

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
SCRUTINY REPORT

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

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

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

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

D.R.(Institution)

Roopesh Kumar

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

PRESENTATION FORM

(To be filled up by the Party/Advocate)

1. Case Category. **WPSB**
2. District- **HARIDWAR**
3. Titled as: **ROOPESH KUMAR NATHALA**
VERSUS
STATE OF UTTARAKHAND AND
OTHERS
4. Name of Advocate(s) with Bar Council Registration Numbers,
Contact Numbers, e-mail addresses etc.
(Pankaj Kaushik) Reg. No.UK – UA 2182/2004 UKHC–P-89
Mobile No.- 9756168680 E-mail:
pnkjkashik439@gmail.com
5. Contact Numbers, e-mail addresses of
Petitioner/Appellant/Applicant etc.....
6. Copies served on
7. Mode of service **PERSONAL**
8. Date of the service **-06-2025**
9. Any other information.....

DATED:- **-06-2025**

(Pankaj Kaushik)

ADVOCATE

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

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IN

WRIT PETITION NO OF 2025(S/B)

(Under Article 226 of the Constitution of India)

[DISTRICT-Haridwar]

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.....Petitioner

Versus

State Of Uttarakhand and others

.....Respondents

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DATED:- -06-2025

(Pankaj Kaushik)
ADVOCATE
COUNSEL FOR THE PETITIONER

Roopesh Kumar

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

COURT FEE

IN

WRIT PETITION NO OF 2025(S/B)

(Under Article 226 of the Constitution of India)

[DISTRICT-Haridwar]

Roopesh Kumar Nathala

.....Petitioner

Versus

State Of Uttarakhand and others

.....Respondents



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

DATES AND EVENTS

IN

WRIT PETITION NO OF 2025(S/B)

(Under Article 226 of the Constitution of India)

[DISTRICT-Haridwar]

Roopesh Kumar Nathala

.....Petitioner

Versus

State Of Uttarakhand and others

.....Respondents

Sl.No.	Dates	Events
1.	30-6-2009	The petitioner had joined his services as Junior Engineer in the year 2002 in the respondent corporation, and by way of promotion, he was promoted to the post of Assistant Engineer.
2.	1-7-2008 to 30-6-2009	The year-wise seniority of petitioner as well as private respondents is w.e.f 1st July of the preceding year to the 30th-June of the next year, and therefore, the seniority list of Assistant Engineers for the year 2008-09 shall consist of the names of Assistant Engineers direct recruitees as well as promoted Assistant Engineers, who have joined their duties w.e.f. 1-7-2008 to 30-6-2009 as Assistant Engineer.

		and promotees Assistant Engineers was challenged in claim petition no. 01/NB/DB/2015; and was decided on 7-11-2017 by the learned Uttarakhand Public Services Tribunal, Dehradun.
4.	27-6-2024	The aforesaid judgment & order dated 7-11-2017 was challenged before this Hon'ble Court way of filing writ petition nos 579/2017 (S/B), 130/2017 (S/B), 543/2017 (S/B), 550/2017 (S/B), 552/2017 (S/B), 554/2017 (S/B) and 563/2017 (S/B), which were decided by this Hon'ble Court vide common judgment
5.	27-6-2024	The respondent no. 2 was directed by this Hon'ble Court in judgement & order dated 27-6-2024 to notify the seniority list within eight weeks from the date of production of a certified copy of judgement & order, ie 27-6-2024 and therefore, it is a pious duty of respondent no 2 to issue notification of the seniorities for the year 2006-07, 2007-08 & 2008-09 within eight weeks from the date of clarification application, ie 14-2-2025, but the respondent no. 2 failed to implement within the prescribed time by this Hon'ble Court, and now, after a lapse of 3½ months from the date of judgement & order, the

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		seniority list have been notified on 4-6-2025 This is willful disobedience by the respondent no. 2 for the reason best known to him.
6.	4-6-2025	The impugned office memorandum dated 4- 6-2025, regarding seniority list of Assistant Engineers for the year 2007-08 & 2008-09 has been issued.
7.		That according to regulation 19 of 1970 regulations and section 8(1) of UPSEB Employees Seniority Regulations, 1998, an individual shall get his seniority only w.e.f. the date of his joining in the cadre of the services This view has also been supported by Hon'ble Supreme Court of India in Keshav Chandra Joshi V/s Union of India & others', 1992 Supp (1) S.C.C.
8.		HENCE THIS WRIT PETITION.

DATED:- -06-2025

(Pankaj Kaushik)

ADVOCATE

COUNSEL FOR THE PETITIONER

Roopesh Kumar



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
WRIT PETITION NO OF 2025(S/B)

(Under Article 226 of the Constitution of India)

[DISTRICT-Haridwar]

Roopesh Kumar Nathala Male Aged About 53 Years S/o Jaipal
singh, R/o H.NO-1201/5, GALI NO-2, Kankhal, Hazaribad,
Sandeshh Nagar, hardwar, HaridwarPetitioner

Versusr

1. State of Uttarakhand through secretary, Department of energy,
Secretariat, Dehradun.
2. Uttarakhand Power Corporation Ltd, V.C. Cross Gabar Singh,
Urja Bhawan, Kanwali Road, Dehradun through its Managing
Director.
3. Shri Vinod Kumar Bisht
4. Shri Kishore Kumar Pant
5. Shri Govind Singh Karki
6. Shri Vineet Kumar Saxena
7. Shri Abhinav Rawat
8. Shri Pradeep Kumar
9. Shri Rahul Chanana
10. Mrs. Shweta Purnia
11. Shri Anuj Kumar Tripathi
12. Shri Subhash Kumar
13. Mrs. Meenakshi Pant
14. Shri Prashant Mohan Josi
15. Shri Vipin Kumar
16. Shri Arshad Ali



