

No.5/10/2015-CS.I(U) (Vol.II)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training

2<sup>nd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-3  
Dated the 16 November, 2017.

OFFICE MEMORANDUM

Subject: Implementation of judgment of Hon'ble Supreme Court in Civil Appeal Nos.6046-6047 titled "Rohtas Bhankar vs. UOI & Anr" – Provisional interpolation in the appropriate USSSLs – Consequential Benefits – Fixation of pay – regarding

The Hon'ble Supreme Court vide its judgment dated 15.7.2014 in CA No. 6046-6047 of 2004 filed by Shri Rohtas Bhankar & Ors. vs. UOI & Anr. allowed the Appeal and held, *inter-alia*, as under :-

"The respondents are directed to modify the results in the Section Officers/ Stenographers (Grade B/Grade-I) Limited Departmental Competitive Examination, 1996 by providing for reservation and extend all consequential reliefs to the appellants, if not granted so far."

2. In compliance with the aforesaid order of the Hon'ble Supreme Court, the Union Public Service Commission (UPSC) revised the merit list of LDCE 1996 and nominated additional 33 SC/ST candidates under Category-I of Section Officers/ Stenographers (Grade B/Grade-I) Limited Departmental Competitive Examination, 1996. Accordingly, Department of Personnel & Training (DOPT) vide its O.M.No.6/9/2014-CS.I(S) dated 21.07.2015 and 11.09.2015 included these 33 SC/ST officers in the Section Officer Select List of 1996 (SOSL 1996). Out of these 33 SC/ST officers, one officer namely Shri Shiv Singh was absorbed in BSNL in the year 2000. Accordingly, a revised Common Seniority List in respect of 32 SC/ST officers was issued vide DOPT's O.M.No.6/9/2014-CS.I(S) dated 09.10.2015.

3. Consequent on their inclusion in Section Officer Seniority List, 1996, these 32 SC/ST officers were required to be considered for their further promotion in the next higher grade i.e. Under Secretary for the Select List of 2004 onwards on completion of 8 years eligibility service. Anticipating delay in reviewing the USSSLs 2004 onwards, in consultation with the UPSC on account of various procedural requirements, including, among others, pending litigations before the Hon'ble Apex Court on 'Own Merit' issue in reservation, 30 officers of SC/ST category were provisionally interpolated in the appropriate USSSLs in order of their seniority with reference to the position of their immediate junior officer, with the approval of the Competent Authority vide Order No. 5/10/2015-CS.I(U) (Vol.II) dated 13.01.2017 (copy enclosed).

4. The matter regarding grant of pay fixation benefits in respect of these officers upon their provisional interpolation, was under consideration in this Department. It has now been decided, in consultation with Establishment Division of this Department that the pay of these officers may


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be fixed on notional basis with effect from the date of promotion of their respective juniors in the relevant USSL. The actual benefit would become admissible on assumption of the charge of the post of Under Secretary. The name of juniors are already reflected in order dated 13.01.2017.

6. This pay fixation benefit will be provisional in nature and subject to modification after final outcome of the Review DPC of USSLs 2004 onwards, in consultation with the UPSC, in due course and further subject to post audit and overpayments if any, in the form of arrears or otherwise will be recovered from the individual subsequently. An Undertaking may be taken from the concerned officers in this regard.

7. This order is subject to any order by any competent court in any connected matter.

Encl: As above



(Anil Tripathi)

Under Secretary to the Govt. of India  
Tel. No.24629412

To

1. Ministries/Departments concerned.  
(through website of DOPT)
2. Estt. (D), DOPT, North Block, New Delhi.

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Department of Personnel & Training

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2<sup>nd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi-3  
Dated the 13<sup>th</sup> January, 2017.

ORDER

The Hon'ble Supreme Court vide its judgement dated 15.7.2014 in CA No. 6046-6047 of 2004 filed by Shri Rohtas Bhankar & Ors. vs. UOI & Anr. allowed the Appeal and held, *inter-alia*, as under :-

"The respondents are directed to modify the results in the Section Officers/ Stenographers (Grade B/Grade-I Limited Departmental Competitive Examination, 1996 by providing for reservation and extend all consequential reliefs to the appellants, if not granted so far. "

2. In compliance with the aforesaid order of the Hon'ble Supreme Court, the Union Public Service Commission (UPSC) revised the merit list of LDCE 1996 and nominated additional 33 SC/ST candidates under Category-I of Section Officers/ Stenographers (Grade B/Grade-I Limited Departmental Competitive Examination, 1996. Accordingly, Department of Personnel & Training (DOPT) vide its O.M.No.6/9/2014-CS.I(S) dated 21.07.2015 and 11.09.2015 included these 33 SC/ST officers in the Section Officer Select List of 1996 (SOSL 1996). Out of these 33 SC/ST officers, one officer namely Shri Shiv Singh was absorbed in BSNL in the year 2000. Accordingly, a revised Common Seniority List in respect of 32 SC/ST officers were issued vide DOPT's O.M.No.6/9/2014-CS.I(S) dated 09.10.2015.

3. Consequent on their inclusion in Section Officer Seniority List, 1996, these 32 SC/ST officers were required to be considered for their further promotion in the next higher grade i.e. Under Secretary for the Select List of 2004 onwards on completion of 8 years eligibility service. This requires a review of the Under Secretary Select Lists (USSLs) of 2004 onwards in consultation with the Union Public Service Commission.

