

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
AT DEHRADUN**

Present: Hon'ble Mr. Rajendra Singh

----- Vice Chairman (J)

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

Claim Petition No. 37/SB/2022

1. Ashok Kumar Joshi, male, aged about 59 years, S/o Late Shri Khyali Ram Joshi, presently Posted as Office Superintendent (Special Grade), UJVN, R/o House no P-III-27, Yamuna Colony, Dehradun.
2. Naushad Alam, S/o Late Mehtab Ali, presently posted as Lower Division Assistant, UJVN, R/o C-327, New Yamuna Colony, Dakpathar, Vikashnagar-248125.
3. Suresh Chandra Mangain, S/o Late Shri J.R. Mangain, presently posted as Assistant Accounts Officer, UJVN, R/o Badrish Colony, Dehradun.
4. Narendra Negi, S/o Late Shri Anand Singh Negi, presently posted as Accounts Officer, UJVN, G-1, Yamuna Colony, Dehradun.
5. Geeta Joshi, W/o Shri D.N. Joshi, presently posted as Assistant Accounts Officer, UJVN, Office-CSPPO, Yamuna Bhawan, Dehradun.
6. Anju Viveki, S/o Shri Sudhir Kumar, presently posted as Assistant Manager, UJVN, R/o P-II/122, Yamuna Colony, Dehradun.
7. Govind Ballabh Thapliyal, S/o Shri G.N. Thapliyal, presently posted as Assistant Accounts Officer, UJVN, R/o 44, Devrishi Enclave, Dehradun.

8. Rajni Bagga, W/o Late Shri R.K. Bagga, presently posted as Office superintendent (S. G.), UJVN, R/o 73/15, Neshvilla Road, Dehradun.
9. Virendra Singh Negi, S/o Late Sri Kundan Singh Negi, presently posted as Upper Divisional Assistant, UJVN, R/o 209, SattuWaliGhati, Kanwali Dehradun.
10. Indu Singh, W/o Shri Vivek Kumar Singh, presently posted as Section Officer, UJVN, R/o 16/C/3, Nehru Enclave, GMS Road, Dehradun.
11. Devender Singh Negi, S/o Late Shri C.S. Negi, presently posted as Junior Engineer (E&M), UJVN, R/o Rajeshwar Nagar, Phase - V, Sahastradhara Road, Dehradun.
12. Vinod Kumar Tiwari, S/o Late Shri Ram Pratap Tiwari, presently posted as Office Assistant Grade I, UJVN, R/o 185, Van Vihar Colony, Mehuwala, Shimla Bypass Road, Dehradun.
13. Gitesh Chandra Sriwastava, R/o Late Shri Lalita Lal , presently posted as Accountant, UJVN, R/o P-II/123, Yamuna Colony, Dehradun.
14. Renu, W/o Shri Manoj Kumar , presently posted as Personal Assistant Grade I, UJVN, R/o B-11, Yamuna Colony, Dehradun.
15. Anuj Kumar, S/o Shri Janeshwar Prasad, presently posted as Office Superintendent, UJVN, R/o C-452 New Yamuna Colony Dakpathar Vikashnagar-248125.
16. Meena Bisht, W/o Shri Harish Bisht, presently posted as OfficeAssistant Grade II, UJVN, R/o Office-CSPPO, Yamuna Bhawan, Dehradun.
17. Kishan Singh Kaira, S/o Shri Laxman Singh Kaira , presently posted as Office Superintendent (Special Grade), UJVN, R/o House no 7, Gali No 3, Tirupati Enclave upper tunwala Dehradun.
18. Namdev Sharma, S/o Shri Jhavalal Sharma, presently posted as Dafadar, UJVN, R/o SBC-86, Yamuna Colony, Dehradun.

19. Umesh Chandra Bhatt, S/o Shri IshwariDutt Bhatt, presently posted as Office Superintendent, UJVN, R/o ChandrabaniKhalsa, Near Goal Market, Mohabbewala, Dehradun.
20. Dharmendra Kumar, S/o Late Shri Mukandi Singh , presently posted as Assistant Accounts Officer, UJVN, R/o 08, Baba Vihar, Nalapani Chauk, Sahastradhara Road, Dehradun.
21. Parmeshwar Deen, S/o Late Shri Shyam Lal, presently posted as Upper Divisional Assistant, UJVN, R/o B-1, Yamuna Colony, Dehradun.
22. Ram Prasad, S/o Shri Jagat Ram, presently posted as Office Assistant Grade II, UJVN, R/o D-28, Yamuna Colony, Dehradun.
23. Sohan Lal Sharma, S/o Shri B.M. Lal Sharm, presently posted as Lower Division Assistant, UJVN, R/o P II/149, Yamuna Colony, Dehradun.
24. Manisha Sharma, W/o Shri Vineet Narayan Sharma, presently posted as Junior Assistant, UJVN, R/o House No-426, Khurbura, Dehradun.
25. Rashmi Mishra, W/o Late Shri M.M. Mishra, presently posted as Junior Assistant, UJVN, R/o Bell Road, Society Area, Clement Town, Dehradun.
26. Vimla Rani, D/o Late Shri Mewa Lal, presently posted as Junior Assistant, UJVN, R/o P II/139 Yamuna Colony Dehradun.
27. Deepika Rai, D/o Srimati Sheela Rai, presently posted as Junior Assistant, UJVN, R/o Shanti Niwas, Jodigaav, Naiwala, Dehradun.
28. Nitesh Bhatt, S/o Late Shri D.C. Bhatt, Presently posted as Junior Assistant, UJVN, R/o 31-B,Vyomprasth, GMS Road, Dehradun.
29. Ruchi, W/o Shri Sunil Kumar, presently posted as Personal Assistant Grade II, UJVN, R/o P-II/132, Yamuna Colony, Dehradun.