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17. Shri Gulshan Bulani
18. Shri Shailendra Visht
19. Shri Rohtash Panday
20. Shri Amit Saxena
21. Shri Himanshu Badoni
22. Shri Sandeep Kumar Sharma
23. Shri Dhananjay Kumar
24. Shri Vijay Kumar Singh
25. Shri Vivek Upadhyay
26. Shri Manoj Parkash Singh Rawat
27. Shri Manish Joshi
28. Shri Pryank Panday
29. Shri Santosh Aggarwal
30. Shri Rakesh Kumar Singh
31. Shri Punit Kumar
32. Shri Shashikant Singh
33. Shri Shri Vikash Bharti
34. Shri Manoj Kumar Pandey
35. Shri Sunil Kumar
36. Shri Kailash Singh
37. Mrs. Jaypriya Arya
38. Mrs. Geeta Pathak
39. Mr. Ajay Bhardwaj
40. Chandramohan
41. Shri Pawan Kumar
42. Mrs. Rita Rajput
43. Shri Arvind Kumar
44. Shri Lalit Mohan



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45. Shri Anju Aggarwal
46. Mr. Mukesh Kumar
47. Shri Santosh Dabral
48. Mrs. Shilpi Saini
49. Shri Satish Chand Joshi
50. Ms. Monica Chunera
51. Shri Kul Bhushan Kukreti
52. Mrs. Neeti Ranjana
53. Shri Sunil Kumar
54. Shri Rakesh Singh Barfal
55. Shri Khyali Dutt
56. Shri Ashwani Kumar Singh
57. Shri Ramkumar
58. Shri Ujjwal Kumar Bhaskar
59. Shri Amit Tomar
60. Shri Shailendra Kumar Saini
61. Shri Pawan Singh Negi
62. Shri Ajay Kumar
63. Mrs. Jyotsna Shresth
64. Mrs. Parul Sahu
65. Shri Samar Bahadur Yadav
66. Mr. Akshay Kapil
67. Mrs. Neha Singh
68. Shri Jagpal Singh
69. Shri Rajpal
70. Shri Rajeev Khadkwal
71. Shri Harish Ballav
72. Mrs. Preeti Bhatnagar



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73. Shri Sanjay Prasad Arya
74. Shri Kanwal Singh
75. Shri Narayan Singh Chauhan
76. Shri Om Pal
77. Shri Praksh Chand
78. Shri Mohanram
79. Shri Ramesh Chandra Arya
80. Shri Ami Chand

Respondent no.3 to 80 All 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 petition of the Petitioner above named most
respectfully prayed as under: -

1. That this is the first writ petition, being filed by the petitioner,
before this Hon'ble Court for the present cause of action and no
any other writ petition has been filed before this Hon'ble Court
by the petitioner for the same cause of action or ancillary relief.
2. That the petitioner had joined his services as Junior Engineer in
the year 2002 in the respondent corporation, and by way of
promotion, he was promoted to the post of Assistant Engineer
on 30-6-2009 under the control of respondent no. 2. True &
correct copy of list of appointment and promotional letter dated



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30-9-2009 is being filed herewith and marked as **Annexure No. 1** to this writ petition.

3. That the private respondent nos. 3 to 7 had joined their duties in the year 2008-09 and the respondent nos. 9 to 80 had joined as Assistant Engineers as direct recruitee in the year 2009-10 (1-7-2009 to 30-6-2010).
4. That the year-wise seniority of petitioner as well as private respondents is w.e.f 1st July of the preceding year to the 30th June of the next year, and therefore, the seniority list of Assistant Engineers for the year 2008-09 shall consist of the names of Assistant Engineers direct recruitees as well as promoted Assistant Engineers, who have joined their duties w.e.f. 1-7-2008 to 30-6-2009 as Assistant Engineer.
5. That the seniority of the Assistant Engineer in Uttarakhand Power Corporation Ltd. is decided by the U.P.S.E.B. Employees Seniority Regulations, 1998. True & correct copy of U.P.S.E.B. Employees Seniority Regulations, 1998 is being filed herewith and marked as **Annexure No. 2** to this writ petition.
6. That the service conditions of Assistant Engineers are governed by the U.P.S.E.B. Services of Engineers Regulations, 1970. True & correct copy of U.P.S.E.B. Services of Engineers Regulations, 1970 is being filed herewith and marked as **Annexure No. 3** to this writ petition.
7. That the seniority amongst the direct recruitees and promotees Assistant Engineers was challenged in claim petition no. 01/NB/DB/2015; and was decided on 7-11-2017 by the learned Uttarakhand Public Services Tribunal, Dehradun. True &



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correct copy of judgment & order dated 7-11-2017 by the learned Uttarakhand Public Services Tribunal, Dehradun is being filed herewith and marked as Annexure No. 4 to this writ petition.

8. That the aforesaid judgment & order dated 7-11-2017 was challenged before this Hon'ble Court way of filing writ petition nos 579/2017 (S/B), 130/2017 (S/B), 543/2017 (S/B), 550/2017 (S/B), 552/2017 (S/B), 554/2017 (S/B) and 563/2017 (S/B), which were decided by this Hon'ble Court vide common judgment & order 27-6-2024. True & correct copy of judgment & order dated 27-6-2024 passed by this Hon'ble Court is being filed herewith and marked as Annexure No. 5 to this writ petition.
9. That thereafter, a clarification application was filed in the aforesaid writ petition, which was decided by judgement & order dated 14-2-2025. True & correct copy of judgement & order dated 14-2-2025 passed by this Hon'ble Court is being filed herewith and marked as Annexure No. 6 to this writ petition.
10. That in the aforesaid judgement & orders dated 27-6-2024 & 14-2-2025, the respondent no. 2 was directed to fix the seniority after giving the benefit of seniority 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 of rota quota between the direct recruits and the promotees within a period of eight weeks, and further, in the judgment & order dated 14-2-2025, it has been mentioned that this court only



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intends to clarify the rota-quota shall be given in accordance with the existing statutory rules/regulations.

