





and in the absence of any amendment in those rules or the Regulations, the Board could not bifurcate the cadre of Junior Engineers into Generation Cadre and the Field or General Cadre. Referring to orders Annexures A1 to A3 filed alongwith Civil Miscellaneous Application No. 6858 of 1997, Shri Rajiv Atma Ram submitted that the posts of Junior Engineers are inter-transferable and thus all the Junior Engineers constitute a common cadre. He further argued that even if, the theory of separate cadres of Junior Engineers is accepted, the denial of consideration for promotion to respondent nos. 1 to 16 can not be sustained because there is a common cadre of Assistant Engineers. Learned counsel referred to the advertisement issued by the Board for appointment of Assistant Engineers against the direct recruitment quota and the orders issued for appointment of selected candidates to show that the cadre of Assistant Engineer is common and submitted that the concerned authorities of the Board committed a serious illegality by promoting junior persons ignoring the claim of respondent nos. 1 to 16.


We have given serious thought to the respective arguments. Undisputedly, all the respondents were appointed as Junior Engineers in the service of the Board in pursuance of Advertisement dated 13.8.88 (Annexure P1). It is also not in dispute that respondents nos.1 to 16 were higher in the merit list than respondents nos. 17 to 31, prepared for appointment as Junior Engineers. It is further the undisputed position that respondents nos. 1 to 16 were posted in the Generation cadre whereas respondents nos.17 to 31 were posted in the Field cadre (General Cadre) by the Board. The next cadre of promotion of the Junior Engineers is to the post of Assistant Engineers, which, according to respondents Nos.1 to16 was governed by the Regulations. As per Regulation 9 (1) of the said Regulations, 65% posts were required to be filled up by making direct recruitment and the remaining 35% by means of promotions from amongst the persons holding posts of Junior Engineers in Generation and the General cadre. The promotees quota had been bifurcated into two categories i.e. 12.5 % of the posts of this quota were to be filled up by way of seniority from amongst the persons having experience of five years in the cadre of Junior Engineers and the remaining 12.5% were to be filled up from amongst those possessing degree of A.M.I.E./B.E. and having experience of two years as Junior Engineers. In terms of the aforesaid regulation, eligibility for consideration for promotion from the persons possessing the degree of BE/AMIE against 12½ % quota has to be determined from the date of qualifying the said examination. A perusal of orders Annexures P2 to P4 which were impugned in the writ petition reveals that the promotions to the Posts of Assistant Engineers were made from amongst the persons working in the General Cadre and the said promotions were made against the quota meant for direct recruitment. Learned Single Judge accepted the claim of respondents nos.1 to 16 and held that they could not have been discriminated in the matter of promotion to the posts of Assistant Engineers and the action of the Board to promote Junior persons was discriminatory. In our opinion, the view taken by the learned Single Judge does not suffer from any legal infirmity. Admittedly, the services of the Junior Engineers is



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governed by the 1952 Rules and the perusal of the same would clearly indicate that the Junior Engineer constituted one cadre. Even if it be taken that any amendment was brought about in the Regulations whereby the cadre of the Junior Engineers was bifurcated, nothing has been shown to this Court by producing any notification or otherwise, whether such bifurcation could be made by simply issuing an office order upon which the Board has remained totally silent. However, we find that as per Section 79 of the Electricity Act, 1948, the conditions of service for the employees could only be prescribed by the regulations which could only be made by issuing a notification in the official gazette. In so far as the submission of the appellant's counsel that options were invited from the employees including the Junior Engineers to opt for a particular cadre is concerned, it is the specific case of respondents nos.1 to 16 that no such option was ever invited from them. On the other hand, the orders Annexures A1 to A3 appended with Civil Misc. Application No. 6353 of 1997 clearly depict that the posts of the Junior Engineers were inter – transferable, which in other words, further shows that all the Junior Engineers constituted a common cadre. It is not in dispute that the Board has made promotions from amongst the Junior Engineers who had qualified the B.E./A.M.I.E. examination on adhoc basis against the vacancies of direct recruits. The primary grievance of respondents nos.1 to 16 in their writ petition was that at the time of making these adhoc appointments, the Board considered the claim of only Junior Engineers working in the General Cadre and totally ignored the claim of those working in the Generation Cadre despite the fact that the Junior Engineers in the Generation Cadre were senior to those working in the General Cadre in the order of merit at the time of initial recruitment and had even qualified the AMIE/BE examination prior to them. In reply to these averments in the writ petition, the stand of the Board was not comprehensive. It has not been specifically denied on behalf of the Board that respondents nos.1 to 16 had not qualified the BE/AMIE prior to respondents nos.17 to 31 and thus, had a right for being considered for promotion to the post of Assistant Engineers, even on a date prior to the date of consideration of their cases.

