third meeting of the Committee was convened on 17.04.2025 in which Shri Lalit Mohan Rayal, Additional Secretary, Personnel and Vigilance Section also participated in the meeting.

The said committee, after necessary discussion and examination of the relevant rules as per the above mentioned office memorandum, has prepared its report dated 17.04.2025.

Therefore, the above report is being respectfully presented for your information and further guidance. Attached - As above.

(Dr. R.J. Malik) Executive
Director (HR) / Committee Convener

1. Shri Sudhir Kumar, Additional Secretary Justice, Government of Uttarakhand, Dehradun.
2. Dr. Ahmed Iqbal, IAS, Additional Secretary, Energy, Uttarakhand Government, Dehradun.
3. Shri Lalit Mohan Raiyal, Additional Secretary, Personnel and Vigilance Section, Uttarakhand Government, Dehradun.



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पत्रांक संख्या:-2180, दिनांक:- 15.05.2025

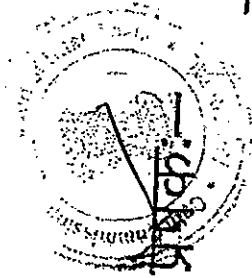
सेवा में,

मुख्य सचिव / अध्यक्ष, उपाकालि,
उत्तराखण्ड शासन,
देहरादून।

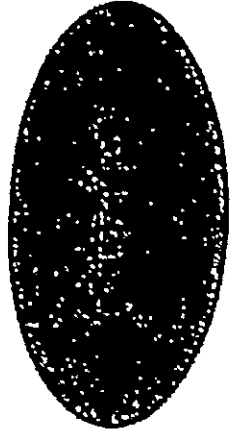
विषय:- समिति की आख्या।

Office No. 428692 / C.S. 08/28-25

21/5/25




डॉ आर० जे० मलिक,
अधिशासी निदेशक (मा०स०) / समिति संयोजक



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MD (UPCL)


21-05-25

(आमानन्द प्रसाद)
मुख्य सचिव
उत्तराखण्ड शासन

✓

Page Number:-2180, Date:- 15.05.2025

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To,

Chief Secretary/Chairman, Upakali,
Government of Uttarakhand,
Dehradun.

Subject:- Statement of the Committee.

Online No. 428692/ C.S. OF 2025
21/5/25

From:-

Dr. R.J. Malik,

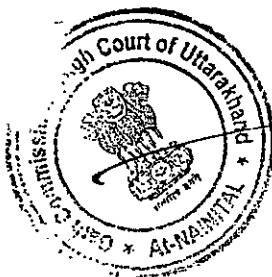
Executive Director (HR) / Committee Convener

MD (UPCL)

20.05.25

(Anand Bardhan)

Chief Secretary
Uttarakhand
Government



A2

Report of the Committee constituted by the Government of Uttarakhand vide Office Memorandum 17/I(2)/2025-05-52/2016 dated 12 March 2025

It was taken on record that a Committee was constituted by the Government of Uttarakhand vide Office Memorandum 17/I(2)/2025-05-52/2016 dated 12 March 2025 with regard to compliance of the Hon'ble High Court of Uttarakhand Order Dated 27.06.2024 and 14.02.2025 in the matter of WPSB 579/2017 UPCL Vs B M Bhatt & Others with the directions 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 guiding for the preparation of the Seniority List in the light of the orders of Hon'ble High Court of Uttarakhand in the matter.

1) The first meeting of the Committee was held on 25-03-2025 wherein the Committee held the preliminary discussions and after some deliberations it was agreed that Committee Members firstly will require some time to study the orders of the Hon'ble High Court of Uttarakhand dated 27.06.2024 and 14.02.2025, respective prevailing rules & regulations and other related documents as may be felt necessary.

2) The second meeting of the Committee was held on 08-04-2025 in which it was considered and agreed that since the matter in question is service matter therefore it will be appropriate to consult a suitable Officer having extensive experience of the subject matter i.e., service related matters. It was decided that Shri Lalit Mohan Rayal, Additional Secretary (Personnel & Vigilance) may be invited as Special Invitee in the next meeting to assist the Committee Members. Accordingly, a request to this effect was sent to Shri Lalit Mohan Rayal by the Convener vide his office letter no 1593 dated 11-04-2025.

The third and final meeting was held on today i.e. 17-04-2025. In addition to the Committee Members and Convenor, Shri Lalit Mohan Rayal, Additional Secretary (Personnel & Vigilance), Uttarakhand Government also joined the said meeting as per invitation and Notice of the Meeting dated 15.04.2025.

Lalit Mohan Rayal, (IAS)
Addl. Secy. (Per & Vig), GoU
Special Invitee



Dr Ahmed Iqbal, (IAS)
Add Secy. (Energy), GoU
Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member

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A. The Committee first of all took on record the brief of factual position of the matter in chronological order as under:

A seniority list was issued by UPCL on 03.01.2015. Shri B M Bhatt filed claim petition no. 01/NB/DB/2015 before PST Nainital challenging seniority list dated: 03.01.2015. PST vide order dated 07.11.2017 set aside the final seniority list dated 03.01.2015 and directed UPCL to prepare fresh seniority list based on completion of training period of direct recruits. The order of PST was challenged by UPCL before Hon'ble High Court of Uttarakhand, Nainital (WPSB 579/2017). The Hon'ble High Court passed interim order dated 13.12.2017 staying PST Order dated 07.11.2017 and directing for preparation of seniority list as per PST order and submit in sealed cover. The Seniority list was submitted by UPCL in the sealed cover on 14.03.2018 before the Court. The Hon'ble High Court vide order dated 27-06-2024 decided the case. Thereafter, the UPCL filed a clarification application regarding application of rota quota. The Hon'ble High Court vide order dated 14-02-2025 disposed off the clarification application with the directions mentioned herein below

B. Apart from above factual position, the following important facts were also taken on record:

- i. the Hon'ble High Court has directed to fix the Inter-se Seniority of the year 2006-07, 2007-08 and 2008-09.
- ii. From the perusal of the record it was ascertained that neither direct recruitment nor any promotions have been made in the year 2006-07.
- iii. For the year 2007-08, the seniority list between the direct recruits and the promotees is primarily settled. Although six direct recruits are from the waiting list of the vacancy advertised in 2006-07 and joined subsequently in year 2008-09 in addition of 18 of original selected list who joined in 2007-8. The year of selection of these 6 is also to be decided.
- iv. For the year 2008-09, the advertisement for the direct recruitment was published in Feb 2008, select list of 55 candidates was issued on 07.12.2009 against which 39 Assistant Engineers joined UPCL in December 2009 and onwards. In the year 2008-09 total 56 Junior Engineers were promoted to the position of Assistant Engineers as per quota vide DPC dated 19-11-2008 and 30-06-2009.

Lalit Mohan Rayal, (IAS)
Addl. Secy. (Per & Vig), GoU
Special Invitee



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Add Secy. (Energy), GoU
Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member

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The Committee reviewed, examined and deliberated on the respective prevailing rules and regulations pertaining to the subject issue which are as under:

1. Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970

Rule 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.

Rule 19

Seniority.....

"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;"

2. U.P. State Electricity Board Servant Seniority Regulations 1998

Rule 8(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

Lalit Mohan Rayal, (IAS)
Addl. Secy. (Per & Vig), GoU
Special Invitee



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Add Secy. (Energy), GoU
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Add Secy. (Law), GoU
Member

2nd - 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 :-

1st - Promoted person

2nd to 4th - persons directly appointed

5th - promoted persons

6th to 8th - directly recruited persons and this way further also

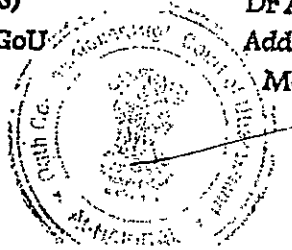
Restriction is that :-

(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."

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Addl. Secy. (Per & Vig), GoU
Special Invitee



Dr Ahmed Iqbal, (IAS)
Add Secy. (Energy), GoU
Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member

The Committee also perused the order of Hon'ble High Court dated 27.06.2024 and 14.02.2025. The following extracts of the orders were deliberated and taken on record:

I. Hon'ble High Court of Uttarakhand Judgment dated 27-06-2024:

"In view of the above discussion, the present Writ Petitions are being allowed. The order of the Tribunal is being set-aside. A direction is being given to the Uttarakhand Power Corporation Ltd. to fix the seniority after giving the benefit of seniority to all the Assistant Engineers, who joined in the year 2006-07, 2007-08 & 2008-09 from the date of their joining the department, and keeping in view the rota quota between the direct recruits and the promotes"

II. Hon'ble High Court of Uttarakhand Order dated 14-02-2025:-

".....This Court had in clear terms given direction as to what this Court has decided and this has been so stated in para 22 f the judgment. With regard to rota quota as such no direction has been made. The Court has simply stated "...and keeping in view the rota quota between the direct recruits and the promotees".

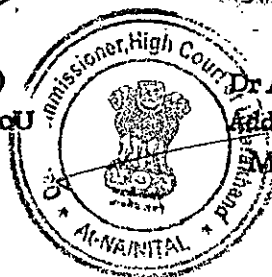
This Court only intends to clarify that rota quota shall be given in accordance with the existing statutory rules/regulations. Clarification applications stand disposed of accordingly."