30. Kamlesh Nautiyal, W/o Shri Rajesh Nautiyal, presently posted as Personal Assistant Grade II, UJVN, R/o M.M.& C.M. Ganga Bhawan, Dehradun.
31. Ganesh Belwal, S/o Shri B.D. Belwal, presently posted as Personal Assistant Grade II, UJVN, R/o Lane No-3A, Mahalaxmipuram, Mothrowala, Dehradun.
32. Bhupendra Pratap Singh Dev, S/o Shri Bahadur Singh Dev, presently posted as Personal Assistant Grade II, UJVN, R/o Maa Vaishno Devi Guest House, Saharanpur Chowk, Dehradun.
33. Mahendra Singh, S/o Shri Jeevan Singh, presently posted as Personal Assistant Grade II, UJVN, R/o Barwa, Dehradun.
34. Laxmi Chauhan, W/o Shri Rajendra Singh Rajput, presently posted as Personal Assistant Grade II, UJVN, R/o P-II/130, Yamuna Colony, Dehradun.
35. Jaybeer Tariyal, S/o Shri C.S. Tadiyal, presently posted as Personal Assistant Grade II, R/o CT-11, Yamuna Colony, Dehradun.
36. Jyoti, W/o Shri Harmeet Dhawan, presently posted as Personal Assistant Grade II, R/o 6, Nardev Shastri Marg, Dehradun.
37. Arti, D/o Shri Tara Chand, presently posted as Office Assistant Grade II, UJVN, R/o H.no.-1, Library Anshik, Mussoorie, Dehradun-248179.
38. Sushil Singh Negi, S/o Sh. Surender Singh Negi, presently posted as Office Assistant Grade II, R/o House No-02, Ashirwad Enclave, Lower Nathapur P.O. Nehrugran Phase-2, Dehradun.
39. Keshav Uniyal, S/o Shri Rajendra Prasad Uniyal, presently posted as Office Assistant Grade II, UJVN, R/o 114/3, Mata Mandir Colony, Ajabpur Kalan, Dharampur, Dehradun.
40. Binita D/o Shri Pyarelal, presently posted as Office Assistant Grade II, UJVN, R/o P-II, 57, Yamuna Colony, Dehradun.

41. Sunil Kumar, S/o Shri Mukhram Singh, presently posted as Personal Assistant Grade II, UJVN, R/o Kunda, Jaspur, UdhamSingh Nagar.
42. Preetam Singh, S/o Shri Jagdish Singh, presently posted as Office Assistant Grade II, R/o P-II, 145, Yamuna Colony, Dehradun.
43. Madhuri, W/o Shri Sompal, presently posted as Office Assistant Grade II, R/o House No-243, Upper Adhoiwala, Sahastradhara Road, Dehradun.
44. Uma Kannojiya, W/o Shri Sanjay Kumar, presently posted as Office Assistant Grade II, UJVN, R/o Canal Street, Ganga Vihar, Kalagarh Dehradun.
45. Savita Rani, W/o Shri Vikram Kumar, presently posted as Office Assistant Grade II, R/o CT-III, Yamuna Colony, Dehradun.
46. Prashant Singh Bisht, S/o Shri Rajendra Singh Bisht, presently posted as Junior Assistant, UJVN, R/o Village and Post Office Naya Gaon, Malhan, Prem Nagar, Pin 248007.
47. Neha Jain, W/o Shri Ankit Jain, presently posted as Office Assistant Grade II, UJVN, R/o 167/2, Khurbura Mohalla, Dehradun.
48. Kavita Uniyal, W/o Shri Virendra DuttUniyal, presently posted as Office Assistant Grade II, UJVN, R/o SBC-107, Yamuna Colony, Dehradun.
49. Mukesh Kumar, S/o Shri TeJ Lal, presently posted as Office Assistant Grade II, UJVN, R/o SBC-101, Yamuna Colony, Dehradun.
50. Modh Azeem Raza, S/o Shri Ahmed Husain, presently posted as Personal Assistant Grade II, UJVN, R/o P-II/150, Yamuna Colony, Dehradun.
51. Ranveer Singh, S/o Shri Mahendra Singh, presently posted as Personal Assistant Grade II, UJVN, R/o Berkhera Pandey, U.S. Nagar.