11. That the respondent no. 2 was directed to notify the seniority list of Assistant Engineers for the year 2007-08 and the year 2008-09 in accordance of U.P.S.E.B. Employees Seniority Regulations, 1998 and in the light of judgment & orders dated 27-6-2024 & 14-2-2025 that to within eight weeks.
12. That though, the respondent no. 2 was directed by this Hon'ble Court in judgement & order dated 27-6-2024 to notify the seniority list within eight weeks from the date of production of a certified copy of judgement & order, ie 27-6-2024 and therefore, it is a pious duty of respondent no 2 to issue notification of the seniorities for the year 2006-07, 2007-08 & 2008-09 within eight weeks from the date of clarification application, ie 14-2-2025, but the respondent no. 2 failed to implement within the prescribed time by this Hon'ble Court, and now, after a lapse of 3½ months from the date of judgement & order, the seniority list have been notified on 4-6-2025 This is willful disobedience by the respondent no. 2 for the reason best known to him.
13. That regarding seniority of Assistant Engineers for the year 2007-08 and 2008-09, the respondent no. 2 has not applied its mind in issuing the seniority list in accordance with the directions given by this Hon'ble Court vide judgement & orders dated 27-6-2024 & 14-2-2025. On the other hand, the respondent no. 2 has simply followed the instructions of the respondent no. 1 and followed the report prepared by a committee constituted by respondent no. 1, vide order dated 12-



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3-2025, though according to the judgment & orders dated 27-6-2024 & 14-2-2025, respondent no. 1 was not directed to indulge into the matter. This committee was illegally constituted by respondent no. 1 ignoring the directions of this Hon'ble Court. This illegally constituted committee submitted report on 15-5-2025 to Chairperson, Uttarakhand Power Corporation Ltd., directing him to take a decision in the light of guidance given in the report. It clearly shows that the Uttarakhand Power Corporation Ltd., who was directed by this Hon'ble Court to notify the seniority list, has simply worked as a brain child of the illegally constituted committee; and therefore the impugned seniority list dated 4-6-2025 is liable to be quashed by this Hon'ble Court. True & correct copy of report of committee constituted by Government of Uttarakhand, vide office memorandum dated 12-3-2025, is being filed herewith and marked as Annexure No. 7 to this writ petition.

14. That if the report of committee is taken into consideration, (though this report has been submitted by an illegally constituted committee) the conclusion E (2) is totally against the provisions of U.P.S.E.B. service of engineers regulation 1970 and Seniority Regulations, 1998, as there is no provisions in the regulations to place any employee en bloc at the bottom of the seniority list, and this conclusion is against the principle of natural justice also.
15. That the conclusion E(3) is against the provision of the UPSEB Seniority Regulations, 1998. The regulations say that one shall get his seniority only in the year, in which he initially joins, and therefore, the respondent nos 8 to 80, who have joined in the



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year 2009-10, cannot be placed in the seniority list for the year 2008-09. As far as rota-quota is concerned, the rota-quota in the ratio of 1:1 is to be within and amongst the Assistant Engineers, who had joined in the year 2008-09, and no one, who has joined in the year 2009-10, can enter in the zone of seniority for the year 2008-09.

16. That according to the judgment & order of this Hon'ble Court, rota-quota was to be applied in accordance with statutory rules and regulations. It is made clear that according to the existing rules and regulations, only those Assistant Engineers be placed in the seniority list of the particular year (1 July of the preceding year to the 30th June of next year), who had joined their duties as Assistant Engineers between 1st July of the preceding year to the 30th June of next year. It means that rota-quota has to be applied between direct recruitees and promoted Assistant Engineers, who had joined their duties in that particular year, and any Assistant Engineer, who had joined their duties in the next year or so cannot get place in the seniority list of the preceding year. In the seniority list notified by office memorandum dated 4-6-2025 for the year 2007-08, the names at serial ns. 53 to 59 (respondent nos 3 to 8) had joined their duties between November, 2008 to April 2009, and therefore their names have been wrongly included in the seniority list for the year 2007-08. According to Seniority Regulations, 1998, the aforesaid respondent nos 3 to 8 can get seniority only in the year 2008-09. Further, it is pertinent to mention here that the date of joining of Shri Manoj Kumar (private respondent no. 7) and serial no. 58 in seniority list for



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the year 2007-08 has been wrongly shown as 28-5-2008 In fact, respondent no. 7 had joined his duties on 28-5-2009, which is clear from the report of departmental promotion committee held on 4-1-2025 for promotion to the post of Executive Engineer.

17. That the impugned office memorandum dated 4-6-2025, regarding seniority list of Assistant Engineers for the year 2007-08 & 2008-09 has been issued. True & correct copy of impugned office memorandum dated 4-6-2025, regarding seniority list of Assistant Engineers for the year 2007-08 & 2008-09, is being filed herewith and marked as **Annexure No. 8** to this writ petition.
18. That according to regulation 19 of 1970 regulations and section 8(1) of UPSEB Employees Seniority Regulations, 1998, an individual shall get his seniority only w.e.f. the date of his joining in the cadre of the services This view has also been supported by Hon'ble Supreme Court of India in Keshav Chandra Joshi V/s Union of India & others', 1992 Supp (1) S.C.C.
19. That it is in the interest of justice that the names of respondent nos. 3, 4, 5, 6 & 7 be deleted from the selection year 2007-08 dated 4-6-2025.
20. That the seniority list for the year 2008-09 consists of the names of respondent nos. 8 to 80, who have joined in the selection year 2009-10, i.e. between 1 July, 2009 and 30 June, 2010. All these respondents had joined their duties as Assistant Engineers in the selection year 2009-10, and therefore their names have wrongly been included in the year seniority list for year 2009-10 This has been done against the provisions of Seniority Regulations,



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1998; and therefore, the impugned seniority list dated 4-6-2025 for the year 2008-09 is liable to be quashed by this Hon'ble Court.

21. That it is in the interest of justice that their names of the respondent nos 8 to 80 be deleted from the seniority list for selection year 2008-09 of Assistant Engineers, and be included in the seniority list of 2009-10.

22. That the aforesaid seniority list dated 4-6-2025 for the year 2008-09 & 2009-10 has been notified as final seniority list, and before that, no tentative seniority list has been issued, due to which the petitioner could not get the opportunity of filing their objections to the tentative seniority list. Since, the final seniority list has been declared without calling any objection in the tentative seniority list, the final seniority list dated 4-6-2025 is liable to be quashed by this Hon'ble Court, and further, directions may be issued for fresh seniority list after deleting the names of respondent nos. 3 to 7 from the seniority list for the selection year 2007-08 and to delete the names of respondent nos 8 to 80 from the seniority list for the selection year 2009-10.