The Committee also reviewed the OM No 2646 dated 30-06-2016 of Uttar Pradesh Power Corporation Ltd wherein it is categorically stipulated that the promotees who were given promotion vide the aforesaid OM their Seniority of the year 2015-16 shall be amalgamated with the direct Recruits whose Advertisement has been published in year 2016 and their recruitment process is ongoing . The Committee also recorded its observation that the regulations are same in UPCL and UPPCL.

C. After detailed deliberations on regulations, orders and all related facts and aspects, the Committee summarised the provisions as under:

- i. The regulation of 1970 in the rule 15 provides for the Combined Waiting List For Assistant Engineers selected from both the sources.

Lalit Mohan Rayal, (IAS)
Addl. Secy. (Per & Vig), GoU
Special Invitee



Dr Ahmed Iqbal, (IAS)
Add Secy. (Energy), GoU
Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member

- ii. That Rule 19 proviso 4 states that combined waiting list to be prepared for determination of the inter-se seniority between direct recruits and promotees.
- iii. Proviso 4 of rule 19 further states that in case combined list as mentioned in Rule 15 is not prepared for any reason then 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.
- iv. Further rule 8(3) of 1998 regulation provides that 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.

D. Based on review of above factual position and provisions and orders, the findings of the Committee are as under:

- i. That a combined waiting list is to be prepared and accordingly the seniority shall be determined. Further rule 8(3) provides for the rotation of the quota which is 1:1 in the UPCL. This means that the inter-se seniority of the direct recruits and promotees is to be prepared keeping promotee at first place and direct recruit at second place, then again promotee at third place and direct recruit at fourth place and so on so far it is possible according to the prescribed quota for both the sources in sequence of turns.
- ii. The issue for the year 2006-07 is already settled since neither promotions nor direct recruitment happened in the year.
- iii. So far as Year 2007-08 is concerned six candidate against the vacancy published in 2006-07 were recruited from the waiting list and joined in 2008-09 therefore they should be placed *en bloc* at bottom of the Seniority list of 2007-08.
- iv. So far as the year 2008-09 is concerned, the point noted is that combined list which was ought to be prepared as per Rule 15 read with proviso 4 of Rule 19 was not prepared. As per proviso 4 when the same is not prepared for any reason then the names in the

Lalit Mohan Rayal, (IAS)
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Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member

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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.

- v. That 56 promotions from JEs to AEs were made in year 2008-09 and 39 direct recruits (out of 55 in select list) joined in December 2009 and onwards against the vacancy of 68 as published in advertisement in February 2009. The said 39 direct recruits are to be given inter-se Seniority for the year 2008-09 with the promotees of 2008-09 based on the selection process which had been initiated in the selection year 2008-09. The position of the seniority list of direct recruits and the promotees will be ascertained as per the rule 8(3) of the 1998 regulations that is 1:1 where 1st will be promotee then 2nd will be direct recruit then 3rd again promotee and 4th direct recruit and so on.

E. Conclusion

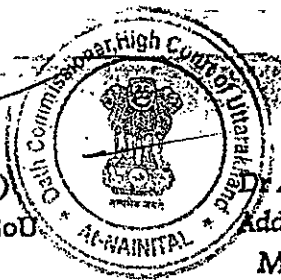
Based on the above factual position, review of provisions & Court Orders, deliberations and findings, the Committee unanimously is of the view as under:

- (1) The inter-se seniority list for the 2006-07 remains nil due to no selection for the post of Assistant Engineers from both the sources.
- (2) The inter-se seniority list for the year 2007-08 stands already settled, although the six candidates of the waiting list who joined in the year 2008-09 should be en bloc placed at the bottom the of the seniority list of 2007-08.
- (3) Regarding the inter-se seniority list for the year 2008-09, the Seniority List 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 by applying rota quota of 1:1 as envisaged in the Rule 8(3) of 1998 regulations.

ALTAF HUSSAIN
Advocate
Reg. No. - U/470/2022
Oath Commissioner
High Court of Uttarakhand
At: NAINITAL

Sl. No. 22116
Date 13/06/25

Lalit Mohan Rayal, (IAS)
Addl. Secy. (Per & Vig), GoU
Special Invitee



Ahmed Iqbal, (IAS)
Add Secy. (Energy), GoU
Member

Sudhir Kumar (HJS)
Add Secy. (Law), GoU
Member



उत्तराखण्ड पावर कारपोरेशन लि०

(उत्तराखण्ड सरकार का उपक्रम)

Uttarakhand Power Corporation Ltd.

(A. Govt. of Uttarakhand Undertaking)
CIN : U40109UR2001SGC025867
Email ID: hr@upcl.org, Website: www.upcl.org

28/

पत्रांक :- 2608/अधि० निदे०(मा०सं०)/उपाकालि०/अनुभाग-III

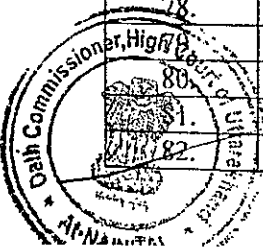
दिनांक : 04/06/2025

कार्यालय ज्ञाप

मा० उच्च न्यायालय, नैनीताल में योजित वाद संख्या 579/2017(उपाकालि बनाम बी०एम० भट्ट एवं अन्य) एवं उक्त याचिका के साथ सम्बद्ध अन्य 06 वाद यथा वाद संख्या 550/2017(कन्हैया जी मिश्रा), 543/2017(राहुल चानना व अन्य), 550/2017(कन्हैया जी मिश्रा व अन्य), 552/2017(उमाकांत चतुर्वेदी व अन्य), 554/2017(गुलशन बुलानी व अन्य) व 563/2017(आशुतोष तिवारी व अन्य) में मा० उच्च न्यायालय नैनीताल द्वारा दिनांक 27.06.2024 एवं दिनांक 14.02.2025 को पारित निर्णय/आदेश, सम्प्रति प्रवृत्त उ०प्र०रा०वि०परि० अभियन्ता सेवा विनियमावली 1970(यथा संशोधित) तथा उ०प्र०रा०वि०परि० सेवक ज्येष्ठता विनियमावली 1998 में दिये गये प्राविधानों एवं उपरोक्त निर्णयों/आदेश एवं नियमों का परीक्षण एवं व्यख्या करने हेतु शासनादेश सं० 17/1(2)/2025-05-52/2016 दिनांक 12-03-2025 द्वारा मा० उच्च न्यायालय के निर्णयों की अनुपालना हेतु शासनस्तीय गठित समिति की आख्या दिनांक 15.5.2025 में ज्येष्ठता सूची के निर्धारण हेतु की गयी अनुशंसा एवं दिये गये मन्तव्यानुसार मा० उच्च न्यायालय, नैनीताल के उपरोक्त सन्दर्भित निर्णयों/आदेश के अनुपालन में चयन वर्ष 2008-09 में उपाकालि० में पदोन्नत/सीधी भर्ती से नियुक्त सहायक अभियन्ता(वि०एवं० या०) की अंतिम ज्येष्ठता सूची (Final Seniority) निम्नवत् अवधारित की जाती है:-

2008-09		
क्रम संख्या	सहायक अभियन्ता (विद्युत एवं यात्रिक) का नाम एवं संप्रेक्षा सं०/वरिष्ठता सं०	कारपोरेशन में प्रोन्नति/नवनियुक्ति पर कार्यभार ग्रहण करने का दिनांक
1.	श्री एस०पी०कुडियाल (संप्रेक्षा सं० -512)(पदोन्नत)(सेवानिवृत्त)	19-11-2008
2.	श्री अभिनव रावत (संप्रेक्षा सं० -594)(सीधी भर्ती)	08-01-2010
3.	श्री प्रदीप कुमार (संप्रेक्षा सं० -562)(पदोन्नत)	12-06-2009
4.	श्री राहुल चानना (संप्रेक्षा सं० -595)(सीधी भर्ती)	08-01-2010
5.	श्री विनोद कुमार बिष्ट (संप्रेक्षा सं० -513)(पदोन्नत)	19-11-2008
6.	श्रीमती श्वेता पुनिया (संप्रेक्षा सं० -596)(सीधी भर्ती)	31-12-2009
7.	श्री जी०सी० जोशी (संप्रेक्षा सं० -534)(पदोन्नत)(सेवानिवृत्त)	03-01-2009
8.	श्री अनुज कुमार त्रिपाठी (संप्रेक्षा सं० -597)(सीधी भर्ती)	04-01-2010
9.	श्री किशोर कुमार पन्त (संप्रेक्षा सं० -514)(पदोन्नत)	19-11-2008
10.	श्री सुभाष कुमार (संप्रेक्षा सं० -598)(सीधी भर्ती)	29-12-2009
11.	श्री गोविन्द सिंह कार्की (संप्रेक्षा सं० -566)(पदोन्नत)	19-11-2008
12.	श्री वैभव शर्मा (संप्रेक्षा सं० -600)(सीधी भर्ती)	08-01-2010
13.	श्री विनीत कुमार सक्सेना (संप्रेक्षा सं० -516)(पदोन्नत)	19-11-2008
14.	श्रीमती मीनाक्षी पंत (संप्रेक्षा सं० -601)(सीधी भर्ती)	30-12-2009
15.	श्री महेन्द्र सिंह (संप्रेक्षा सं० -503)(पदोन्नत)(सेवानिवृत्त)	19-11-2008
16.	श्री प्रशांत मोहन जोशी (संप्रेक्षा सं० -602)(सीधी भर्ती)	30-12-2009
17.	श्री यशपाल सिंह (संप्रेक्षा सं० -506)(पदोन्नत)(सेवानिवृत्त)	19-11-2008
18.	श्री विपिन कुमार (संप्रेक्षा सं० -639)(सीधी भर्ती)	25-01-2010
19.	श्री राजीव लोचन (वरिष्ठता क्रमांक 2/2000-01)(पदोन्नत)(सेवानिवृत्त)	23-03-2017
20.	श्री अरशद अली (संप्रेक्षा सं० -603)(सीधी भर्ती)	08-01-2010
21.	श्री मोहन लाल (संप्रेक्षा सं० -517)(पदोन्नत)(सेवानिवृत्त)	19-11-2008
22.	श्री गुलशन बुलानी (संप्रेक्षा सं० -604)(सीधी भर्ती)	04-01-2010
23.	श्री शैलेन्द्र बिष्ट (संप्रेक्षा सं० -582)(पदोन्नत)	01-07-2009
24.	श्री रोहताशु पाण्डे (संप्रेक्षा सं० -666)(सीधी भर्ती)	02-03-2010
25.	श्री अमित सक्सेना (संप्रेक्षा सं० -532)(पदोन्नत)	30-06-2009
26.	श्री हिमांशु यड़ोनी (संप्रेक्षा सं० -638)(सीधी भर्ती)	28-01-2010
27.	श्री संदीप कुमार शर्मा (संप्रेक्षा सं० -544)(पदोन्नत)	30-06-2009
28.	श्री धनन्जय कुमार (संप्रेक्षा सं० -605)(सीधी भर्ती)	29-12-2009