52. Bhupesh Joshi, R/o Sh. Durga Dutt Joshi, presently posted as Office Assistant Grade II, R/o P-II/134, Yamuna Colony, Dehradun.
53. Pooja Upadhyay, D/o Shri N.B. Upadhyay, presently posted as Office Assistant Grade II, R/o P-2nd,/127, Yamuna Colony, Dehradun.
54. Parul Sharma, W/o Mr. Hemant Kumar, presently posted as Stenographer Grade II, UJVN, R/o E-33, Yamuna Colony, Dehradun.
55. Neetu Negi, W/o Shri Suryakant Negi , presently posted as Stenographer Grade II, UJVN, R/o Lane No-2, Chankyapuri, AjabpurKalan, Dehradun.
56. Umesh Chandra, S/o Shri Dinesh Chandra, presently posted as Personal Assistant Grade II, UJVN, R/o11, Barmoth, Chamoli.
57. Nidhi Dobhal, W/o Shri Abhishek Narain, presently posted as Stenographer Grade II, UJVN, R/oVillage Dhoran, Post Office Gujrara, Dehradun.
58. Kapil Joshi, S/o Shri Govind Ballabh Joshi, presently posted as Stenographer Grade II, UJVN, R/oNear Primary School Kanjbagh, Umarukhurd,Khatima,Udham Singh Nagar.
59. Neetu Rawat, W/o Shri Birbal Singh Rawat, presently posted as Stenographer Grade II, UJVN, R/o P-II/143, Yamuna Colony, Dehradun.
60. Arti Chauhan, W/o Shri Rajesh Chauhan, presently posted as Stenographer Grade II, UJVN, R/o E-44, Yamuna Colony, Dehradun.
61. Geeta Devi, W/o Shri Dilbar Singh, presently posted as Stenographer Grade II, UJVN, R/o P-II/141, Yamuna Colony, Dehradun.
62. Jitendra Chauhan, S/o Shri Dalip Singh Chauhan, presently posted as Stenographer Grade II, UJVN, R/o 95/96 B, Block, Pragati Nagar, Racecourse, Dehradun.

63. Priyanka Negi, W/o Deepak Negi, presently posted as Stenographer Grade II, UJVN, R/o PII/133, Yamuna Colony, Dehradun.
64. Megha Pant Juyal, W/o Shri Akhilesh Chandra Juyal, presently posted as Stenographer Grade II, UJVN, R/oB-001, Mussoorie Woods Apartment, Sahastradhara Road, Dehradun.
65. Prakash Chandra Joshi, S/o Shri B.D. Joshi, presently posted as Stenographer Grade II, UJVN, R/oP-II/149, Yamuna Colony, Dehradun.
66. Varun Kumar, S/o Shri Vijendra Kumar, presently posted as Personal Assistant Grade II, UJVN, R/oCT-6, Yamuna Colony, Dehradun.
67. Priti Khetwal, W/o Late Shri Bhupesh Chandra, presently posted as Office Assistant Grade II, UJVN, R/oP-2, 131, Yamuna Colony, Dehradun.
68. Suman Lata, D/o Shri Baldev Singh, presently posted as Account Clerk, UJVN, R/o P-II/154, Yamuna Colony, Dehradun.
69. Bhuwan Chand Arya, S/o Shri Chandan Ram, presently posted as Account Clerk, UJVN, R/o SBC-97, Yamuna Colony, Dehradun.
70. Preeti Mewar, D/o Late Kamal Singh Mewar, presently posted as Assistant Accountant, UJVN, R/o I-61, Nehru Colony, Dharampur, Dehradun.
71. Sushma, W/o Shri Rajendra Singh, presently posted as Assistant Accountant, UJVN, R/o Nandani Vihar, Balawal, Dehradun.
72. Anita Bijalwan, W/o Shri J.P. Bijalwan, presently posted as Account Clerk, UJVN, R/o 34, Upper Sarathi Vihar, Ajabpur Danda, Haridwar Road Dehradun.
73. Vinay Joshi, S/o Late Shri S.N. Joshi, presently posted as Account Clerk, UJVN, R/o 56, Mandir Marg, Vasant Vihar, Dehradun.

74. Ravish Ahmed, S/o Mohomad Akbar, presently posted as Account Clerk, UJVN, R/o Kishanpur, Post BahadarpurJatt, Haridwar.
75. Arun Singh Bisht, S/o Shri H.S. Bisht, presently posted as Office Assistant Grade I, UJVN, R/oE-28, Tons Colony, Dakpathar, Dehradun.
76. Rajesh Kumar Trivedi, S/o Late Shri Tara Dutt Trivedi, presently posted as Stenographer Grade II, UJVN, R/o II/3 New Hydell Colony Pashulok Bairaj Rishikesh-249203.
77. Naseem Ahmad, R/o Shri Chhiddu Husain, presently posted as Stenographer Grade II, UJVN, R/o II/3, New Hydell Colony, Pashulok Bairaj, Rishikesh-249203.
78. Manoj Kumar, S/o Late Shri Pitambar Dutt, presently posted as Office Assistant Grade I, UJVN, R/o 103, SaraswatiVihar, Dakpathar, Dehradun.
79. Sagar Raghav, S/o Shri Om Prakash, presently posted as Office Assistant Grade II, UJVN, R/o Village Julon, Post Office Tilwari, Dehradun.
80. Shankar Singh, S/o Late Shri Kanhaiya Lal, presently posted as Office Assistant Grade II, UJVN, R/o DinkarVihar,Vikashnagar, Dehradun.
81. Hemant Singh, S/o Shri Diwan Singh, presently posted as Stenographer Grade II, UJVN, R/o Sharda Power House Collony loahiahead, Khatima, U.S. Nagar.
82. Javed Ali, S/o Shri Jaan Ali, presently posted as Office Assistant Grade II, UJVN, R/o EE-21,Hidell Colony, Kalagarh Colony, Kalagarh, Pauri Garhwal.
83. Harendra Prasad, S/o Shri Banarasi, presently posted as Office Assistant Grade II, UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.