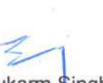
Though the Board has taken a categorical stand that the promotions made vide orders Annexures P2 to P4 were against the quota of 12.5 % meant for BE/AMIE and the same stand has also now been taken in appeal by the appellant in Letters Patent Appeal No.641 of 1997, but a perusal of the notes appended to the promotion orders impugned in the writ petition clearly shows that the promotions made by virtue of those orders to the posts of Assistant engineers were made against the quota meant for direct recruits and once that is so, respondents nos. 17 to 31 would certainly have no preferential right for being considered for promotion qua respondents nos.1 to 16.


The argument of Shri Sanjiv Bansal that respondents nos. 1 to 16 are estopped from challenging the promotions of respondents no. 17 to 31 because they had not questioned the bifurcation of the cadre of Engineering Subordinates/Junior Engineers is clearly misconceived. It is an uncontroverted fact that the posts of Junior Engineers as well as Assistant

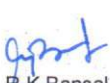

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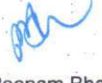

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Engineers were inter - transferable and no order bifurcating that cadre was issued by the competent authority. That apart, once it is found that the cadre of Assistant Engineers is one, there could be no justification to deny consideration for promotion to respondents nos.1 to 16, who were admittedly senior to respondents nos. 17 to 31.

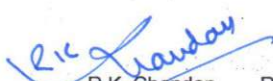
No other point has been argued.


In the result, the appeals are dismissed.

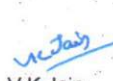
The above judgment was not challenged by any of the litigants; therefore, it has achieved finality qua the litigants as well as Power Utilities.


12. The above was the factual and legal background of the cases which are under consideration of the Committee. An important fact which cannot be lost sight of is that factum of adjustment by way of regularization of respondents against their quota posts which became available from 1991 to 1993 was not brought to the notice of Hon'ble High Court. In fact, the Adhoc promotions of JEs posted in General/Field Cadre mentioned in Para No. 6, were further regularized vide Office Order No. 100 dated 7/22.04.94 [Flag-33] & Office Order 343/EG-5/AMIE/BE/DH/REG dated 14.08.98 [Flag-34], i.e. strictly in accordance from the date on which share quota post became available against 12.5% quota meant for AMIE/BE, as per the provisions of PSEB service of Engineers (Electrical) Recruitment Regulation Rules-1965 (as applicable in HSEB) amended from time to time and on the basis of their position in ranking list of General/Field Cadre. The following orders vide which AEs working on adhoc basis were regularized in terms of Secretary/HSEB, Panchkula Office Order No. 21/Reg-18 dated 19.02.1988 [Flag-28], read with notification No. 89/Reg-31 dated 13.02.1991 [Flag-29], and further read with Secretary HSEB Panchkula Memo No.Ch.96/REG-137 dated 27.03.91 [Flag-30]:-

Sr. no.	Name & Designation in erstwhile HSEB	Allocation on bifurcation of HSEB	D.O. B.	D.O.J. the Board	D.O.J. as Engineering Subordinate / JE / JE-1 / Fore Man	Date of passing the AMIE / BE exam	O/O of AE/Adhoc promotion	O/O of AE/Regularization from back date	Date of Regularization as AE	Remarks
1.	Kashmir Singh	HVPNL	10.03.61	25.09.89 JE/F	25.09.89	11.03.89 AMIE	507/EG-5/AMIE/BE/Vol-III dated 18.12.91	100 dated 7/22.04.94	18.12.91	Ignored for further promotion being pending departmental enquiry etc.