29.	श्री विनय कुमार सिंह (सम्प्रेक्षा सं० -551)(पदोन्नत)	30-06-2009
30.	श्री विवेक उपाध्याय (सम्प्रेक्षा सं० -644)(सीधी भर्ती)	01-02-2010
31.	श्री मनोज प्रकाश सिंह रावत (सम्प्रेक्षा सं० -555)(पदोन्नत)	30-06-2009
32.	श्री मनीश जोशी (सम्प्रेक्षा सं० -607)(सीधी भर्ती)	29-12-2009
33.	श्री प्रयंक पाण्डे (सम्प्रेक्षा सं० -576)(पदोन्नत)	30-06-2009
34.	श्री संतोष अग्रवाल (सम्प्रेक्षा सं० -642)(सीधी भर्ती)	25-02-2010
35.	श्री राकेश कुमार सिंह (सम्प्रेक्षा सं० -640)(पदोन्नत)	01-07-2009
36.	श्री पुनीत कुमार (सम्प्रेक्षा सं० -610)(सीधी भर्ती)	08-01-2010
37.	श्री शशिकान्त सिंह (सम्प्रेक्षा सं० -559)(पदोन्नत)	30-06-2009
38.	श्री विकास भारती (सम्प्रेक्षा सं० -612)(सीधी भर्ती)	08-01-2010
39.	श्री मनोज कुमार पाण्डे (सम्प्रेक्षा सं० -592)(पदोन्नत)	30-06-2009
40.	श्री सुनील कुमार (सम्प्रेक्षा सं० -613)(सीधी भर्ती)	31-12-2009
41.	श्री कैलाश सिंह (सम्प्रेक्षा सं० -665)(पदोन्नत)	30-06-2009
42.	श्रीमती जयप्रिया आर्य (सम्प्रेक्षा सं० -614)(सीधी भर्ती)	29-12-2009
43.	श्री होशियार सिंह सौन (सम्प्रेक्षा सं० -647)(सेवानिवृत्त)	30-06-2009
44.	श्रीमती गीता पाठक (सम्प्रेक्षा सं० -615)(सीधी भर्ती)	31-12-2009
45.	श्री अजय भारद्वाज (सम्प्रेक्षा सं० -567)(पदोन्नत)	30-06-2009
46.	श्री चन्द्रमोहन (सम्प्रेक्षा सं० -616) (सीधी भर्ती)	01-01-2010
47.	श्री पवन कुमार (सम्प्रेक्षा सं० -525)(पदोन्नत)	30-06-2009
48.	श्रीमती सीता राजपूत (सम्प्रेक्षा सं० -618)(सीधी भर्ती)	29-12-2009
49.	श्री अंजीव कुमार (सम्प्रेक्षा सं० -535)(पदोन्नत)	01-07-2009
50.	श्री ललित मोहन (सम्प्रेक्षा सं० -619)(सीधी भर्ती)	11-01-2010
51.	श्री अनुज अग्रवाल (सम्प्रेक्षा सं० -527)(पदोन्नत)	30-06-2009
52.	श्री मुकेश कुमार (सम्प्रेक्षा सं० -620)(सीधी भर्ती)	02-01-2010
53.	श्री संतोष डबराल (सम्प्रेक्षा सं० -537)(पदोन्नत)	30-06-2009
54.	श्रीमती शिल्पी सैनी (सम्प्रेक्षा सं० -621)(सीधी भर्ती)	30-12-2009
55.	श्री सतीश चन्द जोशी (सम्प्रेक्षा सं० -584)(पदोन्नत)	30-06-2009
56.	श्री मोनिका चुनेरा (सम्प्रेक्षा सं० -622)(सीधी भर्ती)(त्यागपत्रित)	30-12-2009
57.	श्री कुल भूषण कुकरेती (सम्प्रेक्षा सं० -560)(पदोन्नत)	30-06-2009
58.	श्रीमती नीति रंजना (सम्प्रेक्षा सं० -623)(सीधी भर्ती)	08-01-2010
59.	श्री सुनील कुमार (सम्प्रेक्षा सं० -528)(पदोन्नत)	30-06-2009
60.	श्री प्रवेश कुमार (सम्प्रेक्षा सं० -624)(सीधी भर्ती)	29-12-2009
61.	श्री सुनील उनियाल (सम्प्रेक्षा सं० -574)(पदोन्नत)	30-06-2009
62.	श्री राकेश सिंह बर्फाल (सम्प्रेक्षा सं० -625)(सीधी भर्ती)	30-12-2009
63.	श्री ख्याली दत्त (सम्प्रेक्षा सं० -529)(पदोन्नत)	30-06-2009
64.	श्री अश्विनी कुमार सिंह (सम्प्रेक्षा सं० -626)(सीधी भर्ती)	29-12-2009
65.	श्री रामकुमार (सम्प्रेक्षा सं० -549)(पदोन्नत)	30-06-2009
66.	श्री उज्जवल कुमार भास्कर (सम्प्रेक्षा सं० -627)(सीधी भर्ती)	02-01-2010
67.	श्री भुवनेश कुमार जोशी (सम्प्रेक्षा सं० -538)(सेवानिवृत्त)	30-06-2009
68.	श्री अमित तामर (सम्प्रेक्षा सं० -628)(सीधी भर्ती)	24-02-2010
69.	श्री शैलेन्द्र कुमार सैनी (सम्प्रेक्षा सं० -541)(पदोन्नत)	30-06-2009
70.	श्री प्रवीण सिंह नेगी (सम्प्रेक्षा सं० -641)(सीधी भर्ती)	24-02-2010
71.	श्री अजय कुमार (सम्प्रेक्षा सं० -533)(पदोन्नत)	30-06-2009
72.	श्रीमती ज्योत्सना श्रेष्ठ (सम्प्रेक्षा सं० -629)(सीधी भर्ती)	30-12-2009
73.	श्री मुकेश चन्द (सम्प्रेक्षा सं० -557) (पदोन्नत) (सेवानिवृत्त)	30-06-2009
74.	श्रीमती पारुल साहू (सम्प्रेक्षा सं० -630)(सीधी भर्ती)	30-12-2009
75.	श्री विरेन्द्र सिंह विष्ट (सम्प्रेक्षा सं० -539)(सेवानिवृत्त)	30-06-2009
76.	श्री समर बहादुर यादव (सम्प्रेक्षा सं० -665)(सीधी भर्ती)	02-03-2010
77.	श्री अक्षय कपिल (सम्प्रेक्षा सं० -543)(पदोन्नत)	30-06-2009
78.	श्रीमती नेहा सिंह (सम्प्रेक्षा सं० -631)(सीधी भर्ती)	08-01-2010
79.	श्री जगपाल सिंह (सम्प्रेक्षा सं० -530)(पदोन्नत)	30-06-2009
80.	श्री राजपाल (सम्प्रेक्षा सं० -546)(पदोन्नत)	30-06-2009
81.	श्री राजीव खड्कवाल (सम्प्रेक्षा सं० -536)(पदोन्नत)	30-06-2009
82.	श्री हरीश वल्लव (सम्प्रेक्षा सं० -524)(पदोन्नत)	30-06-2009