23. That as far as the rota-quota is concerned, the same has to be applied from amongst the individuals, who have joined in a particular selection year, and no one, who has not joined in that particular year, can be placed in the list of that particular year on the basis of rota-quota. It has also been clarified in the judgment & order dated 14-2-2025 that the rota-quota shall be given in accordance with the existing statutory rules/regulations. UPSEB Employees Seniority Regulations,



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1998 clearly defines that no one can get seniority before he has joined in the cadre of services, and therefore, the names of respondent nos 3 to 7 have wrongly been placed in the final seniority dated 4-6-2025 for the selection year 2007-08 and the names of respondent nos. 8 to 80 have wrongly been placed in the seniority list dated 4-6-2025 in the selection year 2008-09, hence, their names are liable to be deleted from the corresponding seniority list.

24. That the aforesaid action of respondent no. 2 in issuing the seniority list dated 4-6-2025 is malafide as the same has violated the principle of natural justice, and the directions issued in judgment & orders dated 27-6-2024 & 14-2-2025. Further, it is the impugned seniority list dated 4-6-2025 is in violation of Article 14, 16 & 21 of the Constitution of India, and therefore, is liable to be quashed by this Hon'ble Court.
25. That apart from the above anomalies another very glaring mistake that has been committed in issuing the impugned communication is that in the year 2009 when the promotion of the petitioner took place along with other junior engineers in 2009 at that time the 100 point roster was applicable in the state of Uttarakhand pertaining to the respondent no.2 department and the same was not taken into consideration as the vacancies were available and the promotion was granted to every junior engineer at that time. True copy of the government order depicting 100 point roster dated 31.08.2001 is annexed as Annexure no. 9.
26. That in the year 2009 respondent no.2 was duty bound to apply the 100 point roster which was prevalent at that time inspite of



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the fact that every junior engineer could have been granted the promotion.

27. That due to the said error committed at that time the respondent no.2 could have rectified the same in the present matter but once again apart from the anomalies committed as stated in the writ petition this particular anomaly has not been rectified in the present impugned communication/ seniority list.
28. That respondent no.2 it appears was swayed by the fact that in promotion there is no application of roaster after the 2012 judgment passed by this Hon'ble court in Vinod Prasad Nautiyal case, but as the application of roaster was to be made in 2009 itself therefore 2012 judgment of this Hon'ble court was not a barred in application of the roaster.
29. That the petitioner is alleging the said anomaly before this Hon'ble court, because of the non application of roaster in the year 2009 by not forming a seniority list as per the application of roaster has seriously prejudice the promotional avenues of the petitioner and has to a greater extent geoparadise the service career of the petitioner.
30. That as petitioner is claiming the application of roaster therefore petitioner has impleaded from respondent 47 till the end as effective party in the present writ petition
25. That in view of aforesaid facts and circumstances, kind indulgence of this Hon'ble Court is, absolutely, necessary in the interest of justice.
26. That the petitioner have no alternative and speedy remedy available to them, except to approach this Hon'ble Court to invoke extraordinary original writ jurisdiction under Article 226

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of the Constitution of India, inter-alia, on the following amongst other grounds: -

GROUNDS

- a) Because petitioner had joined his services as Junior Engineer in the year 2002 in the respondent corporation, and by way of promotion, he was promoted to the post of Assistant Engineer on 30-6-2009 under the control of respondent no. 2.
- b) Because private respondent nos. 3 to 7 had joined their duties in the year 2008-09 and the respondent nos. 9 to 80 had joined as Assistant Engineers as direct recruitee in the year 2009-10 (1-7-2009 to 30-6-2010).
- c) Because the year-wise seniority of petitioner as well as private respondents is w.e.f 1st July of the preceding year to the 30th June of the next year, and therefore, the seniority list of Assistant Engineers for the year 2008-09 shall consist of the names of Assistant Engineers direct recruitees as well as promoted Assistant Engineers, who have joined their duties w.e.f. 1-7-2008 to 30-6-2009 as Assistant Engineer.
- d) Because the seniority of the Assistant Engineer in Uttarakhand Power Corporation Ltd. is decided by the U.P.S.E.B. Employees Seniority Regulations, 1998.
- e) Because the service conditions of Assistant Engineers are governed by the U.P.S.E.B. Services of Engineers Regulations, 1970.
- f) Because the seniority amongst the direct recruitees and promotees Assistant Engineers was challenged in claim petition no. 01/NB/DB/2015; and was decided on 7-11-2017 by the learned Uttarakhand Public Services Tribunal, Dehradun.



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- g) Because the aforesaid judgment & order dated 7-11-2017 was challenged before this Hon'ble Court way of filing writ petition nos 579/2017 (S/B), 130/2017 (S/B), 543/2017 (S/B), 550/2017 (S/B), 552/2017 (S/B), 554/2017 (S/B) and 563/2017 (S/B), which were decided by this Hon'ble Court vide common judgment & order 27-6-2024.
- h) Because thereafter, a clarification application was filed in the aforesaid writ petition, which was decided by judgement & order dated 14-2-2025.
- i) Because in the aforesaid judgement & orders dated 27-6-2024 & 14-2-2025, the respondent no. 2 was directed to fix the seniority after giving the benefit of seniority 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 of rota quota between the direct recruits and the promotees within a period of eight weeks, and further, in the judgment & order dated 14-2-2025, it has been mentioned that this court only intends to clarify the rota-quota shall be given in accordance with the existing statutory rules/regulations.
- j) Because the respondent no. 2 was directed to notify the seniority list of Assistant Engineers for the year 2007-08 and the year 2008-09 in accordance of U.P.S.E.B. Employees Seniority Regulations, 1998 and in the light of judgment & orders dated 27-6-2024 & 14-2-2025 that to within eight weeks.
- k) Because though, the respondent no. 2 was directed by this Hon'ble Court in judgement & order dated 27-6-2024 to notify the seniority list within eight weeks from the date of production of a certified copy of judgement & order, ie 27-6-2024 and



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therefore, it is a pious duty of respondent no 2 to issue notification of the seniorities for the year 2006-07, 2007-08 & 2008-09 within eight weeks from the date of clarification application, ie 14-2-2025, but the respondent no. 2 failed to implement within the prescribed time by this Hon'ble Court, and now, after a lapse of 3½ months from the date of judgement & order, the seniority list have been notified on 4-6-2025 This is willful disobedience by the respondent no. 2 for the reason best known to him.