4. Anticipating delay in reviewing the USSLs 2004 onwards in consultation with the UPSC on account of various procedural requirements including pending litigations before the Hon'ble Apex on 'own merit' issue in reservation, it was decided with the approval of the Competent Authority to adopt a Screening Committee mechanism for their provisional interpolation in the appropriate USSL (s).

5. Based on the recommendations of the Screening Committee and on approval of the Competent Authority, the provisional interpolation of the following officers in

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order of their seniority with reference to the position of their immediate junior officer belonging to the reserved category of SC/ST is hereby ordered as under:-

S. No.	CSL No.	Name of the applicant (S/Shri/Smt.)	Cat.	SOSL		USSL		S.No. in the USSL	Placement in the USSL
				Earlier	Present	Earlier	Present		
1	6434 A	Jitendra Gaikwad Earlier CSL-7518	SC	2003	1996	2011	2007	144A	Below Rajkumari (SC) and above P.C.Kotia (SC) in the order mentioned in the preceding column
2	6435 A	Karam Chand	SC	PS	1996	PPS	2007	144B	
3	6436 A	G.Chitra Earlier CSL-7484	SC	2003	1996	2011	2007	144C	
4	6437 A	Ravti Saran Verma Earlier CSL-6751	SC	2001	1996	2009	2007	144D	
5	6438 A	Ram Shiromani Saroj	SC	PS	1996	PPS	2007	144E	
6	6439 A	Dalpat Singh Earlier CSL-7485	SC	2003	1996	2011	2007	145A	Below P.C.Kotia(SC) and above R.K.Maheshwari (SC) in the order mentioned in the preceding column
7	6439 B	Amarjeet Singh Earlier CSL-7502	SC	2003	1996	2011	2007	145B	
8	6439 C	Jasbir Singh Earlier CSL-6644	SC	2000	1996	2009	2007	145C	
9	6439 D	Rajendra Kumar Jatav Earlier CSL-7492	SC	2003	1996	2011	2007	145D	

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Sl. No.	CSL No.	Name of the applicant (S/Shri/Smt.)	Cat	SOSL		USSL		S.No. in the USSL	Placement in the USSL
				Earlier	Present	Earlier	Present		
10	6439 E	Joseph Atul T Barla Earlier CSL-6663	ST	2000	1996	2009	2006	147A	Below Shiv Dayal Bhasor(SC) and above B.Ginkhan Mang (ST)  Below P.C.Kotia(SC) and above R.K.Maheshwari (SC) in the order mentioned in the preceding column
11	6439 F	Rakesh Kataria Earlier CSL-7505	SC	2003	1996	2011	2007	145E	
12	6439 G	Madan Lal Atal 6943	SC	2003	1996	2011	2007	145F	
13	6439 H	Raj Kumar 7476	SC	2003	1996	2011	2007	145G	
14	6439 I	Rajinder Kumar Earlier CSL-7240	SC	2003	1996	2011	2007	145H	
15	6439 J	Ramesh Kumar	SC	PPS	1996	PPS	2007	145I	
16	6439 K	Rohtas Bhankhar Earlier CSL-7228	SC	2003	1996	2011	2007	145J	
17	6439 M	Ashok Kumar Earlier CSL-7481	SC	2003	1996	2011	2007	145K	
18	6439 N	Yash Pal Earlier CSL-7507	SC	2003	1996	2011	2007	145L	
19	6439 O	Madan Lal Verma	SC	PPS	1996	PPS	2007	145M	
20	6439 P	Sanjeev Kumar Earlier CSL-6652	SC	2000	1996	2009	2007	145N	

Sl. No.	CSL No.	Name of the applicant (S/Shri/Smt.)	Cat	SOSL		USSL		S.No. in the USSL	Placement in the USSL
				Earlier	Present	Earlier	Present		
21	6439 Q	Ram Charan Meena Earlier CSL-6580	ST	1999	1996	2007	2006	147C	Below Shiv Dayal Bhasor (SC) and above B.Ginkhan Mang (ST) in the order mentioned in the preceding column
22	6439 R	Hajari Lal Meena Earlier CSL-6557	ST	1998	1996	2006	2006	147D DS(ad-hoc)	
23	6439 S	Daulat Ram Meena Earlier CSL-6658	ST	2000	1996	2009	2006	147E	
24	6439 T	N. Khamchinhang Earlier CSL-6846	ST	2002	1996	2010	2006	147F	
25	6439 U	Kimjamlhing Sithou Earlier CSL-6561	ST	1998	1996	2006	2006	147G DS(ad-hoc)	
26	6439 V	Ajit Kumar Dung Dung Earlier CSL-6844	ST	2002	1996	2010	2006	147H	
27	6439 W	Shiv Ram Meena Earlier CSL-6560	ST	1998	1996	2006	2006	147I DS(ad-hoc)	
28	6439 X	Prabhudas Xalxo Earlier CSL-6657	ST	2000	1996	2009	2006	147J	
29	6439 Z	Pumchinkhup Guite Earlier CSL-6661	ST	2000	1996	2009	2006	147K	
30	6439 ZA	Laltlana Chhangte Earlier CSL-6556	ST	1998	1996	2006	2006	147L DS (ad-hoc)	

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7. The above provisional interpolation does not confer any right of permanency to the position assigned as above or any claim for seniority or any claim for regular promotion and is subject to the review of USSL-2004 onwards in consultation with UPSC in due course. This is also subject to any order by any competent court in any connected matter.



(Debabrata Banerjee)  
Under Secretary to the Government of India  
Tel No.24629412

To

All officers concerned through website of DOPT.

Copy to:-

Under Secretary (CS.I/D), DOPT, New Delhi.