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83.	श्रीमती प्रीती भटनागर (सम्प्रेक्षा सं० -540)(पदोन्नत)	30-06-2009
84.	श्री संजय प्रसाद आर्य (सम्प्रेक्षा सं० -547)(पदोन्नत)	30-06-2009
85.	श्री कवल सिंह (सम्प्रेक्षा सं० -542)(पदोन्नत)	01-07-2009
86.	श्री रुपेश कुमार नथाला (सम्प्रेक्षा सं० -531)(पदोन्नत)	30-06-2009
87.	श्री नारायण सिंह चौहान (सम्प्रेक्षा सं० -556)(पदोन्नत)	30-06-2009
88.	श्री ओमपाल (सम्प्रेक्षा सं० -545)(पदोन्नत)	30-06-2009
89.	श्री जगदम्बा प्रसाद भट्ट (सम्प्रेक्षा सं० -526)(पदोन्नत) (सेवानिवृत्त)	30-06-2009
90.	श्री प्रकाश चन्द (सम्प्रेक्षा सं० -570)(पदोन्नत)	30-06-2009
91.	श्री मोहनराम (सम्प्रेक्षा सं० -548)(पदोन्नत)	30-06-2009
92.	श्री रमेश चन्द्र आर्य (सम्प्रेक्षा सं० -509)(पदोन्नत)	30-06-2009
93.	श्री अमी चन्द (सम्प्रेक्षा सं० -561)(पदोन्नत)	30-06-2009

यह भी आदेशित किया जाता है कि उपरोक्त ज्येष्ठता सूची मा० उच्च न्यायालय में योजित वाद सं० WPSB 268/2023 मनोज कुमार व अन्य बनाम उत्तराखण्ड शासन एवं अन्य तथा वाद सं० WPSB 319/2023 सुनील कुमार गौतम एवं अन्य बनाम उत्तराखण्ड शासन एवं अन्य के अंतिम निर्णय के प्रतिबन्धाधीन रहेगी।

प्रबन्ध निदेशक

पत्रांक :- /अधि० निदे०(मा०सं०)/उपाकालि/अनुभाग-III तददिनांकित

प्रतिलिपि:-

1. स्टाफ ऑफिसर-1, मुख्य सचिव एवं अध्यक्ष महोदय, उत्तराखण्ड शासन, सचिवालय, देहरादून।
2. स्टाफ ऑफिसर-1, प्रबन्ध निदेशक, उपाकालि०, ऊर्जा भवन, देहरादून।
3. निजी सचिव, समस्त निदेशक, उपाकालि०, ऊर्जा भवन, देहरादून।
4. समस्त मुख्य अभियन्ता/महाप्रबन्धक, उपाकालि०।
5. समस्त अधीक्षण अभियन्ता/उपमहाप्रबन्धक, उपाकालि०।
6. समस्त अधिशासी अभियन्ता, उपाकालि०।
7. अधिशासी अभियन्ता(सू०प्र००) को विभागीय वेबसाईट पर प्रदर्शित किये जाने हेतु।
8. कट फाईल/सम्बन्धित कार्मिक अनुभाग, उपाकालि०।

[डा० आर०जे० मलिक]
अधीशासी निदेशक(मा०सं०)



Uttarakhand Power Corporation Ltd.
(Uttarakhand Government undertaking)

Uttarakhand Power Corporation Ltd.

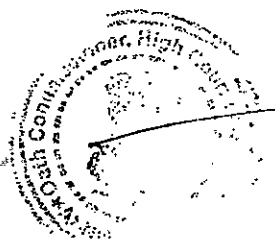
Email ID hr@upcl.org

Website www.upcl.org

LetterNo.-2608/Sub-Collector/Section-III. Date:04/06/2025

Office memorandum

Case number 579/2017 (UPCL vs. VM Bhatt and others) registered in the Honorable High Court, Nainital and 06 other cases related to the said petition, such as case number 550/2017 (Kanhaiya Ji Mishra), 543/2017 (Rahul Channa and others), 550/2017 (Kanhaiya Ji Mishra and others), In cases 552/2017 (Umakant Chaturvedi and others), 554/2017 (Gulshan Boolani and others) 563/2017 (Ashutosh Tiwari and others), the decision, order passed by the Hon'ble High Court of Nainital dated 27.06.2024 and 14.02.2025, the UP Engineer Service Regulations in force. Report of the government level committee constituted for compliance of the decisions of the Hon'ble High Court by Government Order No. 17/7(2)/2025-05-52/2016 dated 12-03-2025 to examine and interpret the provisions given in UP 1970 (as amended) and UP RPSC Servant Seniority Regulations 1998 and the above decisions/orders and rules. According to the recommendations made and the opinion given for determining the seniority list in 15.5.2025, in compliance with the above mentioned decisions/orders of the Honorable High Court, Nainital, the final seniority list of Assistant Engineers (V.E.R.) promoted through sub-category/direct recruitment in the selection year 2008-09 is determined as follows:-



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2008-09

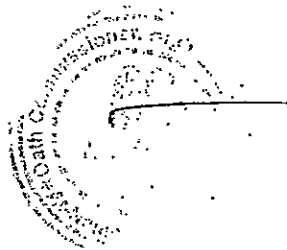
serial number	Name and recruitment number/seniority of Assistant Engineer(Electrical & Mechanical)	Date of joining on promotion/new appointment in the Corporation
1.	Shri S.P. Kudiyal (Audit No. -512) (Promoted) (Retired)	19-11-2008
2.	Shri Abhinav Rawat (Audit No.-594) (Direct Recruitment)	08-01-2010
3.	Shri Pradeep Kumar (Audit No.-562) (Promoted)	12-08-2009
4.	Shri Rahul Ghanna (Audit No.-595) (Direct Recruitment)	08-01-2010
5.	Shri Vinod Kumar Bisht (Audit No - 513) (Promoted)	19-11-2008
6.	Mrs. Shweta Purnia (Audit No. -506) (Direct Recruitment)	31-12-2009
7.	Shri G.C. Joshi (Audit No.-534) (Promoted) (Retired)	03-01-2000
8.	Shri Anuj Kumar Tripathi (Audit No. 20 -597) (Direct Recruitment)	04-01-2010
9.	Shri Kishor Kumar Pant (Audit No 514) (Promoted)	19-11-2008
10.	Shri Subhash Kumar (Audit No. 20-598) (Direct Recruitment)	29-12-2009



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11.	Shri Govind Singh Karki (Audit No. 558) (Promoted)	19-11-2008
12.	Shri Vaibhav Sharma (Audit No.- 600) (Direct Recruitment)	08-01-2010
13.	Shri Vineet Kumar Saxena (Audit No.- 516) (Promoted)	19-11-2008
14.	Mrs. Meenakshi Pat (S Audit No 2001) (Direct Recruitment)	30-12-2009
15.	Shri Mahendra Singh (Audit No.-503) (Retired)	19-11-2008
16.	Shri Prashant Mohan Joshi (Audit No. 602) Direct Recruitment	30-12-2009
17.	Shri Yashpal Singh (Audit No. 500) (Retired)	19-11-2008
18.	Shri Vipin Kumar (Audit No.639) Direct Recruitment	25-01-2010
19.	Shri Rajeev Lochan (Seniority No. 2/2000-01) (Promoted) (Retired)	23-03-2017
20.	Shri Arshad Ali (Audit No -603) (Direct Recruitment)	08-01-2010
21.	Shri Mohan Lal (Audit No)-517) (4) (Retired)	19-11-2008
22.	Shri Gulshan Bulani (Audit No. 20-604) (Direct Recruitment)	04-01-2010
23.	Shri Shailendra Bisht (Audit No -542) (Promoted)	01-07-2009

24.	Shri Rohtashu Pandey (Audit No.-606) (Direct Recruitment)	02-03-2010
25.	Shri Amit Saxena (Audit No. 532) (Promoted)	30-06-2009
26.	Shri Himanshu Badoni (Audit No.- 638) (Direct Recruitment)	28-01-2010
27.	Shri Sandeep Kumar Sharma (Audit No.-544) (Promoted)	30-06-2009
28.	Shri Dhananjay Kumar (Audit No. 605) (Direct Recruitment)	29-12-2009
29.	Shri Vinay Kumar Singh (Audit No.- 551) (Promoted)	30-06-2009
30.	Shri Vivek Upadhyay (Audit No.-644) (Direct Recruitment)	01-02-2010
31.	Shri Manoj Prakash Singh Rawat (Audit No.-555) (Promoted)	30-06-2009
32.	Shri Manish Joshi (Audit No. 607) (Direct Recruitment)	29-12-2009
33.	Shri Prathak Pandey (Audit No.-576) (Direct Recruitment)	30-06-2009
34.	Shri Santosh Agarwal (Audit No.-642) (Direct Recruitment)	25-02-2010
35.	Mr. Rajesh Kumar Sikha (Audit No.- 640) (Promoted)	01-07-2009
36.	Shri Punit Kumar (Audit No 610) (Direct Recruitment)	08-01-2010