- 1) Because regarding seniority of Assistant Engineers for the year 2007-08 and 2008-09, the respondent no. 2 has not applied its mind in issuing the seniority list in accordance with the directions given by this Hon'ble Court vide judgement & orders dated 27-6-2024 & 14-2-2025. On the other hand, the respondent no. 2 has simply followed the instructions of the respondent no. 1 and followed the report prepared by a committee constituted by respondent no. 1, vide order dated 12-3-2025, though according to the judgment & orders dated 27-6-2024 & 14-2-2025, respondent no. 1 was not directed to indulge into the matter. This committee was illegally constituted by respondent no. 1 ignoring the directions of this Hon'ble Court This illegally constituted committee submitted report on 15-5-2025 to Chairperson, Uttarakhand Power Corporation Ltd., directing him to take a decision in the light of guidance given in the report It clearly shows that the Uttarakhand Power Corporation Ltd., who was directed by this Hon'ble Court to notify the seniority list, has simply worked as a brain child of the illegally constituted committee; and therefore the impugned



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seniority list dated 4-6-2025 is liable to be quashed by this Hon'ble Court.

- m) Because if the report of committee is taken into consideration, (though this report has been submitted by an illegally constituted committee) the conclusion E (2) is totally against the provisions of U.P.S.E.B. service of engineers regulation 1970 and Seniority Regulations, 1998, as there is no provisions in the regulations to place any employee en bloc at the bottom of the seniority list, and this conclusion is against the principle of natural justice also.
- n) Because the conclusion E(3) is against the provision of the UPSEB Seniority Regulations, 1998 The regulations say that one shall get his seniority only in the year, in which he initially joins, and therefore, the respondent nos 8 to 80, who have joined in the year 2009-10, cannot be placed in the seniority list for the year 2008-09. As far as rota-quota is concerned, the rota-quota in the ratio of 1:1 is to be within and amongst the Assistant Engineers, who had joined in the year 2008-09, and no one, who has joined in the year 2009-10, can enter in the zone of seniority for the year 2008-09.
- o) Because according to the judgment & order of this Hon'ble Court, rota-quota was to be applied in accordance with statutory rules and regulations. It is made clear that according to the existing rules and regulations, only those Assistant Engineers be placed in the seniority list of the particular year (1 July of the preceding year to the 30th June of next year), who had joined their duties as Assistant Engineers between 1st July of the preceding year to the 30th June of next year It means that rota-



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quota has to be applied between direct recruits and promoted Assistant Engineers, who had joined their duties in that particular year, and any Assistant Engineer, who had joined their duties in the next year or so cannot get place in the seniority list of the preceding year. In the seniority list notified by office memorandum dated 4-6-2025 for the year 2007-08, the names at serial ns. 53 to 59 (respondent nos 3 to 8) had joined their duties between November, 2008 to April 2009, and therefore their names have been wrongly included in the seniority list for the year 2007-08. According to Seniority Regulations, 1998, the aforesaid respondent nos 3 to 8 can get seniority only in the year 2008-09. Further, it is pertinent to mention here that the date of joining of Shri Manoj Kumar (private respondent no. 7) and serial no. 58 in seniority list for the year 2007-08 has been wrongly shown as 28-5-2008. In fact, respondent no. 7 had joined his duties on 28-5-2009, which is clear from the report of departmental promotion committee held on 4-1-2025 for promotion to the post of Executive Engineer.

- p) Because the impugned office memorandum dated 4-6-2025, regarding seniority list of Assistant Engineers for the year 2007-08 & 2008-09 has been issued.
- q) Because according to regulation 19 of 1970 regulations and section 8(1) of UPSEB Employees Seniority Regulations, 1998, an individual shall get his seniority only w.e.f. the date of his joining in the cadre of the services. This view has also been supported by Hon'ble Supreme Court of India in 'Keshav Chandra Joshi V/s Union of India & others', 1992 Supp (1) S.C.C.



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- r) Because it is in the interest of justice that the names of respondent nos. 3, 4, 5, 6 & 7 be deleted from the selection year 2007-08 dated 4-6-2025.
- s) Because the seniority list for the year 2008-09 consists of the names of respondent nos. 8 to 80, who have joined in the selection year 2009-10, i.e. between 1 July, 2009 and 30 June, 2010. All these respondents had joined their duties as Assistant Engineers in the selection year 2009-10, and therefore their names have wrongly been included in the year seniority list for year 2009-10 This has been done against the provisions of Seniority Regulations, 1998; and therefore, the impugned seniority list dated 4-6-2025 for the year 2008-09 is liable to be quashed by this Hon'ble Court.
- t) Because it is in the interest of justice that their names of the respondent nos 8 to 80 be deleted from the seniority list for selection year 2008-09 of Assistant Engineers, and be included in the seniority list of 2009-10.
- u) Because the aforesaid seniority list dated 4-6-2025 for the year 2008-09 & 2009-10 has been notified as final seniority list, and before that, no tentative seniority list has been issued, due to which the petitioner could not get the opportunity of filing their objections to the tentative seniority list. Since, the final seniority list has been declared without calling any objection in the tentative seniority list, the final seniority list dated 4-6-2025 is liable to be quashed by this Hon'ble Court, and further, directions may be issued for fresh seniority list after deleting the names of respondent nos. 3 to 7 from the seniority list for the selection year 2007-08 and to delete the names of respondent



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nos 8 to 80 from the seniority list for the selection year 2009-10.

v) Because as far as the rota-quota is concerned, the same has to be applied from amongst the individuals, who have joined in a particular selection year, and no one, who has not joined in that particular year, can be placed in the list of that particular year on the basis of rota-quota. It has also been clarified in the judgment & order dated 14-2-2025 that the rota-quota shall be given in accordance with the existing statutory rules/regulations. UPSEB Employees Seniority Regulations, 1998 clearly defines that no one can get seniority before he has joined in the cadre of services, and therefore, the names of respondent nos 3 to 7 have wrongly been placed in the final seniority dated 4-6-2025 for the selection year 2007-08 and the names of respondent nos. 8 to 80 have wrongly been placed in the seniority list dated 4-6-2025 in the selection year 2008-09, hence, their names are liable to be deleted from the corresponding seniority list.

w) Because the aforesaid action of respondent no. 2 in issuing the seniority list dated 4-6-2025 is malafide as the same has violated the principle of natural justice, and the directions issued in judgment & orders dated 27-6-2024 & 14-2-2025 Further, it is the impugned seniority list dated 4-6-2025 is in violation of Article 14, 16 & 21 of the Constitution of India, and therefore, is liable to be quashed by this Hon'ble Court.