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2.	Chander Pal Singh Tanwar	UHBVNL	01.0 3.51	10.04.73 JE/F	10.04.73	27.07.89 BE	507 dated 18.12.91	343/EG- 5/AMIE/B E/DH/RE G dated 14.08.98	11.10.93	Retired as XEN
3.	Ram Jawaya Gupta	UHBVNL	01.0 4.49	19.07.69 / LM	03.04.73 JE/F	22.08.91 BE	507 dated 18.12.91	217 dated 04.06.97	11.10.93	Retired as XEN
4.	Jai Pal Singh Malik	HVPNL	08.0 5.52	04.04.73 JE/F	04.04.73	22.08.91 BE	507 dated 18.12.91	217 dated 04.06.97	11.10.93	Retired as XEN
5.	A.P.Mehta	HVPNL	13.0 9.51	12.08.77 JE/F	12.08.77	22.08.91 BE	507 dated 18.12.91	217 dated 04.06.97	11.10.93	Retired as Xen
6.	Ram Niwas	HVPNL	28.0 3.50	12.11.79 JE/F	12.11.79	22.08.91 BE	507 dated 18.12.91	217 dated 04.06.97	11.10.93	Expired
7.	Rajiv Mishra	UHBVNL	27.0 8.63	20.09.89 JE/F	20.09.89	04.10.89 AMIE	9 dated 07.01.92	100 dated 7/22.04.9 4	19.02.92	Now Xen
8.	Parkash Chander Saini	UHBVNL	08.0 4.65	19.09.89 JE/F	19.09.89	10.09.90 AMIE	22 dated 13.01.92	217 dated 04.06.97	11.10.93	Now Xen
9.	Manoj kumar	UHBVNL	25.1 2.63	20.09.89 JE/F	20.09.89	11.03.91 AMIE	22 dated 13.01.92	343 dated 14.08.98	11.10.93	Now Xen
10.	Birender Singh Kamboj	UHBVNL	01.1 2.68	25.09.89 JE/F	26.09.89	11.03.91 AMIE	22 dated 13.01.92	217 dated 04.06.97	11.10.93	Now Xen
11.	Baljeet Singh	UHBVNL	11.0 9.52	10.04.73 / AFM	06.05.82 JE/F	22.08.91 BE	96 dated 03.03.92	343 dated 14.08.98	11.10.93	Retired as XEN
12.	Raj Pal Singh	UHBVNL	13.0 7.50	01.10.71	21.12.83	22.08.91 BE	96 dated 03.03.92	217 dated 04.06.97	11.10.93	Retired as XEN
13.	Sube Singh	DHBVNL	14.0 6.57	16.11.79 / JDM	01.12.89 JE/F	22.08.91 BE	96 dated 03.03.92	DHBVNL O/O No. 206/GM/ Admn, dated 24 .6.11	11.10.93	In compliance to orders of Distt Court Hisar
14.	Naresh Kumar Makkar	HVPNL	04.1 1.68	14.12.88 Op.Gr.-1	18.09.89 JE/F	06.10.91 AMIE	155 dated 06.04.92	343 dated 14.08.98	11.10.93	Now Xen
15.	Kali Ram Gupta	UHBVNL	12.0 6.48	06.04.73 JE/F	06.04.73	07.12.91 BE	155 dated 06.04.92	HVNL O/o No. 59 dated 03.02.99	11.10.93	Retired

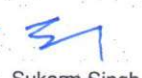
13. As a consequence of implementation of Judgment dated 17.12.2004 of Hon'ble Punjab and Haryana High Court in LPAs No. 657 and 641 of 1997, Rajinder Singh Redhu and others were re-assigned the seniority and they were granted deemed date promotion as AEs vide HPGCL O/o No. 330/ HPG/GE-623 dated 15.09.2005 at par with respondents at Sr No 17 to 31. The office order dated 15.09.2005 is placed as **[Flag-36]**.


14. The O/o No. 330/ HPG/GE-623 dated 15.09.2005 was challenged by Sh. Parveen Arora & others of HPGCL by way of CWP No. 16330 of 2005 and the

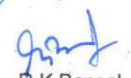

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Hon'ble High Court stayed implementation of office order dated 15.09.2005 vide Interim Order dated 23.10.2006[Flag-37], which is reproduced hereunder:-

"Heard, Admitted to D.B

As large number of persons are likely to be effected, the Registry is directed to list this petition for final hearing within six months.