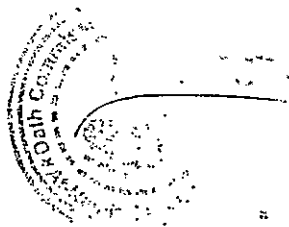


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37.	Mr. Shashikant Singh (Audit No.-559) (Promoted)	30-06-2009
38.	Shri Vikas Bharti (Audit No.-612) (Direct Recruitment)	08-01-2010
39.	Shri Manoj Kumar Pandey (Audit No.- 592) (Promoted)	30-06-2009
40.	Shri Sunil Kumar (Audit No.-613) (Direct Recruitment)	31-12-2009
41.	Shri Kailash Singh (Audit No.-665) (Promoted)	30-06-2009
42.	Mrs. Jayapriya Arya (Audit No.-614) (Direct Recruitment)	29-12-2009
43.	Shri Hoshiar Singh Saun (Audit No.- 647) (Retired)	30-06-2009
44.	Mrs. Geeta Pathak (Audit No 615) (Direct Recruitment)	21-12-2009
45.	Shri Ajay Bhardwaj (Audit No. 567) (Promoted)	30-06-2009
46.	Shri Chandramohan (Audit No.-616) (Direct Recruitment)	01-01-2010
47.	Shri Pawan Kumar (Audit No.-525) (Promoted)	30-06-2009
48.	Mrs. Rita Rajput (Audit No.-618) (Direct Recruitment)	29-12-2009
49.	Shri Ajeeb Kumar (Audit No.-535) (Promoted)	01-07-2009

50.	Shri Lalit Mohan (Audit No.-619) (Direct Recruitment)	11-01-2010
51.	Shri Anuj Aggarwal (Audit No.-527) (Promoted)	30-06-2009
52.	Shri Mukesh Kumar (Audit No.-620) (Direct Recruitment)	02-01-2010
53.	Shri Santosh Dabaral (Audit No -537) (Promoted)	30-06-2009
54.	Mrs. Shilpi Saini (Audit No -621) (Direct Recruitment)	30-12-2009
55.	Shri Satish Chand Joshi (Audit No.- 584) (Promoted)	30-06-2009
56.	Ms. Monika Chunera (Audit No -622) (Direct Recruitment) (Resigned)	30-12-2009
57.	Shri Gul Bhushan Kukreti (Audit No.- 560) (Promoted)	30-06-2009
58.	Mrs. Neeti Ranjana (Audit No.-623) (Direct Recruitment)	08-01-2010
59.	Shri Sunil Kumar (Audit No.-528) (Promoted)	30-06-2009
60.	Shri Pravesh Kumar (Audit No 624) (Direct Recruitment)	29-12-2009
61.	Shri Sunil Uniyal (Audit No.-574) (Promoted)	30-06-2009
62.	Shri Rakesh Singh Bafal (Audit No.- 625) (Direct Recruitment)	30-12-2009

63.	Shri Khyali Dutt (Audit No 529) (Promoted)	30-06-2009
64.	Shri Ashwani Kumar Singh (Audit No.-626) (Direct Recruitment)	29-12-2009
65.	Shri Ramkumar (Audit No.-509) (Promoted)	30-06-2009
66.	Shri Ujjwal Kumar Bhaskar (Audit No 627) (Direct Recruitment)	02-01-2010
67.	Shri Muvnesh Kumar Jashi (Audit No.538) (Retired)	30-06-2009
68.	Shri Amit Tomar (Audit No.-628) (Direct Recruitment)	24-02-2010
69.	Shri Shailendra Kumar Saini (Audit No -541) (Promoted)	30-06-2009
70.	Mr. Praveen Singh Nagi Audit No - 641) (Direct Recruitment)	24-02-2010
71.	Shri Ajay Kumar (Audit No -533) (Promoted)	30-06-2009
72.	Mrs. Jyotsna Shrestha (Audit No -629) (Direct Recruitment)	30-12-2009
73.	Shri Mukesh Band (Audit No 557) (Promoted) (Retired)	30-06-2009
74.	Mrs. Parul Sahu (Audit No.630) (Direct Recruitment)	30-12-2009
75.	Shri Virendra Singh Bista (Audit No. 539) (Retired)	30-06-2009



76.	Shri Samar Bahadur Yadav (Audit No.-605) (Direct Recruitment)	02-03-2010
77.	Shri Akshay Kapil (Audit No 543) (Promoted)	30-06-2009
78.	Mrs. Neha Singh (Audit No -631) (Direct Recruitment)	08-01-2010
79.	Shri Jagpal Singh (Audit No -530) (Promoted)	30-06-2009
80.	Shri Rajpal (Audit No 857) (Promoted)	30-06-2009
81.	Shri Rajeev Kandhelwal (Audit No 536) (Promoted)	30-06-2009
82.	Shri Harish Ballav (Audit No. 524) (Promoted)	30-06-2009
83.	Mrs. Peeti Bhatnagar (Audit No.-540) (Promoted)	30-06-2009
84.	Shri Sanjay Prasad Arya (Audit No. 547) (Promoted)	30-06-2009
85.	Shri Kawal Singh (Audit No.-542) (Promoted)	30-06-2009
86.	Shri Rupesh Kumar Nathala (Audit No. -531) (Promoted)	30-06-2009
87.	Shri Narayan Singh Beetan (Audit No.-556) (Promoted)	30-06-2009
88.	Shri Om Pal (Audit No. -545) (Promoted 7)	30-06-2009
89.	Shri Jagdamba Prasad Patt (Audit No.-	30-06-2009



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	526) (Promoted) (Retired)	
90.	Shri Prakash Chand (Audit No.-570) (Promoted)	30-06-2009
91.	Shri Mohanram (Audit No. -548) (Promoted)	30-06-2009
92.	Shri Ramesh Chandra Arya (Audit No. -509) (Promoted)	30-06-2009
93.	Shri Ami Chand (Audit No.-561) (Promoted)	30-06-2009

It is also ordered that the above seniority list will remain subject to the final decision of the case No. WPSB 268/2023 Manoj Kumar and others vs. Uttarakhand Government and others and case No. WPSB 319/2023 Sunil Kumar Gautam and others vs. Uttarakhand Government and others filed in the Hon'ble High Court.

Managing

Director

Letter Number :- Additional Instruction (Ma.S.) / UPCL / Section-III
double-digit

Copy:-

1. Staff Officer-1, Chief Secretary and Mr. Chairman, Government of Uttarakhand, Secretariat, Dehradun.
2. Staff Officer-1, Managing Director, UPCL, Urja Bhawan, Dehradun.
3. Private Secretary, All Directors, UPCL, Urja Bhawan, Dehradun.
4. All Chief Engineers/General Managers, Deputy.



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5. All Superintending Engineers / Deputy General Managers, Upa-Kaal.

5. All Executive Engineers, Tapakali.

7. Executive Engineer (Information Processing) for displaying it on departmental website.

8. Cut File/Concerned Personnel Section, UPCL'Ltd.

[Dr. R.J. Malik]

Executive

Director(Ma.S.)

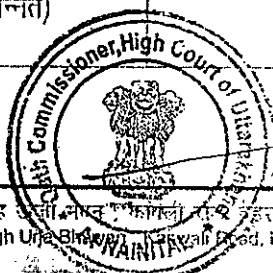
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14	श्री मनोज गुसाई (सीधी भर्ती)	28.05.2009	कारपोरेशन में चयन वर्ष 2006-07 की रिक्तियों में सापेक्ष, मा10 लोक सेवा अधिकरण के निर्णय दिनांक 07.11.2017 के अनुसार निर्धारित 2003-09 के सहायक अनियन्ता (सीधी भर्ती) की योग्यता क्रमरूची के अनुसार-En bloc
15	श्री अनूप कुमार (सीधी भर्ती)	23.05.2009	
16	श्री दीपक सैनी (सीधी भर्ती)	29.05.2009	
17	श्री मोहम्मद अफजाल (सीधी भर्ती)	30.05.2009	
18	श्री नितिन सिंह गखात (सीधी भर्ती)	22.05.2009	
19	श्री हारुन रशीद (सीधी भर्ती)	30.06.2009	
20	कु0 नन्दिता अग्रवाल (सीधी भर्ती)	19.05.2009	
21	श्री गौरव सकलानी (सीधी भर्ती)	22.05.2009	
22	श्रीमती पूजा रानी (सीधी भर्ती)	17.05.2009	
23	श्री भास्कर पांडे (सीधी भर्ती)	16.12.2009	
24	श्री कन्हैया जी मिश्रा (सीधी भर्ती)	12.11.2009	
25	श्री विवेक काण्डपाल (सीधी भर्ती)	28.11.2009	
26	श्री अजीत कुमार यादव (सीधी भर्ती)	15.11.2009	
27	श्री मनोज कुमार (सीधी भर्ती)	28.05.2010	
28	श्री आशुतोष तिवारी (सीधी भर्ती)	21.04.2010	
29	श्री दशरथ सिंह चौधरी (पदोन्नत) (सेवानिवृत्त)	22.07.2008	
30	श्री सुरेन्द्र सिंह बिष्ट (पदोन्नत) (सेवानिवृत्त)	22.07.2008	
31	श्री एस0पी0 कुडियाल (पदोन्नत) (सेवानिवृत्त)	19.11.2008	
32	श्री प्रदीप कुमार (पदोन्नत)	12.05.2009	
33	श्री विनोद कुमार बिष्ट (पदोन्नत)	19.11.2008	
34	श्री जी0सी0 जोशी (पदोन्नत) (सेवानिवृत्त)	03.01.2009	
35	श्री किशोर कुमार पन्त (पदोन्नत)	19.11.2008	
36	श्री गोविन्द सिंह कार्की (पदोन्नत)	19.11.2008	
37	श्री विनोद कुमार सक्सेना (पदोन्नत)	19.11.2008	
38	श्री भूदेव दास (पदोन्नत) (सेवानिवृत्त)	03.01.2009	
39	श्री महेंद्र सिंह (पदोन्नत) (सेवानिवृत्त)	19.11.2008	



