F. No. 14014/15/2005-AIS-1
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi dated the 29th March, 2012

ORDER

Whereas Shri R.N. Singh and few other officers appointed to IAS by promotion from the State Civil Service of U.P. from the Select List of 2004-A filed O.A. No. 14/2012 before the Lucknow Bench of the Hon'ble CAT.

2. **Whereas** the Hon'ble CAT Lucknow Bench has given an interim direction dated 23.02.2012, the operative part of which, concerning the action on the part of Government of India, is reproduced below:

> **"In our view, this pretext is devoid of any merit. As long as the existing rules is holding the field and there is no specific impediment or embargo, the respondent number 01 ought to have done the needful in accordance with those existing rules/relevant rules in respect of fixing seniority/allotting batch. Subsequently, if the rules are amended at all, then necessary consequences would follow in accordance with the rules. The respondent number one has also not indicated the exact nature of proposed amendment in the rules or the latest progress in this regard or any approximate time which is likely to be consumed in this exercise. An affidavit is on record of this OA saying that out of 21 IAS officers in the select list, 09 have already retired and one has unfortunately expired. Six officers would be retiring during this year.**
>
> **Having regard to these facts and circumstances, and keeping in view that the matter is pending for the last about one year and two months and further keeping in view that ours is a welfare state and the Union of India is supposed to be a model employer, it ought to have acted upon by taking pragmatic approach. There is no quarrel on the point that the applicants have already become IAS and once a child is born, he has to be named. It appears that without any justifiable reason/in the absence of any allotment of batch/fixing of seniority, they are heing deprived from consequential benefits such as selection grade and super timescale even though vacancies are admittedly existing.**
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> **Therefore in view of the above, the respondent number 01 is directed to reconsider the matter in the light of the specific observations made here in above within a stipulated period of 30 days failing which the department shall depute a**

responsible officer to appear before this trihunal on the next date, to assist the tribunal".

3. **Whereas** the issue has been reconsidered in pursuance of the above orders and it has been decided to provisionally allot **1996** as year of allotment to the three applicants i.e., S/Shri Raj Narayan Singh, Atul Kumar and Akhilish Kumar Barnwal in Original Application No. 14/2012, subject to the outcome of the present OA and the decision of the government of India regarding the proposed amendments, as mentioned in this Department's order dated 14.02.2012 in this case.

4. The Government of Uttar Pradesh may take further necessary action accordingly.

5. This issues with the approval of competent authority.

(Narendra Gautam)
Under Secretary to the Govt. of India
Ph. No. 23093063

Copy to:

1. The Chief Secretary, Government of Uttar Pradesh Secretariat, Lucknow-226001. {Kind Attention: Shri Kunwar Fateh Bahadur Singh, Principal Secretary (Appointments), Government of UP}.
2. Shri R.N. Singh, IAS, Shri Atul Kumar, IAS and Shri Akhilish Kumar Barnwal, IAS through Chief Secretary, Govt. of U.P.
3. Sh. Raghvendra Mishra, Advocate, Senior Central Government Counsel, 498, Sector-II, Eldeco 1st, Bangla Bazar, Lucknow.

✓ NIC for placing on website of this Deptt.