84. Prakash Singh Adhikari, S/o Shri Nath Singh Adhikari, presently posted as Assistant Store Keeper, UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
85. Kishan Singh, S/o Shri Bhawan Singh, presently posted as Office Assistant Grade II, UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
86. Mohd. Kasim, S/o Sabir Hussain, presently posted as Stenographer Grade II, UJVNL, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
87. Manoj Kumar Dalakoti, S/o Shri Jagdish Chandra, presently posted as Assistant Accountant, UJVNL, R/oDGM,Lohiahead,Khatima, U.S. Nagar.
88. Kiran Suyal, W/o Shri Hemant Suyal, presently posted as Account Clerk, UJVN, R/o Haripura Harsan Bazpur, Udham Singh Nagar.
89. Kavita Dev, W/o Shri Deepesh Kumar, presently posted as Account Clerk, UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
90. Pournanand Bhatt, S/o Shri Jai Dutt Bhatt, presently posted as Technical Grade II (Electrical), UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
91. Rajesh Kumar, S/o Shri Chandra Lal, presently posted as Technical Grade II (Electrical), UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
92. Jagdish Chandra, S/o Shri Pooran Chandra, presently posted as Technical Grade II (Electrical), UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
93. Prakash Bimli, S/o Shri Anand Singh Vimali, Technical Grade II (Mechanical), UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.

94. Amit Kumar, S/o Shri H.N. Verma, presently posted as Technical Grade II (Electrical), UJVN, R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
95. Anil Singh Mangola, S/o Shri Deewan Singh Mangola, presently posted as Technical Grade II (Electrical), R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
96. Pooja Grover, W/o Shri Deepak Grover, presently posted as Office Assistant Grade II, R/oUJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
97. Mayank Singh, S/o Shri Jamadar Singh, presently posted as Technical Grade II (Electrical), R/oUJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
98. Mohit Bhatt, S/o Shri Ganesh Dutt Bhatt, presently posted as Technical Grade II (Mechanical), R/o UJVNL Ltd, Sharda Power House, Lohiahead, Khatima, U.S. Nagar.
99. Manoj Singh, S/o Shri Helam Singh, presently posted as Office Assistant Grade II, R/o16 Panchan Gaon, Bhatwadi, Uttarkashi.
100. Jinendra Singh, S/o Shri Bhagendra Singh Bist, presently posted as Office Assistant Grade II, UJVN, R/o 65/2,Nandgaon, Post Nandgaon, Uttarkashi.
101. Manmohan, S/o Shri Mahavir Prashad Uniyal, presently posted as Assistant Accountant, UJVN, R/o C-17,Kuteti Devi Colony, Uttarkashi.
102. Nitesh Bisht, S/o Sri Deewan Singh Bist, presently posted as Account Clerk, UJVN, R/o Champanaula, Badreshwar Ward, Almora.
103. Neetu Kumar Pal, S/o Shri Om Prakash, R/o Technical Grade II (Electrical), UJVN, R/o II/58 Chilla Project Colony, Chilla, Haridwar.
104. Ankur Goyal, S/o Late Shri Ashok Goyal, presently posted as Office Assistant Grade II, UJVN, R/o II/60 Chilla Project Colony, Chilla, Haridwar.

105. Amit Kumar, S/o Shri Vinod Kumar, presently posted as Office Assistant Grade II, UJVN, R/o House No-21, Lane No-2, Indira Nagar Rishikesh, Dehradun.
106. Mohan Chandra, S/o Shri Ramesh Chandra, presently posted as Account Clerk, UJVN, R/o II/60, Chilla Project Colony, Chilla, Haridwar.
107. Rajendra Singh Kandari, S/o Shri Prem Singh Kandari, presently posted as Assistant Accountant, UJVN, R/o Village post Ranipokhari, Dehradun-248145.
108. Kamal Kishore Joshi, S/o Late Shri Jagdish Chandra Joshi, presently posted as Account Clerk, UJVN, R/o Village post Pokhari, Gangolihat Dist. Pithoragarh.
109. Mukesh Kumar, S/o Shri Mohan Chandra, presently posted as Draughtsman, UJVN, R/o GM (CM-GV), Mayapur, Haridwar.
110. Anish Kumar, R/o Shri Jai Prakash, presently posted as Stenographer Grade II, UJVN, R/o V&P Balawal, Near Rail Gate no-32, Dehradun.
111. Meenu Bist, Late Sh. Balam Singh Bist, presently posted as Account Clerk, UJVN, R/o 170, Karanpur, D.A.V. College Road, Dehradun.
112. Jitendra Singh Kandari, S/o Sh. Pushkar Singh Kandari, presently posted as Stenographer Grade II, UJVN, R/o GM(SHP), UJVN Limited, Maneribhali Colony, Rishikesh.
113. Uttam Singh Rawat, S/o Sh. Rajendra Singh Rawat, presently posted as Account Clerk, UJVN, R/o GM(SHP), UJVN Limited, Maneribhali Colony, Rishikesh.
114. Deepak Rawat, S/o Late Sh. Prem Singh Rawat, presently posted as Office Assistant Grade II, presently posted as, UJVN, R/o GM(SHP), UJVN Limited, Maneribhali Colony, Rishikesh.
115. Bindra Rawat, W/o Shoorvir Rawat, presently posted as Office Assistant Grade II, UJVN, R/o 35- Rajeev Colony, Hare Krishan Vihar, Near Govind Garh, Dehradun.