We have heard the learned counsel for the parties at some length and prima facie find that the private respondents have been promoted against post meant for direct recruits. There was some dispute between the private respondents and other promotes which culminated into the filing of CWP no. 6557 of 1993 decided on 29.07.1997. Even the LPA no. 657 of 1997 against the view taken by the learned Single Judge was dismissed. However, the petitioners who were direct recruits have claimed that the posts against which the respondents have rendered service were admittedly meant for direct recruits. The afore-mentioned fact has not been disputed by the learned counsel for the private respondents. It is well settled that the service rendered by promotees against the direct quota post would not qualify for seniority as they would be deemed to be hanging outside service. Such promotees could reckon their service for the purposes of seniority from the date the post in their own quota becomes available and they are adjusted against the same. As the seniority list (Annexure P.1) dated 15.09.2005 grant the benefit of service rendered by the respondents even against the posts meant for direct recruits, we are of the view that the implementation of the afore-mentioned seniority deserved to be stayed.

Accordingly, we issue interim directions directing the respondents to stay the implementation of the seniority list dated 15.09.2005 qua the respondents.


The records of LPA No. 657 of 1997 and CWP No. 6557 of 1993 (Annexures P. 7 and P.8) shall be tagged with the instant petition."


In view of above interim order dated 23.10.2006, Rajinder Singh Redhu & Ors. were allowed to continue as AEs but consequential benefits arising out of O/o No. 330/ HPG/GE-623 dated 15.09.2005 were withheld.


15. The petition was filed by Parveen Arora in 2005, therefore, same was defended by the HPGCL because petitioners of CWP no. 16330/2005 were allocated to HPGCL but the respondents were allocated to all Power Utilities. During the pendency of the above petition, many other petitions were filed and clubbed with this petition, resultantly, all Utilities i.e. HVPNL, UHBVNL, DHBVNL got connected with the litigations. These petitions were tagged with CWP 16330 of 2005. On dated 09.05.2012 [Flag-38], the Hon'ble High Court passed following directions:-


"Adjudication of the dispute in hand is likely to effects inter-se rights of direct recruits and promotees. The issues involved in these petitions are a legacy of the then Haryana State Electricity Board, now represented by four difference companies.


We, therefore, direct Mr. Narender Hooda Standing Counsel for these companies to get in touch with the Managing Director of these companies


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and if possible work out a solution that would satisfy the right of all concerned.

Adjourned to 17.5.2012"


16. The above position was submitted for consideration of Managing Directors of HPU's and Chairman of Haryana Power Utility and following decision was taken which was placed before the Hon'ble High Court for their kind consideration:-


"Matter discussed today i.e. on 15.5.2012 in the chamber of Chairman of Haryana Power Utility wherein all M.Ds were also present. As per the discussion held only workable solution which is also legally sustainable is that the quota post of promotees be calculated as per availability of quota in terms of policy in vogue and they may be re-assigned seniority from the date their quota post is available. The above will settle grouse of direct recruits who were otherwise appointed in the year 1993 i.e. much after date of promotions/deemed dates given in 1991 to Rajinder Singh Redu & others. Even otherwise as per the settled law a direct recruit will get seniority from the date he is borne on the cadre while a promotee will get seniority from the date quota post is available.

Re-fixation of seniority may entail reversion of promotions carried out in excess of quota or non-availability of quota and consequently re-fixation of pay. The Standing Counsel may be apprised of the above stand of Utilities byway of short affidavit in order to comply with the directions contained in order dated 9.5.2012. A copy of above advice has been added in the file of other utilities."

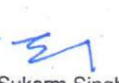
17. In view of above stand taken by the Power Utilities, the Hon'ble High Court vide Order dated 09.01.2014 [**Flag-1**] disposed off all the 11 No petitions. The Order dated 09.01.2014 is reproduced hereunder:-