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40	श्री मोहन लाल (पदोन्नत)(सेवानिवृत्त)	19.11.2008	—
41	श्री यशपाल सिंह (पदोन्नत) (सेवानिवृत्त)	19.11.2008	—
42	श्री शैलेन्द्र बिष्ट (पदोन्नत) (ए०एम०आई०ई०)	30.06.2009	—
43	श्री अमित सक्सेना (पदोन्नत) (ए०एम०आई०ई०)	30.06.2009	—
44	श्री संदीप कुमार शर्मा (पदोन्नत)	30.06.2009	—
45	श्री विनय कुमार सिंह (पदोन्नत) (बी०ई०)	30.06.2009	—
46	श्री मनोज प्रकाश सिंह रावत (पदोन्नत)	30.06.2009	—
47	श्री प्रयंक पाण्डेय (पदोन्नत)	30.06.2009	—
48	श्री राकेश कुमार सिंह (पदोन्नत)	30.06.2009	—
49	श्री शशिकान्त सिंह (पदोन्नत)	30.06.2009	—
50	श्री मनोज कुमार पाण्डेय (पदोन्नत)	30.06.2009	—
51	श्री कैलाश सिंह (पदोन्नत)	30.06.2009	—
52	श्री होशियार सिंह सौन (पदोन्नत)(सेवानिवृत्त)	30.06.2009	—
53	श्री अजय भारद्वाज, पदोन्नत	30.06.2009	—
54	श्री पवन कुमार, (पदोन्नत) (ए०एम०आई०ई०)	30.06.2009	—
55	श्री अंजीव कुमार (पदोन्नत)	30.06.2009	—
56	श्री अनुज अग्रवाल (पदोन्नत)	30.06.2009	—
57	श्री संतोष डबराल (पदोन्नत)	30.06.2009	—
58	श्री सतीश चन्द्र जोशी (पदोन्नत)	30.06.2009	—
59	श्री कुलभूषण कुकरेती (पदोन्नत)	30.06.2009	—
60	श्री सुनील कुमार (पदोन्नत)	30.06.2009	—
61	श्री सुनील अनियाल (पदोन्नत) (ए०एम०आई०ई०)	30.06.2009	—
62	श्री ख्याली दत्त (पदोन्नत)	30.06.2009	—
63	श्री राम कुमार (पदोन्नत) (ए०एम०आई०ई०)	30.06.2009	—
64	श्री भुवनेश कुमार जोशी (पदोन्नत)(सेवानिवृत्त)	30.06.2009	—
65	श्री शैलेन्द्र कुमार सैनी (पदोन्नत)	30.06.2009	—
66	श्री अजय कुमार (पदोन्नत)	30.06.2009	—
67	श्री मुकेश चन्द्र (पदोन्नत) (सेवानिवृत्त)	30.06.2009	—



68	श्री वीरेन्द्र सिंह बिष्ट (पदोन्नत)	30.06.2009	-
69	श्री अक्षय कपिल (पदोन्नत)	30.06.2009	-
70	श्री जगपाल सिंह (पदोन्नत)	30.06.2009	-
71	श्री राजपाल (पदोन्नत)	30.06.2009	-
72	श्री रज्जीव खरकवाल (पदोन्नत)	30.06.2009	-
73	श्री हरीश बल्लभ (पदोन्नत) (बी0टेक0)	30.06.2009	-
74	श्रीमती प्रीति भटनागर (प्रोन्नत) (ए0एम0आई0ई0)	30.06.2009	-
75	श्री संजय प्रसाद आर्य (पदोन्नत) (अ0जाति)	30.06.2009	-
76	श्री कवल सिंह (पदोन्नत) (अ0जाति)	30.06.2009	-
77	श्री रूपेश कुमार नडाला (पदोन्नत) (अ0जाति)	30.06.2009	-
78	श्री नारायण सिंह चौहान (पदोन्नत) (बी0टेक0)	30.06.2009	-
79	श्री ओमपाल (पदोन्नत) (अ0जाति)	30.06.2009	-
80	श्री जगदम्बा प्रसाद भट्ट (पदोन्नत) (से0नि0) ए0एम0आई0ई0	30.06.2009	-
81	श्री प्रकाश चन्द्र (पदोन्नत) (अ0जाति)	30.06.2009	-
82	श्री मोहन राम (पदोन्नत) (अ0जाति)	30.06.2009	-
83	श्री रमेश चन्द्र आर्य (पदोन्नत) (अ0जाति)(सेवानिवृत्त)	30.06.2009	-
84	श्री अमी चन्द्र (पदोन्नत) (अ0जाति)	30.06.2009	-

* मा0 लोक सेवा अधिकरण, देहरादून में दायर Claim Petition No. 122/DB/2022 में मा0 न्यायालय द्वारा दिये गये आदेश दिनांक 06.02.2023 एवं मा0 लोक सेवा अधिकरण, नैनीताल के आदेश दिनांक 07.11.2017 के अनुपालन के अनुसार;

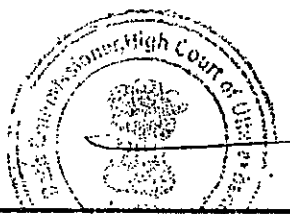
** स्व0 श्री जाकिर हुसैन मा0 लोक सेवा अधिकरण, नैनीताल में योजित वाद संख्या No. 01/N.B./D.B./2015 के प्रतिवादी नहीं थे किन्तु अन्य प्रतिवादियों की चयन सूची में सम्मिलित होने के कारण उनका क्रम संख्या 11 पर रखा गया है।

प्रबन्ध निदेशक

पत्रांक :- 2160 / निदे0(मा0सं0) / उपाकालि / के0बी0ओ0 / दिनांकित 21.06.2023

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. वरिष्ठ अधिशासी सचिव, प्रबन्ध निदेशक, उपाकालि, वि0क्रा0वि0ग0सिं0 ऊर्जा भवन, देहरादून।
2. निजी सचिव, समस्त निदेशक, उपाकालि, वि0क्रा0वि0ग0सिं0 ऊर्जा भवन, देहरादून।
3. महाप्रबन्धक(विधि)-एवं-कम्पनी सचिव उपाकालि, वि0क्रा0वि0ग0सिं0 ऊर्जा भवन, देहरादून।



(डी0 एस0 खाती)

महाप्रबन्धक(मा0सं0)

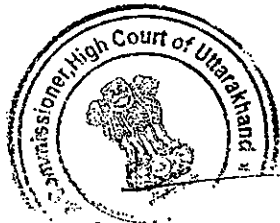
क्रमशः 5/-

पत्रांक :- 2160/निदे0(मा0सं0)/उपाकालि/के0बी0ओ0/ दिनांकित 21.06.2023

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं इस अनुरोध के साथ प्रेषित की निम्न अधिकारी अपने अधीनस्थ उक्त वाद के समस्त पक्षकारों को उक्त पत्र को प्रचारित करते हुए अवगत कराने की कृपा करें :-

1. समस्त मुख्य अभियन्ता(स्तर-1/स्तर-2)/महाप्रबन्धक, उपाकालि
2. समस्त अधीक्षण अभियन्ता, उपाकालि
3. अधिशासी अभियन्ता(सू0प्रौ0), उपाकालि, वि0क्रा0वि0ग0सिं0 ऊर्जा भवन, देहरादून को इस आदेश के साथ निर्गत कि वह उपरोक्त पत्र उपाकालि की विभागीय वेबसाईट के मुख्य पृष्ठ पर आज ही अपलोड करना सुनिश्चित करें।
4. समस्त अधिशासी अभियन्ता, उपाकालि
5. सम्बन्धित अधिकारी/कंट फाईल/सूचना पट्ट।

(डी0 एस0/सी0)
महाप्रबन्धक(मा0सं0)



****Uttarakhand Power Corporation Ltd.****

(A Government of Uttarakhand Enterprise)

Letter No.- 2160/Director (H.S.)/Upakali/K.B.O. Date: 21.06.2023

Office Memorandum

In compliance with the interim order dated 09.06.2023 of the Hon'ble Court in the case No. 579/2017 (SB) (Upakali Vs. B.M. Bhatt and others) filed in the Hon'ble High Court, Nainital, the order dated 07.11.2017 of the Hon'ble Public Service Commission, Nainital, after obtaining legal advice on the representations received through electronic medium through Corporation Circular No. 1980, dated 09.06.2023, after due consideration and disposal of objections, the final seniority list of Assistant Engineer (E & S) of the appointment year 2008-09 is issued as follows subject to the final decision of the case No. 579/2017 (SB) (Upakali Vs. B.M. Bhatt and others) filed in the Hon'ble High Court

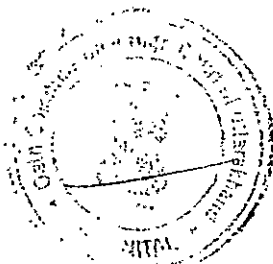
2008-2009

S.No.	Name of Employee	Date of original appointment in the cadre of Assistant Engineer (Electrical & Mechanical) in the corporation as per the order dated 07.11.2017 of the Hon'ble Public Service Commission	Remarks
-1-	-2-	-3-	-4-
1	Shri Surya Darshan Singh Bisht (Direct Recruitment)		Decision of Hon'ble Public Service Commission dated 07.11. As per the eligibility list of Assistant Engineer (Direct Recruitment) of 2008-09 as per the
2	Shri Arvind Kumar (Direct Recruitment)		
3	Shri Yogendra Mohan (Late) (Direct Recruitment)		
4	Shri Vegraj Singh (Direct Recruitment)		