116. Suresh Chauhan, Shri Jagat Singh Chauhan, presently posted as Stenographer Grade II, UJVN, R/o24,Khuna Alman, Dehradun.
117. Sharmishtha, W/o Shri Ved Prakash Arya, presently posted as Office Assistant Grade II, UJVN, R/oDGM (CM-GV) Mayapur, Haridwar.
118. Anita Kumari, W/o Shri Laxman Kumar, presently posted as Draughtsman, UJVN, R/o DGM (CM-GV) Mayapur, Haridwar.
119. Rahul Kumar, S/o Late Shri Kishan Pal Singh, presently posted as Office Assistant Grade II, UJVN, R/o Ward No-4 Babu Garh, Ajeet Nagar, Bheemwala road Vikasnagar, Dehradun.
120. Renu Tyagi, W/o Shri Surendra Kumar, presently posted as Office Assistant Grade II, UJVN, R/o 91,SaraswatiVihar, Dakpathar. Dehradun.
121. Deependra Pal Singh, S/o Shri Keshav Lal, presently posted as Office Assistant Grade II, UJVN, R/o Laksheswar, Barahat, Bhatwari Road Uttarkashi.
122. Manju Gusain, S/o Shri Inder Singh Gusain, presently posted as Office Assistant Grade II, R/o CP-12, ManeriDam Colony, Uttarkashi.
123. Sudeep Chandra Uniyal, S/o Shri Girish Chandra Uniyal, presently posted as Account Clerk, R/o Maneri Dam Colony, Uttarkashi.
124. Subodh Kumar Thapliyal, S/o Late Sh. S.P. Thapliyal, Retired. Office Superintendent (S. G.), UJVN, R/oB-23 Tiloth Kutetidevi, Uttarkashi-249193.
125. R.S. Arora, S/o Late Shri G.R. Arora, presently posted as Account Officer, UJVN, R/o Laxmipur, Village Ummedpur.
126. Megha Sharma, W/o Shri Amba Dutt, presently posted as PA-II, UJVN, R/o Negi Colony, Upper Tunnuwala, Dehradun.

127. Mukul Divedi s/o Shri Santosh Kumar, presently posted as Personal Assistant, Grade I, UJVNL r/o B-6 Tonsh Colony, Dak Patthar, Dehradun.
128. Manish Kumar Bahuguna s/o Late S.C. Bhuguna, presently posted as Junior Assistant, UJVNL, r/o Vikas Nagar, Dehradun.
129. Rajbeer Singh presently posted as Personal Assistant Grade I UJVNL r/o C-1 Hydrel Colony, Dhalipur, Dehradun.
130. Mohit Bisht s/o Late Shyam Singh Bisht presently posted as Personal Assistant Grade II, UJVNL r/o SBC-91, Yamuna Colony, Dehradun.

.....Petitioner

versus

1. State of Uttarakhand, through Secretary, (Energy), Civil Secretariat, Dehradun.
2. Managing Director, Uttarakhand Jal Vidyut Nigam Limited, GMS Road, Dehradun.
3. Director, Human Resource, Jal Vidyut Nigam Limited, GMS Road, Dehradun.

..... Respondents

Present: Sri Shashank Pandey, Advocate,
for the Petitioners (*online*)
Sri V.P. Devrani, A.P.O. for the Respondent No. 1
Dr. N.K. Pant and Sri S.K. Jain, Advocates,
for the Respondents No. 2 and 3

Judgement

Dated: 27th September, 2023

Per: Mr. Rajeev Gupta, Vice Chairman (A)

This claim petition has been filed seeking the following reliefs:

“a. To issue order or direction to set aside order dated 06.01.2022 and 15.03.2022 to the extent it pertains to re-fixation of pay/level of the Petitioners by overriding G.O. dated

22.12.2017, as per old Pay (non-functional now) from 01.01.2016.

b. Graciously be pleased to pass any such other relief or reliefs as this Hon'ble Tribunal may deem just and proper in the circumstances of this case.

c. Award the cost of the petition to the petitioner against the respondents.”

2. The claim petition briefly states as below:

2.1 Petitioners are confirmed employees of Uttarakhand Jal Vidyut Nigam Limited (U.J.V.N.L.). Subsequent to the introduction of the 7th Pay Commission, the respondent no. 1 issued several Govt. Orders –notification dated 28.12.2016, G.O. dated 29.12.2016, G.O. dated 30.12.2016, G.O. dated 12.09.2017 and G.O. dated 25.09.2017, which have been enclosed Annexure: A3 (*Colly*) to the claim petition.

2.2 In the 6th Pay Commission, the U.J.V.N.L. and Govt. employees had separate pay matrices. In order to maintain parity between the Grade Pay of the employees of the State Government and the Petitioners, the Respondent No. 1, in furtherance to the Government Order dated 25.09.2017, issued Government Order dated 22.12.2017, whereby the pay of the Petitioners was fixed in line with the recommendations of the 7th Pay Commission and in parity with the employees of the Government of Uttarakhand. The relevant recommendations of the Government Order dated 22.12.2017 are as below:

- a. The employees having Grade Pay 2200 shall be fixed at 2400.
- b. The employees having Grade Pay 2600 shall be fixed at 2800.
- c. The employees having Grade Pay 3000 shall be fixed at 2800 while protecting their pay.

It is pertinent to highlight that the said change in Grade Pay was to come in effect from 01.01.2016.

2.3 In UJVNL during the Sixth Pay Commission, ACP was in force with promotional pay scales being given to employees in 9th, 14th and 19th year of continuous service. This ACP remained in force till 31.12.2016. From 01.01.2017, MACP was proposed which provided promotional pay scales on 10, 20 and 30 years of continuous service. This was opposed by the three Corporations engaged in electricity generation, transmission and distribution in the State of Uttarakhand. The Respondent No.1 finally acceded to the demands of the Corporations and agreed to keep the same ACP i.e. promotional pay scales in 9th, 14th and 19th years of service from 01.01.2017 onwards. A GO to that effect was issued on 06.01.2022.