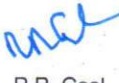
"This order will dispose of 11 writ petitions viz. Civil Writ Petition Nos. 16330 of 2005 titled as "Parveen Arora and Others v/s. Haryana Power Generation Corporation Limited and Others", No. 9175 of 2006 titled as "Atul Kumar Jain v/s. Haryana Power Generation Corporation Limited and Others", No. 11909 of 2006 titled as "Vijender Sangwan and Others v/s. Haryana Power Generation Corporation Limited and Others", No. 12099 of 2006 titled as "Raj Kumar Sharma and Others v/s. Haryana Power Generation Corporation Limited and Others", No.16883 of 2006 titled as "Sukhdev Singh and Others v/s. Haryana Power Generation Corporation Limited and Others", No. 16898 of 2006 titled as " Jagdish Parshad and Others v. Haryana Power Generation Corporation Limited and Others", No. 17721 of 2006 titled as "Dharam Bir v/s. Haryana Power Generation Corporation Limited and Others", No. 5300 of 2007 titled as "Sukhbir Singh v/s. Haryana Power Generation Corporation Limited and Others", No. 8431 of 2007 titled as "Narender Sharma and Others v/s. Haryana Power Generation Corporation Limited and Others", No. 13409 of 2007 titled as "Atul Pasrija and Others v/s. Uttar Haryana Bijli Vitran Nigam Limited and

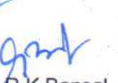

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Others" and No. 1593 of 2008 titled as "Satyavir Singh Yadav v/s. Haryana Power Generation Corporation Limited and Others", as the common questions of law and facts are involved therein. To dictate order, facts are being taken from Civil Writ Petition No. 16330 of 2005.

By filing this writ petition, petitioners have laid challenge to order dated 15.9.2005 (Annexure P1) vide which seniority inter-se the parties was fixed in terms of order passed by this Court. Petitioners were not satisfied with the above order. They approached this Court by filing this writ petition. It is their grievance that respondents were promoted and adjusted in the posts meant for the petitioners. Be that as it may, during pendency of this writ petition, various interim orders were passed to settle matter between the parties. On 9.5.2012, following order was passed by this Court:-

"Adjudication of the dispute in hand is likely to affect inter-se rights of direct recruits and promotees. The issues involved in these petitions are a legacy of the then Haryana State Electricity Board, now represented by four different companies.

We, therefore, direct Mr. Narender Hooda, Standing Counsel for these companies, to get in touch with the Managing Directors of these companies and if possible work out a solution that would satisfy the rights of all concerned.

Adjourned to 17.05.2012."


The Haryana Power Generation Corporation Limited was directed to work out a solution so that rights and entitlement of the petitioners and the respondents, inter se, is not harmed. In response thereto, on 17.5.2012, a proposal was placed on record. The said proposal reads thus:-

"Matter discussed today i.e. on 15.5.2012 in the chamber of Chairman of Haryana Power Utility wherein all M.Ds were also present. As per the discussion held only workable solution which is also legally sustainable is that the quota post of promotees be calculated as per availability of quota in terms of policy in vogue and they may be re-assigned seniority from the date their quota post is available. The above will settle grouse of direct recruits who were otherwise appointed in the year 1993 i.e. much after date of promotions/deemed dates given in 1991 to Rajinder Singh Redu & others. Even otherwise as per the settled law a direct recruit will get seniority from the date he is borne on the cadre while a promotee will get seniority from the date quota post is available.


Re-fixation of seniority may entail reversion of promotions carried out in excess of quota or non-availability of quota and consequently re-fixation of pay. The Standing Counsel may be apprised of the above stand of Utilities byway of short affidavit in order to comply with the directions contained in order dated 9.5.2012."


In the proposal made, a solution has been offered. Counsel for the petitioners are satisfied with the proposal made and have no objection to the same. Counsel for respondents No.3 to 17 states that in earlier round of litigation, some favourable judgments were passed in favour of the respondents, protecting their rights and those may be kept in mind when



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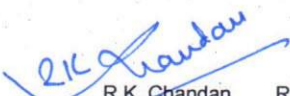

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acting upon the proposal, so made. Those judgments have been placed on record as Annexures P7 & P8, respectively.