A-2

			selection year 2006-07 vacancies in the Corporation as of 2017 - En bloc
5	Shri Manoj Kumar (Direct Recruitment)		As per the order dated 06.02.2023 of Hon'ble Public Service Commission, Dehradun
6	Shri Umakant Chaturvedi (Direct Recruitment)		As per the merit list of Assistant Engineer (Direct Recruitment) of 2008-09 determined as per the decision of Hon'ble Public Service Commission dated 07.11.2017, relative to the vacancies of selection year 2006-07 in the Corporation - En bloc
7	Mr. Prashant Pant (Direct Recruitment)		
8	Shri Sandeep Kumar Gupta (Direct Recruitment)		
9	Shri Dharamvir Singh (Direct Recruitment)		
10	Shri Pradeep Kumar (Direct Recruitment)		
11	Shri Zakir Hussain (Direct Recruitment), (Deceased)**		
12	Shri Kailash Kumar (Direct Recruitment)		
13	Shri Deepak Pal Arya (Direct Recruitment) Shri Deepak Pal Arya (Direct Recruitment)		
14	Shri Manoj Gusai (Direct Recruitment)	28.05.2009	As per the merit list of Assistant Engineer (Direct Recruitment) of 2008-09 determined as per the decision of Hon'ble Public Service Commission dated 07.11.2017, relative to the vacancies of selection year 2006-07 in the Corporation - En bloc
15	Shri Anoop Kumar (Direct Recruitment)	23.05.2009	
16	Shri Deepak Seni (Direct Recruitment)	29.05.2009	
17	Shri Mohammad Afzal (Direct Recruitment)	30.05.2009	
18	Shri Nitin Singh Garkhal (Direct Recruitment)	22.05.2009	
19	Shri Haroon Rashid (Direct Recruitment)	30.06.2009	
20	Nandita Agarwal (Direct Recruitment)	19.05.2009	
21	- Shri Gaurav Saklani (Direct Recruitment)	- 22.05.2009	
22	- Smt. Pooja Saini (Direct Recruitment)	- 17.05.2009	



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23	- Shri Bhaskar Pandey (Direct Recruitment)	- 16.12.2009	
24	- Shri Kanhaiya Ji Mishra (Direct Recruitment)	- 12.11.2009	
25	- Shri Vivek Kandpal(Direct Recruitment)	- 28.11.2009	
26	- Shri Ajit Kumar Yadav (Direct Recruitment)	- 15.11.2009	
27	- Shri Manoj Kumar (Direct Recruitment)	- 28.05.2010	
28	- Shri Ashutosh Tiwari (Direct Recruitment)	- 21.04.2010	
29	- Shri Dashrath Singh Chaudhary (Promotion) (Retired)	- 22.07.2008	
30	- Shri Surendra Singh Bisht (Promotion) (Retired)	- 22.07.2008	
31	- Shri S.P. Kuriyal (Promotion) (Retired)	- 19.11.2008	
32	- Shri PradeepKumar (Promotion)	- 12.06.2009	
33	- Shri Vinod Kumar Bisht (Promotion)	- 19.11.2008	
34	- Shri J.C. Joshi (Promotion) (Retired)	- 03.01.2009	
35	- Shri Kishore Kumar Pant (Promotion)	- 19.11.2008	
36	- Shri Govind Singh Karki (Promotion)	- 19.11.2008	
37	- Shri Vineet Kumar Saxena (Promotion)	- 19.11.2008	
38	- Shri Bhudev Dass (Promotion) (Retired)	- 03.01.2009	
39	- Shri Mahendra Singh (Promotion) (Retired)	- 19.11.2008	
40	- Shri Mohan Lal (Promotion) (Retired)	- 19.11.2008	
41	- Shri Yashpal Singh (Promotion) (Retired)	- 19.11.2008	
42	- Shri Shailendra Bisht (Promotion) (AEPTC)	- 30.06.2009	
43	- Shri Amit Saxena (Promotion) (AEPTC)	- 30.06.2009	
44	- Shri Sandeep Kumar Sharma (Promotion)	- 30.06.2009	
45	- Shri Vinay Kumar Singh	- 30.06.2009	



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	(Promotion) (B.Tech)		
46	- Shri Manoj Prakash Singh Rawat (Promotion)	- 30.06.2009	
47	- Shri Paryank Pandey (Promotion)	- 30.06.2009	
48	- Shri Rakesh Kumar Singh (Promotion)	- 30.06.2009	
49	- Shri Shashikant Singh (Promotion)	- 30.06.2009	
50	- Shri Manoj Kumar Pandey (Promotion)	- 30.06.2009	
51	- Shri Kabir Singh (Promotion)	- 30.06.2009	
52	- Shri Hoshiyar Singh Sain (Promotion) (Retired)	- 30.06.2009	
53	- Shri Ajay Bharadwaj (Promotion)	- 30.06.2009	
54	- Shri Pawan Kumar (Promotion) (AEPTC)	- 30.06.2009	
55	- Shri Anjeev Kumar (Promotion)	- 30.06.2009	
56	- Shri Anuj Agrawal (Promotion)	- 30.06.2009	
57	- Shri Santosh Dobral (Promotion)	- 30.06.2009	
58	- Shri Shailesh Chandra Joshi (Promotion)	- 30.06.2009	
59	- Shri Durgadutt Kukreti (Promotion)	- 30.06.2009	
60	- Shri Sunil Kumar (Promotion)	- 30.06.2009	
61	- Shri Sunil Uniyal (Promotion) (AMIE)	- 30.06.2009	
62	- Shri Shyami Dutt (Promotion)	- 30.06.2009	
63	- Shri Khayli Kumar (Promotion) (AMIE)	- 30.06.2009	
64	- Shri Bhuvanesh Kumar Joshi (Promotion) (Retired)	- 30.06.2009	
65	- Shri Shailendra Kumar Saini (Promotion)	- 30.06.2009	
66	- Shri Sanjay Kumar (Promotion)	- 30.06.2009	
67	- Shri Mukesh Chand (Promotion) (Retired)	- 30.06.2009	
68	- Shri Virendra Singh Bisht	- 30.06.2009	



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	(Promotion)		
69	- Shri Akshay Kapil(Promotion)	- 30.06.2009	
70	- Shri Jagpal Singh (Promotion)	- 30.06.2009	
71	- Shri Rajpal (Promotion)	- 30.06.2009	
72	- Shri RajveerKhrakwal(Promotion)	- 30.06.2009	
73	- Shri Harish Ballabh (Promotion) (B.Tech)	- 30.06.2009	
74	- Smt. Preeti Bhatnagar (Promotion) (AEPTC)	- 30.06.2009	
75	Shri Sanjay Prasad Arya (Promotion) (AE)	- 30.06.2009	
76	Shri Kanval Singh (Promotion) (AE)	- 30.06.2009	
77	Shri Rupesh Kumar Nahala (Promotion) (AE)	- 30.06.2009	
78	Shri Narayan Singh Chauhan (Promotion) (B.Tech)	- 30.06.2009	
79	Shri Ompal (Promotion) (AE)	- 30.06.2009	
80	Shri Jagdamba Prasad Pant (Promotion) (Retired) (AEPTC)	- 30.06.2009	
81	- Shri Prakash Chandra (Promotion) (AE)	- 30.06.2009	
82	Shri Mohan Ram (Promotion) (AE)	- 30.06.2009	
83	Shri Ramesh Chand Arya (Promotion) (AE) (Retired)	- 30.06.2009	
84	Shri AmiChandra (Promotion) (AE)	30.06.2009	

In compliance with the order dated 06.02.2023 given by the High Court in Buyer Claim Petition No. 122/DB/2022 in the Hon'ble Public Service Commission, Dehradun and the order dated 07.11.2017 of the Hon'ble Public Service Commission, Nainital.



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** Late Shri Zakir Hussain was not the respondent in the case No. 01/NB/DB/2015 filed in the Public Service Commission, Nainital, but he has been placed at serial number 11 due to his inclusion in the select list of other representatives.

Managing Director

Letter No.: 2160 / Dir. (H.No.) / Upakali / K.B.O. / dated 21.06.2023 Copy sent to the following for information and necessary action:-

1. Senior Executive Secretary, Managing Director, Upakali, VCRVGC Energy Bhawan, Dehradun.
2. Private Secretary, All Directors, UPA, VKG Sec Energy Bhawan, Dehradun.
3. General Manager Vich) and Company Secretary, Upakali, VCRVGS Energy Building, Dehradun.