2.4 It is pertinent to highlight that the fixation of the Grade Pay had no relation whatsoever with the Assured Career Progression (ACP) Scheme, and had been made with the sole object of creating a parity between the Grade Pay of the Petitioners and the State Government employees. However, by impugned Order dated 06.01.2022 an effort was made to link the change in Pay of the Petitioners to the ACP. Accordingly, the GO not only overrode Government Orders dated 25.09.2017 (Annexure: A3) *vide* which MACP was proposed but also Government Order dated 22.12.2017 (Annexure: A4) *vide* which the fixation of Grade Pay was done from 01.01.2016.

2.5 It is imperative to point out that this action of the Respondent No. 1 tends to reduce the salary of the Petitioners, however, no show cause notice was ever given to the Petitioners at any given point in time. The GO surely pointed out that no recovery will be made from the Petitioners, but the effect of the GO is of not only reducing the Pay but also adversely changing the level of Pay i.e. the Petitioner who are drawing Grade pay of Rs. 2800/- today are at level 5 but if they

were to be reverted to the old Pay they would be at Level 4. This in a sense amounts to demotion.

2.6 The employees of the three Corporations namely- U.J.V.N.L., P.I.T.C.U.L. and U.P.C.L. preferred a representation dated 05.03.2022, *inter alia*, challenging the change in Grade Pay. To the utter shock and surprise of the Petitioners, the Respondent No. 2, without considering the representation dated 05.03.2022, issued the impugned Office Order dated 15.03.2022 (Annexure: A2) in furtherance of the GO. Dated 06.01.2022 (Annexure: A1), wherein it was categorically mentioned that the Grade Pay of the Petitioner shall be fixed as per the G.O. dated 06.01.2022.

Hence, the claim petition.

3. C.A. dated 15.07.2022 has been filed on behalf of respondent no. 2 and 3 and rejoinder to the same has been filed on 03.08.2022 on behalf of the petitioners. Additional C.A. dated 28.09.2022 has been filed on behalf of respondents no. 2 and 3 in reply to the rejoinder affidavit.

4. After hearing the arguments of the learned Counsel for the parties at some length, the Tribunal passed the following order on 04.11.2022:

“Heard arguments of Ld. Counsel for the parties at some length.

Ld. Counsel for the petitioners emphasized on the point that vide impugned order dated 06.01.2022, the Government while adopting the Time Schedule of ACP in place of Time Schedule of MACP, has erroneously reversed the benefits granted under the G.O. dated 22.12.2017, which was absolutely unwarranted and has led to the reduction in pay and level of the petitioners. Since this action has been taken at the Govt. level, it is necessary to know the background of issuance of the G.O. dated 06.01.2022.

Respondent No.1 may file a detailed affidavit responding to each and every para of the claim petition and also enclosing copy of the relevant file notings and consultation done with the Finance Department.

.....”

5. In compliance of the above order, C.A. has been filed on behalf of respondent no. 1 mainly stating the following:

5.1 The G.O. dated 06.01.2022 was issued with a view to averting adverse change in the service conditions of the serving and retired employees of three Power Corporations of the State of Uttarakhand- Uttarakhand Power Corporation Limited (U.P.C.L.), Power Transmission Corporation of Uttarakhand Limited (P.T.C.U.L) and Uttarakhand Jal Vidyut Nigam Limited (U.J.V.N.L.). The recommendations of 6th Pay Commission were implemented in the three Power Corporations in a manner, which was different from the manner in which the same was implemented for the State Govt. employees. The employees of the three Power Corporations were availing more beneficial pay matrix coupled with faster financial upgradation. The A.C.P., which was prevalent in the 6th Pay Commission had been replaced by the MACP scheme *vide* Govt. Orders dated 25.09.2017 and 22.12.2017.

5.2 Order dated 06.01.2022 has been passed to protect the service conditions of employees of three power corporations so that there is no adverse effect on the same and recommendations of the seventh pay commission are implemented in the manner which is beneficial for the employees of power corporations with higher pay scale and faster financial upgradation. It may be further submitted that financial upgradation in the state government is applicable on completion of 10, 20 and 30 years of the service from the initial appointment whereas in Power Corporations the same is available on completion of 9, 14 and 19 years of the service from the initial appointment. This gives an advantage of 11 years of service to the employees of aforesaid Power Corporations. This system of faster financial upgradation coupled with different pay matrix with higher pay scales

especially in the later years of service, would provide financial benefit to the employees of the aforesaid Power Corporations whereas this benefit is not available to the employees of the State Government.

5.3 When orders dated 25.09.2017 and 22.12.2017 were issued and implemented the objective was to treat State Government employees and Power Corporation employees identically. Although initially this may have given some benefit to the employees as sought to be canvassed by the petitioners in Para 4D of the claim petition but the system of pay matrix and financial upgradation has to be seen in holistic manner and not in piecemeal one.

5.3 The crux of the claim petition is that the petitioners want to enjoy the benefits of both the systems i.e. system of pay scale and financial upgradation applicable to the State Government employees and that applicable to the employees of the Power Corporations. It is for this objective that the order dated 06.01.2022 has been partly challenged. This goes against the doctrine of election. The petitioners cannot approbate and reprobate. It may be further underscored that the State Government, while issuing the order dated 06.01.2022 has taken care not to effect any recoveries from the employees of the aforesaid three Power Corporations, as provided in point no. 4 of the aforesaid order dated 06.01.2022.