In view of above facts, the above writ petitions are disposed of. **The authorities are directed to act in terms of the decision taken on 15.5.2012 which was placed on record of this Court on 17.5.2012. In terms of that decision, let fresh exercise be done to settle right of the parties. When making that exercise, judgments, passed in favour of respondents No.3 to 17 and similarly situated other persons be kept in mind. When making above said exercise, the decision taken on 15.9.2005 (Annexure P1 i.e O/o 330/HPG/GE-623 dated 15.09.2005) shall not affect rights of the parties. The exercise shall be done within five months from the date of receipt of a certified copy of this order. Liberty shall remain with the parties not satisfied with the order to be passed to approach this Court."**


18. For the implementation of the Orders of the Hon'ble High Court, the Main Committee constituted vide office order no.575/HPG/GE-623 dated 29.08.2014 [Flag-3], made fresh exercise in terms of the directions and held various meetings. The proceedings of the various meetings is reproduced hereunder for the facility of reference:-

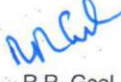
Sr. No	Date of Meeting	Brief of proceedings/decisions
1	11.03.2014 [F-39]	<p>1. During the proceeding of the meeting:-</p> <p>I. The HPGCL deliberated for framing of common ranking/seniority list of eligible junior Engineer Subordinates of Generation & Field Cadre involved in subject cited writ petitions and similarly situated other subordinates (CRA 104 dated 13.08.1988).</p> <p>II. The HVPNL apprised that the original files of erstwhile HSEB relating to promotion of the Engineering Subordinates to the post of Assistant Engineers for the period relating to year 5/1988 to 5/1999 were transferred to the HPGCL in the year 2002 and these files are required by HVPNL for reference.</p> <p>III. The HVPNL apprised that a sub-committee has been constituted for working out implication/recommendations along with the calculation of quota posts of the promotes as per the availability of quota in terms of policy in-vogue and the seniority reassigned to Sh. Rajinder Singh Redhu & others and other engineer/engineering subordinates concerned with the case allocated to HPGCL as on 14.08.1998 i.e. the date of formation of HPGCL.</p> <p>2. After deliberations, the committee decided as under:-</p> <p>i. Ranking/seniority list of Junior Engineer Subordinates (CRA 104 dated 13.08.1988) of Generation & Field Cadre involved in subject cited writ petitions and similarly situated other subordinates, of relevant period be collected and made available in the next meeting by the sub-committee constituted vide O/O no. 64/EG-327/2014 dated 03.03.2014.</p> <p>ii. Copy of relevant regulations/instructions governing criteria to be followed for framing merit/ranking/seniority list of engineering</p>


R.K. Chandan
Member
Secretary



Rajesh Khandelwal
Member-cum-GM/Admn,
UHBVN


V.K. Jain
Member-cum-
GM/UHBVNL



Sukam Singh
Member-cum-
SE/Admn.-I,
HVPNL



R.R. Goel
Member-cum-
CE/Admn,
DHBVNL

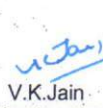

R.K. Bansal
Member-
CE/Admn.,
HPGCL

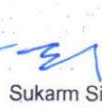

Poonam Bhasin
Chairperson-
cum-LR/HPUs.


		<p>subordinates be collected and made available with abstract indicating time to time changes in the next meeting by the sub-committee constituted vide O/O no. 64/EG-327/2014 dated 03.03.2014.</p> <p>iii. All Power Utilities to confirm whether there is/are any order/orders of the Hon'ble Court regarding Status-quo on any of the merit/ranking/seniority list relating to this case.</p> <p>iv. The HPGCL, UHBVNL & DHBVNL to constitute a sub-committee at their own level to do the spade work as per sub-committee constituted by the HVPNL. The sub-committee will work in co-ordination for timely implementing the directives of the Hon'ble Court.</p> <p>v. In case, the HPGCL, UHBVNL & DHBVNL intends to bring on record any of the document for reference, the same be brought in the next meeting.</p>
2.	21.03.2014 [F-40]	<p>1. During the proceedings of the meeting:-</p> <p>i. The issue for framing of common ranking/seniority list of eligible Junior Engineer Subordinates of Generation & Field Cadre involved in subject cited writ petitions and similarly situated other subordinates (CRA 104 dated 13.8.1988) was debated and sub-committee of HVPNL apprised that records from 1988 to 1999, relating to Merit/Seniority lists of Engineering Subordinates is not forthcoming in records of HVPNL. The representative of DHBVNL apprised that the seniority lists of JEs are available with them as CE/Operation, Hisar DHBVNL was the cadre controlling authority during erstwhile HSEB. The representatives of DHBVNL confirmed to supply the same to the committee by 26.03.2014.</p> <p>ii. The HVPNL apprised that as per Judgment passed by Hon'ble Court in CWP 16330/2005 also refers to other judgments passed in favour of respondents No. 3 to 17 on dated 29.07.1997 in CWP 6557 of 1993 and Hon'ble Court Orders dated 17.12.2004 passed in LPAs No 657 of 1997 and LPA No 641 of 1997. The complete Annexures are not forthcoming in office file supplied by the HPGCL.</p> <p>iii. The HVPNL apprised that representations are being received regarding the implementation of Hon'ble court orders.</p> <p>iv. The sub-committee of HVPNL placed on record the following documents:-</p> <ol style="list-style-type: none"> 1. Abstract showing year-wise detail of Sanctioned Strength of AE/Electrical from 1987 to 1998. 2. Copy of relevant regulations/instructions governing criteria to be followed for framing Merit/Ranking/Seniority List of Engineering Subordinates with abstract indicating time to time changes & regulations of quota defined for promotion from amongst direct recruitees and promotees of Assistant Engineer/Electrical alongwith its amendments for the period 1988 to 1998. 3. Copy of promotion orders of the Engineering Subordinates to the post of Assistant Engineer/Electrical made by HVPNL for the period 1987 to 1998. <p>v. The HPGCL apprised that the original files of erstwhile HSEB relating to promotion of the Engineering Subordinates to the post of Assistant Engineers for the period relating to year 5/1988 to</p>