(DS Khati)

General Manager

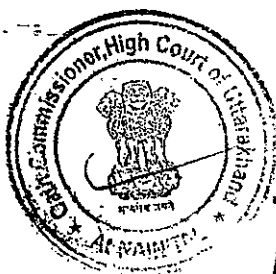
Memo No.: -2160/Dir.(HR)/UPCL/Karmik/ Dated: 21.06.2023

Copy forwarded to the following for information and necessary action with the request that the officers under their control take necessary action:**

1. All Chief Engineers (Level-1/Level-2)/General Managers, UPCL
2. All Superintending Engineers, UPCL
3. Executive Engineer (IT), UPCL, Victoria Cross Vijeta Gabar Singh Bhawan, Dehradun, with the instruction to upload this letter on the homepage of UPCL's departmental website today itself.
4. All Executive Engineers, UPCL
5. Concerned Officer / File / Notice Board

(DS Khati)

- General Manager



ALTAF HUSSAIN
Advocate
Reg. No.- UI/470/2022
Oath Commissioner
High Court of Uttarakhand
At NAINITAL

Sl. No.....22,116.....
Date.....13/06/23.....

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

Stay Application No.....of 2025

On behalf of

Anuj Agarwal and ors.....Applicants/Petitioners

IN

Writ Petition No.....of 2025 (S/B)
(Under Article 226 of the Constitution of India)

District – Dehradun

1. Anuj Agarwal (Male) aged about 48 years S/o Late Shri V.K. Agarwal R/o Posted as Assistant Engineer (Revenue) EDD Mohanpur near Amitabh Textile Mill, Premnagar, Dehradun.
2. Ram Kumar (Male) aged about 51 years S/o Shri Bhushan Lal R/o posted as Assistant Engineer (Attach) office of SE(I&QA) VCV GS Urja Bhawan Kanwali Road Dehradun
3. Akshay Kapil (Male) aged about 48 years S/o Late Shri Chandra Kiran Kapil R/o posted as SDO EDSD Narayan Bagar, District Chamoli
4. Jagpal Singh (Male) aged about 50 years S/o Shri Devendra Singh R/o Posted as SDO EDSD Araghar, Dehradun

.....Petitioners

Versus

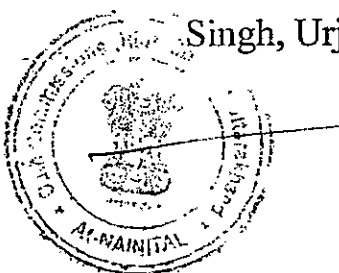
1. State of Uttarakhand through its Secretary Energy, Civil Secretariat, Dehradun
2. Uttarakhand Power Corporation Limited Urja Bhawan Kanwali Road, Dehradun through its Managing Director
3. Abhinav Rawat, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand



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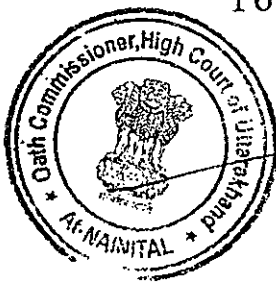
Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

4. Rahul Channa, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
5. Smt. Shweta Puniya, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
6. Anuj Kumar Tripathi, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
7. Subhash Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
8. Vaibhav Sharma, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
9. Smt. Meenakshi Pant, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.



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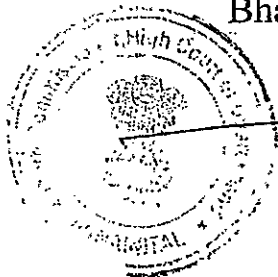
10. Prashant Mohan Joshi, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
11. Vipin Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
12. Arshad Ali, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dhradun.
13. Gulshan Bulani, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
14. Rohtash Pandey, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
15. Himanshu Badoni, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
16. Dhananjay Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director,



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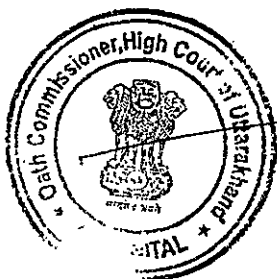
Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

17. Vivek Upadhyay, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
18. Manish Joshi, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
19. Santosh Aggarwal, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
20. Puneet Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
21. Vikas Bharti, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
22. Sunil Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.



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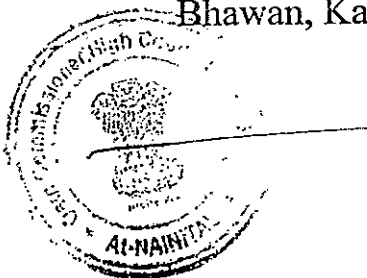
23. Smt. Jaipriya Arya, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
24. Smt. Geeta Pathak, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
25. Chandramohan, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
26. Smt. Reeta Rajput, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
27. Lalit Mohan, C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
28. Mukesh Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
29. Smt. Shilpi Saini, Assistant Engineer, Uttarakhand Power Corporation - Ltd., C/o Managing Director,



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Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

30. Smt. Neeti Ranjana, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
31. Pravesh Kumar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
32. Rakesh Singh Barfal, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
33. Ashwani Kumar Singh, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
34. Ujjawal Kumar Bhaskar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
35. Amit Tomar, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.



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36. Praveen Singh Negi, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
37. Smt. Jyotsana Kshreth, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
38. Smt. Parul Sahu, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
39. Samar Bahadur Yadav, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
40. Smt. Neha Singh, Assistant Engineer, Uttarakhand Power Corporation Ltd., C/o Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

.....Respondents

To,

The Hon'ble the Chief Justice and his other companion
Judges of the aforesaid court.

The humble stay application of the applicants/petitioners
above named most respectfully begs to showeth as under:



Ar

1. That full facts and circumstances of the case have been stated in the accompanying petition, affidavit and its annexures, which may be read in support of this application.
2. That in view of the facts and circumstances of the case stated in the accompanying petition, affidavit and its annexures it is expedient that this Hon'ble Court may most graciously be pleased to stay the effect & operation of impugned Office Memorandum dated 04.06.2025 issued by respondent no. 2 and also direct the respondent no. 2 to not to make any promotion to the post of Executive Engineers on the basis of seniority list for the selection year 2008-09 issued vide Office Memorandum dated 04.06.2025 during the pendency of this petition.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may most graciously be pleased to stay the effect & operation of impugned Office Memorandum dated 04.06.2025 issued by respondent no. 2 and also direct the respondent no. 2 to not to make any promotion to the post of Executive Engineers on the basis of seniority list for the selection year 2008-09 issued vide Office Memorandum dated 04.06.2025 during the pendency of this petition or may be pleased to pass such further or other order as may deem fit & proper.

Dated: 13/06/2025

Siddhartha Sah
(Siddhartha Sah)

Advocate
Counsel for the Petitioners



IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

AFFIDAVIT

IN

Stay Application No.....of 2025

On behalf of

Anuj Agarwal and ors.....Applicants/Petitioners
IN

Writ Petition No.....of 2025 (S/B)

(Under Article 226 of the Constitution of India)

District – Dehradun

Anuj Agarwal and ors.....Petitioners
VERSUS

State of Uttarakhand and ors.....Respondents

2025
AFFIDAVIT
22117
HIGH COURT OF
UTTARAKHAND
₹ 20/-



Affidavit of Anuj Agarwal
(Male) aged about 48 years. S/o
Late Shri. V.K. Agarwal R/o
Posted as Assistant Engineer
(Revenue) EDD Mohanpur near
Amitabh Textile Mill, Premnagar,
Dehradun.

Certified that Deponent
has sign LTI/RTI on his
photograph in my Presence

(Deponent)

I, the deponent above named, do hereby solemnly affirm and
state on oath as under: -



[Handwritten signature]

314

1. That the deponent is the petitioner no. 1 in this petition & doing pairvi on behalf of the other petitioners and as such he is fully acquainted with the facts of the case deposed to herein below and in the accompanying stay application.

I, the deponent above named do hereby verify on oath that the contents of paragraph No. 1 of this affidavit and those of paragraph Nos. 1 & 2 of the accompanying stay application are true to my personal knowledge. That no part of it is false and nothing material has been concealed.

SO HELP ME GOD


Deponent

I, Siddhartha Sah, Advocate High Court of Uttarakhand, Nainital do hereby declare and identify that the deponent is known to me from the perusal of Adhar Card (bearing No. 9552 4685 1169) which he produced before me & he is the same person as being alleged by him.


Advocate

En. No. 2071/1998

Bar Mem. No. S-239



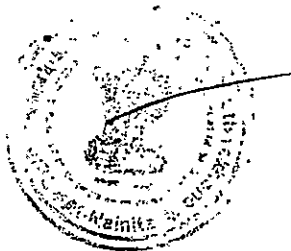


Solemnly affirmed before me on this 13th day of June, 2025
at about ~~7.30~~ 7.30 a.m./p.m. by the deponent who has been identified by
the aforesaid Advocate.

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

OATH COMMISSIONER

Alt. H.
ALTAF HUSSAIN
Advocate
Reg. No.- UK470/2022
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
Sl. No. 22117
Date 13/06/25



Alt.

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL
UNDERTAKING

(316)

IN

Writ Petition No.....of 2025 (S/B)
(Under Article 226 of the Constitution of India)

District – Dehradun

Anuj Agarwal and ors.....Petitioners

VERSUS

State of Uttarakhand and ors.....Respondents

The English Translation of Annexure Nos. 1, 2, 3, 4, 5, 6, 10, 12
have been provided. The petitioners shall rely upon only those
annexures whose English Translations have been provided.

Dated:13/06/2025

Siddhartha Sah
(Siddhartha Sah)

Advocate

Counsel for the Petitioners

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