5.4 A decision was taken by the State Government vide Office Memorandum no. 1866 dated 29.12.2021 to constitute a committee presided over by Chief Secretary Government of Uttarakhand. The aforesaid committee was constituted to give its recommendations about continuing the system of financial upgradation earlier prevalent in the aforesaid Power Corporations, which was available after 9, 14 and 19 years of service.

5.5 Meeting of the aforesaid committee took place on 05.01.2022. In the minutes of the said meeting it is clearly stated that although Secretary Personnel department, Government of Uttarakhand and Secretary Finance Department, Government of Uttarakhand are not in agreement with continuing the earlier system of financial upgradation, but however in view of the decision taken by the Hon'ble Cabinet the entire status should be placed before Hon'ble Chief Minister for taking decision. It has also been noted in the aforesaid minutes that the report of the Committee on Pay Anomalies (*Vetan Visangati Samiti*) has also been received by the Government. It would be relevant to state here that it is clearly stated in the recommendations of the Committee on Pay Anomalies that the system of financial upgradation after 9, 14 and 19 years of service can be implemented in respect of employees of aforesaid Power Corporations only if the Pay Structure/Pay Matrix prevalent in Power Corporations is implemented/adhered to. It is specifically stated in the recommendations of the Committee on Pay Anomalies that it would not be proper to mix the system prevalent in the State Government and the one prevalent in aforesaid Power Corporations. In sum and substance this is Doctrine of Election as explained earlier.

6. The arguments of learned Counsel for the parties were further heard and in continuation of the same, the supplementary affidavit was filed by the petitioners. Relevant extracts of the same are reproduced below:

“3. That, during the course of arguments it was contended by the respondents that the pay fixation has been done on the request/demand of the employees union to which deponent is also a part and in such a circumstance, no new opportunity of being heard is need to be given to employees before reduction of salary.

4. That, the Hon'ble Court had thus asked these specific questions from the deponent:

- a. Whether the petitioners were part of the union on whose demand the salary has been refixed?
 - b. If the petitioners were part of such union, why should they again be given an opportunity before the reduction in salary?
 - c. Was re-fixation in old pay-matrix also one of the demand of the union?
5. That, the deponent is thus placing before this Hon'ble Court a copy of the minutes of meeting dated 22.12.2017. Point no. 4 of the minute's deals with grant of ACP. A bare perusal of it reveals the union had never demanded that the ACP be given in pre-revised/earlier pay scales. A copy of the minutes of meeting dated 22.12.2017 is enclosed as Annexure 1.
 6. That, further a number of petitioners vide letter given to the Coordinator, Joint Front, in July 2021 had expressly stated that they are not part of the protest as it would end up reducing their salary. A copy of letter signed by 72 members is enclosed with this affidavit as Annexure 2.
 7. That, further the corporation had also done the exercise of identifying who all were part of the protest. One such exercise was conducted by the Accounts Department of the corporation a number of petitioners in the present claim petition had refused to join the protest. A list of persons who had and their stand is enclosed with this petition as Annexure 3.
 8. That, further it is submitted that the salary of a person is Property under Article 300 A of the Constitution of India as has been held by the Hon'ble High Court of Uttarakhand in WPSS 179 of 2018 (*Harish Rautela Vs. State of Uttarakhand &Ors*). A copy of the judgment & order dated 22.12.2020 is enclosed with this affidavit as Annexure 4.
 9. That, Article 300 A clearly states that that no person shall be deprived of his property save by authority of law.
 10. That, in the present case, the salary of the petitioners is being reduced. This reduction can be attributable to deprivation of a part of salary of the deponent and other petitioners.
 11. That, *by authority of law* means by or under a law made by a competent legislature or statutory order having a force of law and not the executive orders issued under Article 162 of the Constitution. The same was held in *Hindustan Times Vs. State of U.P (2003)1 SCC 591* [para 21 to 24]. A copy of the judgment & order is enclosed with this affidavit as Annexure 5.
 12. That, thus as per law the salary of the petitioners cannot be reduced by a simple GO that has been issued under Article 162 of the Constitution of India as has been done in the present case.
 13. That, moreover the deponent further submits that respondents could not have reduced salary without giving a

show-cause notice. The deponent is placing on record some judgments to buttress the argument.:

- a. Bhagwat Shukla Vs. Union of India [civil appeal no. 5447 of 1994].
- b. Tayyaba Mubeen Vs M/O Ayush [OA No. 957 of 2016].
- c. Chandi Ram Vs. Delhi Transport Corporation [OA 4176 of 2013].
- d. K. R. Jain Vs. State &Ors. [WPSB 329 of 2013].
- e. Ravindra Kumar Singh AND OTHERS Versus State of Uttarakhand AND OTHERS [WPSB 200 of 2018].

All the judgments are enclosed as Annexure 6.

14. That, the deponent has prayed in prayer 1:

“To issue order or direction to set aside order dated 06.01.2022 and 15.03.2022 to the extent it pertains to re-fixation of pay/level of the petitioners by overriding GO dated 22.12.2017 as per old pay (non-functional now) from 01.01.2016.

That, deponent has prayed the Hon'ble Court to use doctrine of severability as legal and illegal provisions are not closely related and the invalid provision does not undermine the purpose of the order as a whole.”