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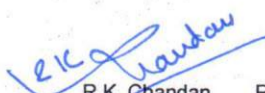

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

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		<p>5/1999, as transferred by HVPNL in year 2002, are in possession of HPGCL and have been brought.</p> <p>vi. The HPGCL, UHBVNL & DHBVNL apprised that a sub-committee has been constituted:-</p> <ol style="list-style-type: none"> 1. Sub-Committee of HPGCL notified vide No.154/HPG/GE-623 dated 21.03.2014. 2. Sub-Committee of UHBVNL notified vide No. 99/UH/HR-II/EBG-2894/CC dated 20.03.2014. 3. Sub-Committee of DHBVNL notified vide NO.133/GM/ADMN. Dated 20.03.2014. <p>vii. The issue of starting date from where the work of combining of merit/ranking/seniority list of engineering cadre i.e Generation Cadre and Field Cadre is to be started was deliberated.</p> <p>viii. The issue to confirm whether there is/are any Order/Orders of the Hon'ble Court regarding Status- quo on any of the merit/ranking/seniority list relating to this case was deliberated and none of the Utility has confirmed.</p> <p>ix. The issue to work out year-wise quota posts on the basis of sanctioned strength of Assistant Engineer/Electrical from 1987 to 1998 was deliberated:-a) Direct Quota = 65 b) Diploma Holder Quota = 22.5 c) AMIE/BE Quota = 12.5</p> <p>x. The issue of reaching on conclusive common conscience with active common association amongst Sub-Committees of the Power Utilities was debated.</p> <p>xi. The issue to maintain confidentiality of proceedings, meetings to be attended by members of the Committee/Sub-Committee and as to whether proceedings of the meeting can be provided to any applicant seeking information as the same can impede the proceedings under the Right to Information Act 2005, was debated.</p> <p>2. After deliberations, the Committee decided as under:-</p> <ol style="list-style-type: none"> i. Ranking/seniority list of Junior Engineer Subordinates of Generation & Field Cadre involved in subject cited writ petitions and similarly situated other subordinates (CRA-104 dated 13.8.1988), of relevant period be made available in the next meeting. The representatives of DHBVNL confirmed to supply the same to the committee by 26.03.2014. ii. All Power Utilities to ensure to confirm whether there is/are any Order/Orders of the Hon'ble Court regarding Status- quo on any of the merit ranking/seniority list relating to this case. iii. Various representations received from associations and individuals regarding implementation of the above High Court orders be placed on the records of the Committee and will be considered at the appropriate time while implementing the decision. (Member secretary of the committee) iv. Year-wise sanctioned strength of the posts of AE/Electrical from 1987 to 1998 will be worked out for calculating share quota posts of the promotees as per the regulations and be made available in the next meeting by the sub-committees constituted. All sub-committees will extend their support to sub-committee of HVPNL for supplying working position of Assistant Engineer/Electrical and make it available in the next meeting. v. The date for starting the work of combining of merit list seniority
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