Sh Jitendra Singh,

Secretary General, IRPOF

            During discussions with Sh. Y.S. Chaudhary, I gathered a
very important information about Sh. K.J. Reddy and Sh T.Venkatswarlu
of Traffic department who had filed a case for anti dating of their
induction from the date of vacancy instead of the finalization of the
DPC (as is presently done) under OA NO. 128/2002 and OA No. 133/2001
respectively in the CAT at Hyderabad. Sh. K.J. Reddy was inducted in
Gp. ‘A’ w.e.f. 15/7/99 against the vacancy of 1996. He therefore
claimed that his induction should be antedated w.e.f. 1996.

In the words of the judgement:

            “As per the applicants … abnormal delay in holding the DPC
for 1996 has caused irreparable loss and injury to the applicants …………
The applicant having been considered against the vacancies of 1996,
being within the zone of consideration by virtue of completing 8 years
of Gp. ‘B’ regular service as against 3 years provided in the code.
Appointing the applicant with effect from 15.07.99 instead of 1996
vide the impugned order dated 12.8.1999 was highly arbitrary and
illegal.

When direct recruits have been appointed against 60% direct
recruitment quota vacancies of 1996, delaying by 3 years the
appointment of the applicant against the 40% promotees quota of
vacancies of 1996 was highly arbitrary, discriminatory and against all
principles of natural justice. The delay in conducting the DPC was
entirely on the part of the respondents and for the lapse of
respondents; the applicant could not be put on loss.

The Hon’ble Court; then held as under:

“17. the respondents, are, therefore, directed to carry out correction
in the seniority of promotion of the applicants to the Group ‘A’ posts
in which they have been officiating from the date when regular vacancy
arose and from the date of promotion of the applicants against such
regular vacancy, which as per the claim of the applicants arose in
1996.

I am surprised, that such a good judgement given by the Hon’ble Court
as for back as 2005, has not been brought to the notice of all. The
facts must have been known to our Federation, as a very important
office bearer of our Federation and the Secretary of SC Rly happens to
be law officer of SC Rly. In fact the Federation should have taken up
this issue with the administration. At least, this aspect should have
been told to Sh. Y.S. Chaudhary while filing almost similar case in
the Principal bench of CAT at New Delhi.

Should we, at least, now, expect a positive act on behalf of the
Federation, if not earlier.

Hope to hear soon from you.

PARAMJIT KUMAR
CHIEF STATION MANAGER
NEW DELHI