7. Learned Counsel for the respondent corporation has further filed written arguments.

8. After hearing learned Counsel for the parties and perusal of the record, the Tribunal observes the following:

8.1 Point No. 4 of the G.O. dated 25.09.2017 clearly states that instead of the earlier A.C.P. scheme, the M.A.C.P. scheme shall be applicable and point no. 7 of this G.O. states that the pay scales/ grade pay, which are different from the pay scales mentioned in the notification dated 28.12.2016 shall be revised while protecting them in the nearest minimum pay matrix. *Vide* G.O. dated 22.12.2017, the above point no. 7 of G.O. dated 25.09.2017 was amended and the grade pays of respondent corporation were equated with the grade pays of

the Govt. employees. Therefore, it is clear that the Govt. gave the equated pay scales and the M.A.C.P. scheme (in which financial upgradations are after 10, 20 and 30 years) as a package.

8.2 Subsequently, on the basis of board resolutions of the three Power Corporations regarding continuation of the earlier A.C.P. scheme and meetings of the employees' unions with various Govt. functionaries in this regard, the G.O. dated 06.01.2022 (Annexure: A1) was issued in which the G.O.s dated 25.09.2017 and 22.12.2017 were superseded and the A.C.P. scheme (having financial upgradations after 9, 14 and 19 years of service) was continued from 01.01.2017 onwards. This G.O. also provided that no recovery shall be made from the employees, who have got the benefit of pay fixation according to G.O. dated 22.12.2017. U.J.V.N.L. issued office memorandum dated 15.03.2022 (Annexure: A2) accordingly.

8.3 It is also noticed from the pleadings that the respondent corporation has written a letter dated 21.04.2022 (Annexure: R4 to the C.A. dated 15.07.2022 of respondent no. 2 and 3) stating that the employees' organization's active in U.J.V.N.L. have demanded favourable decision to be taken regarding reduction in pay of certain employees after implementation of G.O. dated 06.01.2022. This letter also refers to the present claim petition filed by the 130 affected employees and further states that notification dated 28.12.2016 provides that the revised pay should not be less than the present pay and further requests the Govt. to issue suitable orders regarding compensation of reduction of pay of such employees. This letter is reported to be under consideration of the Govt.

8.4 The petitioners want that their pay should be fixed as per G.O. dated 22.12.2017 and they should also be given the benefit of the A.C.P. scheme according to the G.O. dated 06.01.2022 asserting that the two are not linked to each other.

8.5 The Tribunal takes note of the fact that the A.C.P. scheme has not been continued for the Govt. employees in the 7th Pay Commission and has been replaced by the M.A.C.P. scheme. Para 21 and 22 of the C.A. filed by respondent no. 1 are reproduced as below:

“21. That meeting of the aforesaid committee took place on 05.01.2022. In the minutes of the said meeting it is clearly stated that although Secretary Personnel department, Government of Uttarakhand and Secretary Finance Department, Government of Uttarakhand are not in agreement with continuing the earlier system of financial upgradation, but however in view of the decision taken by the Hon'ble Cabinet the entire status should be placed before Hon'ble Chief Minister for taking decision. It has also been noted in the aforesaid minutes that the report of the Committee on Pay Anomalies (*Vetan Visangati Samiti*) has also been received by the Government. It would be relevant to state here that it is clearly stated in the recommendations of the Committee on Pay Anomalies that the system of financial upgradation of 9, 14 and 19 years of service can be implemented in respect of employees of aforesaid Power Corporations only if the Pay Structure/Pay Matrix prevalent in Power Corporations is implemented/adhered to. It is specifically stated in the recommendations of the Committee on Pay Anomalies that it would not be proper to mix the system prevalent in the State Government and the one prevalent in aforesaid Power Corporations. In sum and substance this is Doctrine of Election as explained earlier. The true copy of minutes of meeting dated 05.01.2022 and report and recommendations of the committee on Pay Anomalies is annexed herewith as Annexure no. R-5.

22. That pursuant to aforesaid recommendations the decision was taken by the State Government to implement the earlier prevalent pay scales (before 01st January 2017) in the aforesaid three Power Corporations, vide order dated 06.01.2022.”

8.6 It is clear from the above that the pay scales as given by G.O. dated 22.12.2017 cannot be continued with the A.C.P. scheme. The Tribunal holds that the G.O. dated 06.01.2022 (Annexure: A1) and the U.J.V.N.L. office memorandum dated 15.03.2022 have been issued in right earnest in the overall and long term interest of the U.J.V.N.L. employees. The Tribunal also agrees to the contention of the learned Counsel for the petitioners that salary of a person cannot be reduced without his individual personal consent and the consent of the employees' union cannot replace the

requirement of the consent of the individual employee before reduction of his salary.

8.7 In view of the above, it shall be in the fitness of the things that every petitioner be asked by the respondents to either opt for pay fixation with M.A.C.P. according to the G.O.s dated 25.09.2017 and 22.12.2017 or opt for A.C.P. and pay fixation according to G.O. dated 06.01.2022 and U.J.V.N.L. office memorandum dated 15.03.2022. The Tribunal hereby directs that such option may be sought from every petitioner within a period of three months of this order and action for fixation of pay and applicability of A.C.P or M.A.C.P. to him/ her be taken accordingly.

9. With the above directions, the claim petition is disposed of. No order as to costs.

(RAJENDRA SINGH)
VICE CHAIRMAN (J)

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

DATE: 27th September, 2023
DEHRADUN
RS