Because apart from the above anomalies another very glaring mistake that has been committed in issuing the impugned communication is that in the year 2009 when the promotion of



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the petitioner took place along with other junior engineers in 2009 at that time the 100 point roaster was applicable in the state of Uttarakhand pertaining to the respondent no.2 department and the same was not taken into consideration as the vacancies were available and the promotion was granted to every junior engineer at that time.

- y) Because in the year 2009 respondent no.2 was duty bound to apply the 100 point roaster which was prevalent at that time inspite of the fact that every junior engineer could have been granted the promotion.
- z) Because due to the said error committed at that time the respondent no.2 could have rectified the same in the present matter but once again apart from the anomalies committed as stated in the writ petition this particular anomaly has not been rectified in the present impugned communication/ seniority list.
- aa) Because respondent no.2 it appears was swayed by the fact that in promotion there is no application of roaster after the 2012 judgment passed by this Hon'ble court in Vinod Prasad Nautiyal case, but as the application of roaster was to be made in 2009 itself therefore 2012 judgment of this Hon'ble court was not a barred in application of the roaster.
- bb) Because the petitioner is alleging the said anomaly before this Hon'ble court, because of the non application of roaster in the year 2009 by not forming a seniority list as per the application of roaster has seriously prejudice the promotional avenues of the petitioner and has to a greater extent geoparadise the service career of the petitioner.



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- cc) Because as petitioner is claiming the application of roaster therefore petitioner has impleaded from respondent 47 till the end as effective party in the present writ petition.
- dd) Because in view of aforesaid facts and circumstances, kind indulgence of this Hon'ble Court is, absolutely, necessary in the interest of justice.
- ee) Because the petitioner have no alternative and speedy remedy available to them, except to approach this Hon'ble Court to invoke extraordinary original writ jurisdiction under Article 226 of the Constitution of India

PRAYER

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

(i) issue a writ, order or direction in the nature of certiorari, quashing the impugned seniority list dated 4-6-2025 for the year 2007-08 and 2008-09 of Assistant Engineers issued by respondent no. 2 (Annexure No. 8 to this writ petition).

(ii) issue a writ, order or direction in the nature of mandamus, commanding/directing the respondent no 2 to stay the effect & operation of impugned seniority list dated 4-6-2025 for the year 2007-08 and 2008-09 of Assistant Engineers issued by respondent no. 2 (Annexure No. 8 to this writ petition) till the final decision of writ petition.



(iii) issue a writ, order or direction in the nature of mandamus, commanding/directing the respondent no 2 to not to make any

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promotion to the post of Executive Engineers on the basis of seniority list issued on 4-6-2025 (Annexure No. 8 to this writ petition) for the selection year 2007-08 & 2008-09 till the pendency of present writ petition before this Hon'ble Court.

(iv) issue any other suitable writ, order or direction of any nature in favour of petitioner, which this Hon'ble Court may deem fit and proper in the present circumstances of the case

(v) award the cost of writ petition in favour of the petitioner

DATED:- -06-2025

(Pankaj Kaushik)

ADVOCATE

COUNSEL FOR THE PETITIONER



Roopesh Kumar

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

AFFIDAVIT

IN

WRIT PETITION NO OF 2025(S/B)

(Under Article 226 of the Constitution of India)

[DISTRICT-Haridwar]

Roopesh Kumar Nathala

.....Petitioner

Versus

.....Respondent

State of Uttarakhand and others

Affidavit of Roopesh Kumar Nathala

Male Aged About 53 Years S/o Jaipal

Singh, R/o H.NO-1201/5, GALI NO-2,

Kankhal, Hazaribad, Sandehsh Nagar,

Haridwar, Haridwar

(DEPONENT)



2025
AFFIDAVIT
23158
HIGH COURT OF
UTTARAKHAND
₹ 20/-

Safiya
has Sign L.T.W.R.T.I. on his
Photographs in my Presence.
15/6/2025

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

1. That the deponent is the sole Petitioner and as such he is fully acquainted with the facts and circumstances of the case deposed in the Writ Petition and Annexure annexed to it .



Roopesh Kumar

VERIFICATION

That the contents of paragraph no. 1 of the affidavit and those of paragraph No. Of the Writ Petition are true to the personal knowledge of the deponent, those of paragraphs No. of the Writ Petition are based on the perusal of records and those of paragraphs No. of the Writ Petition are based on legal advice which all I believe to be true, that no part of it is false and nothing material has been concealed of in this affidavit.

Roopesh Kumar
DEPONENT

I, Devansh Kaushik, Advocate, High Court of Uttarakhand Nainital identify the deponent **Roopesh Kumar Nathala S/o Jaipal Singh**, from his Aadhar Card Number do hereby declare that the person making this affidavit and alleging himself to be deponent is known to me from perusal of papers produced by him. I am satisfied that he is the same person.

Advocate

UA 494/22, Bar no D-1787

Solemnly affirmed before me on this...15th...day of JUNE..... 2025 at about 12:16...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 has fully understood the contents of this affidavit, which have been read over and explained to him by me.

OATH COMMISSIONER

Sofiya
SOFIYA
Advocate

Reg. No.- UK-47/2022
Oath Commissioner
High Court of Uttarakhand
At-Nainital

Sl. No. 23158
Dated 15/6/2025



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Amendment-1

37

Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)
Poo Bhawan, Kinnwali Road
Dehradun-248001
Tel: 0135-2767501 FAX: 0135-2767771



उत्तराखण्ड पावर कारपोरेशन लिमिटेड
(उत्तराखण्ड शासन का उद्योग)
पूजा भवन, किन्वाली रोड
देहरादून-248001
दूरभाष 0135-2767501 फैक्स 0135-2767771

पत्रक : 6615 -निदेश(सा0स0)/उपकालि/केपी-ओ-4/09

दिनांक : 30 जून 2009

कार्यालय ज्ञाप

कारपोरेशन कार्यक्षेत्र में, एतद्द्वारा निम्नवत् खम्भ-2 में उल्लिखित अवर अभियन्ताओं (विद्युत एवं यांत्रिक) को अवर अभियन्ता के 40% सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर निम्न शर्तों/प्रतिदन्धों के साथ प्रोन्नत तथा उनके द्वारा कार्यभार ग्रहण करने के दिनांक से सहायक अभियन्ता (विद्युत एवं यांत्रिक) के पद पर नियुक्त किया जाता है :-

क्र0सं0	अवर अभियन्ता/प्रभारी सहायक अभियन्ता का नाम/परिच्छता संख्या/गृह जनपद
1	2
1	कैलाश सिंह, (अल्मोडा)/17/02-03
2	होशियार सिंह चोपड़ा, (पिथौरागढ़)/18/02-03
3	अजय भारद्वाज, (उधमसिंह नगर)/21/02-03
4	अजीव कुमार, (हरिद्वार)/23/02-03
5	अनूप अग्रवाल, (हरिद्वार)/24/02-03
6	सतीश उन्नाल, (देहरादून)/25/02-03
7	सतीश चन्द जोशी, (नैनीताल)/26/02-03
8	कुलभूषण कुकरती, (पौड़ी)/25/02-03
9	सुनील कुमार, (पौड़ी)/29/02-03
10	छयाली देल, (पिथौरागढ़)/32/02-03
11	भूपेन्द्र कुमार जोशी (देहरादून)/36/02-03
12	सुनील कुमार रानी, (देहरादून)/38/02-03
13	अजय कुमार, (हरिद्वार)/39/02-03
14	गुरुदेव चन्द, (हरिद्वार)/42/02-03
15	शेरचन्द सिंह शिष्ट (देहरादून)/43/02-03
16	अशोक कपिल (हरिद्वार)/44/02-03
17	जगपाल सिंह, (हरिद्वार)/45/02-03
18	राजपाल, (हरिद्वार)/46/02-03
19	राजीव चरकवाल (पौड़ी)/47/02-03 ✓
20	राजय प्रसाद आर्य, (अल्मोडा)/54/02-03 (अ0ज0)
21	कमल सिंह, (हरिद्वार)/55/02-03 (अ0ज0)
22	रुद्रा कुमार नथवाल, (हरिद्वार)/57/02-03 (अ0ज0)
23	अमरपाल, (हरिद्वार)/61/02-03 (अ0ज0)
24	प्रकाश चन्द, (दिल्ली)/125/03-04 (अ0ज0)
25	मोहन राम, (अल्मोडा)/130/03-04 (अ0ज0)
26	रमेश चन्द आर्य, (नैनीताल)/131/03-04 (अ0ज0)

- उपर्युक्त प्रोन्नति के आदेश याचिका संख्या-83/एस0एस0/04 में पारित निर्णय दिनांक 21-7-2008 संप्रति याचिका संख्या-128/2009 एवं विरोध अपील संख्या-20/2009 एवं याचिका संख्या-43/2004(एस0एस0) एवं एस0एस0/गी0 संख्या-1827/2009 माननीय उच्च न्यायालय, नैनीताल, माननीय उच्चतम न्यायालय दिल्ली के अन्तिम निर्णय के पक्षेपक्षों हेतु।
- उपर्युक्त अवर अभियन्ता/प्रभारी सहायक अभियन्ता सहायक अभियन्ता के प्रोन्नत पद पर अपने ही संपद/उपकरणों में कार्यभार ग्रहण करने हेतु उन्हें आवश्यक एवं वैधानिक आदेश अलग से निर्गत किया जायेगा।

अ.प.सं-2



Ramesh Kumar

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

प्रबन्ध निदेशक

पत्रांक :- 6618 - निदेश(सा0सं0)/उपाकालि0/केबी0-ओ-4/09/तददिनांक

प्रतिलिपि निम्नलिखित को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- निजी सचिव, प्रबन्ध निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 2- निजी सचिव समस्त निदेशक, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 3- मुख्य महाप्रबन्धक (आभियन्ता), उपाकालि, ऊर्जा भवन, देहरादून।
- 4- समस्त महाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 5- समस्त उपमहाप्रबन्धक, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 6- कंपनी सचिव एवं उपमहाप्रबन्धक (विधि), उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 7- उपमहाप्रबन्धक (सूचना प्रौद्योगिकी), उपाकालि0, ऊर्जा भवन, देहरादून।
- 8- समस्त उपमहाप्रबन्धक (वित्त)/के.ते.का./वितरण/आन्तरिक सम्बन्ध, उपाकालि।
- 9- उपा महाप्रबन्धक (कार्मिक) उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 10- समस्त सम्बन्धित अधिशारी अभियन्ता, उत्तराखण्ड पावर कारपोरेशन लिमिटेड।
- 11- समस्त अधिकारी एवं अनुभाग, उत्तराखण्ड पावर कारपोरेशन लि0, ऊर्जा भवन, देहरादून।
- 12- समस्त सम्बन्धित अधिकारी/३० पत्रावली/कार्यालय ज्ञापक पत्रिका/कट फाईल।

(सं) ६६१८

(एम०के० जोशी,
उपमहाप्रबन्धक (मानव संसाधन))



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

Sl. No. 26381
Date 08/06/2025

Ranesh Kumar



T/C

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Uttarakhand Power Corporation Ltd
(A Govt. of Uttarakhand Undertaking)
Urja Bhawan, Kanwali Road
Dehradun-248001

Tel: 0135-2767501 FAX: 0135-2769771

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

Office Memorandum

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

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



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

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

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

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

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

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

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

Managing Director

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

Copy sent to the following for information and necessary action

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



Rupesh Kumar



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

Sd

(M.K. Joshi)

Deputy General Manager (Human Resources)



§

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

Sl. No. 20881
 Date 8/6/2025

Sofiya
SOFIYA
 Advocate
 Reg. No.- UK-47/2022
 Oath Commissioner
 High Court of Uttarakhand
 At-Nainital

Sl. No. 23158
 Dated 15/6/2025

Roopesh Kumar

Annexure no-02

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ANNEXURE NO. 1-2

SENIORITY

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

Regulations Issued

No. 84 - Regulation - 23 / Secretary - 98 - 3 Regulation / 92 dated

24th February, 1998.

NOTIFICATION

Miscellaneous

After using the powers under Section 29C of the Electricity Supply Act, 1948, the U.P. State Electricity Board is framing the following Regulations by this for determining the seniority of the appointed persons in its services :-

THE U.P. STATE ELECTRICITY BOARD EMPLOYEE

SENIORITY REGULATION, 1998.

Part I

PRELIMINARY

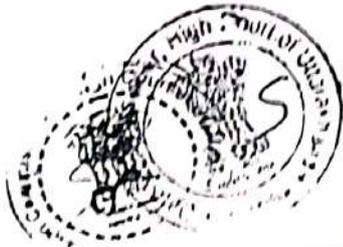
1. Brief name and start :

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

(2). This regulation will be effective immediately.

2. Coming into effect ?

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



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

3. Overriding effect:-

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

4. Definitions :-

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

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



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

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

PART - 2

Determination of Seniority

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

(2). Due to any one selection :-

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

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

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



place will be of the promoted person) 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 be in the following sequence:

First - promoted person.

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

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

First - Promoted person.

Second to fourth - person directly appointed.

Fifth - promoted persons.

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

Restrict is this that:-

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



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

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

PART THREE

SENIORITY LIST.

Preparation of the seniority list :

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



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

Sharad Chandra Rasthogi,

Secretary.

Integration of pay scales

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

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

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



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



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

//TRUE TRANSLATED COPY //



Sw
SWALEHA HUSSAIN
 Advocate
 Reg. No. - UK-782/2020
 Oath Commissioner
 High Court of Uttarakhand
 At-Nainital
 Sr. No. 2023/1
 Date 8/6/2025



Sofiya
SOFIYA
 Advocate
 Reg. No. - UK-47/2022
 Oath Commissioner
 High Court of Uttarakhand
 At-Nainital
 Sr. No. 23150
 Dated 15/6/2025

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

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

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

Dated : December 8, 1970.

Notification
Miscellaneous

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

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

PART-I GENERAL

1. Short title and commencement -

- (a) These Regulations may be called the "Uttar Pradesh State Electricity Board Services of Engineers Regulations, 1970 "
- (b) They shall come into force from the date of the publication in the State Government Gazette.



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2. Status -

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

3. Definitions—

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

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



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

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

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

Provided that—

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

PART—III SOURCES OF RECRUITMENT

5. (1) Initial recruitment to the service shall be made to the posts of Assistant Engineer in the following manner:—

- (a) By appointment from amongst 'Trained Engineer's 65 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 Engineer and Computer the vacancy shall be shared by them in the proportion of their respective cadre strength from time to time.

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

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

6. Reservation Of Vacancies :-

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

7. Number Of Recruits To Be Taken :-

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

PART IV—QUALIFICATIONS

8. Nationality—

A candidate for direct recruitment as Trainee Engineer must be—

- (a) a citizen of India, or



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

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

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

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

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

12. MARITAL STATUS—

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

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

13. PHYSICAL FITNESS—

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

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

PART—V—APPOINTMENT, PROBATION AND CONFIRMATION

14. Appointing Authorities—

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

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

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

15. Combined Waiting List For Assistant Engineers—

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

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16. Submission of Certificates—

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

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

17. Appointment to the Cadre of Assistant Engineer -

- (1) A person finally selected for appointment to the Service in the manner prescribed in these Regulations shall be appointed thereto by the appointing authority (unless he subsequently becomes disqualified for appointment) on the occurrence of a vacancy. The appointments shall be made in the same order in which the names appear in the combined waiting list prepared under Regulation 15.
- (2) In case no approved candidate is available for such appointment on the list and it becomes essential to make appointment in the interest of the Board, a person who is eligible for appointment by promotion to the Service under these Regulations, may be appointed, but such an appointment shall

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

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

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

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

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

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

19. SENIORITY :—

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

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



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

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

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

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

20. PROBATION :-

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

Provided that the appointing authority may -

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

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

- (b) Allow to count towards the period of probation continuous service, if any, rendered in an officiating or temporary capacity in a post in the cadre of the Service or in the cadre of an equivalent service of Engineers under the State Government.
- (2) If it appears at any time, during or at the end of the period of probation or extended period of probation, that an officer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction, he may be reverted to his substantive post if he has one under the Board, or his services may be dispensed with if he has none.
- (3) A candidate whose services are dispensed with under sub-regulation (2) shall not be entitled to any compensation.

21. Confirmation :-

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

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

PART VI—PAY AND ALLOWANCES

22. Scales of pay :-

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

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

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

23. Special Pay, Compensatory Allowance, Etc.

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

24. Pay during probation :-

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

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

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

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



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

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

23. Special Pay, Compensatory Allowance, Etc.

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

24. Pay during probation : -

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

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

The provision of this sub-regulation will, mutatis mutandis, apply to temporary employees also and a temporary Assistant Engineer will not get his second increment unless he 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 not count for increment in the time scale.



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

25. Criteria For Crossing Efficiency Bars —

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

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

PART-VII-OTHER PROVISIONS

26. Canvassing—

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

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

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

28. Saving—

Notwithstanding any-thing contained in these regulations :

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

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

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

29. Relaxation:—

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

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

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

30. Declarations :

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



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APPENDIX 'A'

[See Regulation 4 (2) & 22]

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

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

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



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APPENDIX-'B'

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

Procedure for Direct Recruitment

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

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

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

4. Candidates shall pay the following fees:

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

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

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

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

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

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

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



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