

281

Minutes of 13th Meeting of the State Advisory Committee, Madhya Pradesh held on

07.05.2010 at New Delhi

In compliance with the directions dated 17.04.2007 of the Hon'ble High Court of Chhattisgarh at Bilaspur in Writ Petition No. 445/2007 in the matter of Godbole and others versus Union of India and others, the 13th meeting the Committee was held under the Chairmanship of Shri Rajeev Kapoor, Joint Secretary (A. AT&SR) DOPT at 11.00 A.M. in Room No.190, North Block, New Delhi on 07.05.2010. The meeting was attended by the following:-

Smt. Vijaya Srivastava	Principal Secretary, GAD, Govt. of M.P.
Smt. Nidhi Chhiber	Secretary, GAD, Govt. of Chhattisgarh
Shri V. Peddanna	Deputy Secretary, DoPT (SRS)
Shri M.L. Jain	Deputy Director, Department of Agriculture, M.P.
Shri O.P. Gupta	SAO, O/o E-in-C, Department of Water Resources, M.P.

2. The Chairman welcomed the members of the Committee and thereafter took up the agenda of the meeting for discussion. In the meeting representations of State Government employees of erstwhile State of Madhya Pradesh, covered by the decision dated 17.04.2007 in W.P. No. 445/2001, were individually discussed for revision of their allocation of State Cadre. The brief record of discussion and recommendation of the committee in each case has been reflected in the last column of the table:-

Sl. No.	Name of the Petitioner	W. P. No.	Recommendation
1.	Sh. Ratan Lal Thakre, RAEO, D/o Agriculture, M.P.	3177/08	The Committee noted that the petitioner did not specify any reason for change of State allocation from Chhattisgarh to M.P. in compliance with the directions of Hon'ble High Court. the Committee decided that D/o Agriculture, M.P. will furnish the facts whether his juniors have been allocated to Madhya Pradesh under the category of A-4 (junior) before deciding his representation. His representation, if received, by any of the successor states may also be forwarded for decision.

[Handwritten signature]

2.	Sh. Bansilal Unhale, RAEO, D/o Agriculture, M.P.	2633/08	The Committee noted that the grounds like option for M.P., illness of wife and self and death of parents do not form the basis of re-allocation of State cadre of the petitioner. It was decided to re-consider the eligibility of the petitioner in the wake of decision of M.P. High Court in W.A.s No. 783/07, 784/07 & 785/07 in the matter of Shri R.S. Chaurasia, H.O. Srivastava & G.R. Verma. On receipt of comments of D/o Agriculture, M.P., his representation will be decided in the next meeting.
3.	Sh. Jagendra Singh Chauhan, APC, D/o Home	3186/08	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
4.	Sh. Shiv Kumar Pathak, Section Commander, D/o Home	1324/08	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
5.	Sh. Vishwajit Yogi, Sub-Engineer, D/o Water Resources	3179/08	The Committee noted that the petitioner has not given any reasons for revision of State cadre in his representation. Hence Committee decided to recommend his representation for rejection.
6.	Sh. Mohd. Shafi Nagori, Sub-Engineer, D/o Water Resources	3176/08	The representative of the Water Resources informed that the representation of the petitioner was considered in 2005 by the State Advisory Committee and rejected. The Committee noted that the petitioner has given no fresh grounds which warrant revision of his State cadre, as per the existing guidelines of allocation. Hence the Committee recommended the representation for rejection.
7.	Sh. Keshav Kant Chaukse, Sub-Engineer, D/o Water Resources	3179/08	The representative of the Water Resources informed that the representation of the petitioner was considered in 2005 by the State Advisory Committee and rejected. The Committee noted that the petitioner has given no fresh grounds which warrant revision of his State cadre, as per the existing guidelines of allocation. Hence the Committee recommended the representation for rejection.
8.	Sh. S. N. Tiwari, Lab Technician, D/o Water Resources	2478/07	The Committee deferred the consideration of the case and decided to obtain the facts from the administrative Department about the petitioner whether any other Lab Technicians, junior to him, have been allocated to the State of Chhattisgarh. This case will be placed in the next

Mohandis

283

			meeting of the committee for deciding his representation.
9.	Sh. Shukhendra Bahadur Singh, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
10.	Sh. Nemi Prasad Sarbaiya, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
11.	Sh. Bhajan Lal Maravi, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
12.	Sh. Sahdev Singh Tomar, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
13.	Sh. Mahendra Kumar Tiwari, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
14.	Sh. Ram Kumar Tripathi, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.

Handwritten signature

284

15.	Sh. Dinesh Pandey, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
16.	Sh. Umesh Singh, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
17.	Sh. Ram Subhav Dwivedi, , Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
18.	Sh. Manoj Singh Gaharwar, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
19.	Sh. Santosh Jharia, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.
20.	Sh. Lalit Singh, Head Constable, D/o Home	3037/07	The petitioner is a non-state cadre employee. As per guidelines non- state cadre employees stand allocated to the State where they were working as on the appointed day viz. 01.11.2000. The petitioner was working in Chhattisgarh at the time of allocation, hence his representation recommended for rejection by the Committee.

Mohanan

288

3. There were no directions from any Court for consideration of representations of Shri Kaloo Ram Ladia and Shri Altaf Ahmad Ansari by the Committee. However, these two cases were placed before the Committee for the purpose of sorting out confusion on policy issues involved. The decision in these cases is given below:-

Shri Kaloo Ram Ladia, Sub-Engineer, D/o Water Resources

The representation of Shri Kaloo Ram Ladia, on the recommendation of his Administrative Department, was considered by the Committee considering the Jawahar Navodaya Vidyalaya, in which Smt. Pushpa Ladia, wife of Shri Ladia is working as TGT since 13.01.1997. The Committee has no objection if the Chhattisgarh Government concurs in the re-allocation of Shri Ladia from Chhattisgarh to Madhya Pradesh under the spouse policy. Govt. of M.P. will decide the representation of Shri Ladia under spouse policy in consultation with the Chhattisgarh Govt. and inform this Department with reference to decision of the Committee.

Shri Altaf Ahmad Ansari, Sub-Engineer D/o Water Resources

The Committee noted that claim of the petitioner for his eligibility to the State of Madhya Pradesh appears to be justified in the scale of Rs. 6500-200-10500 if he was not given the ACP in the next higher scale of Rs. 8000-250-13500 as on 23.09.2000, as per the guidelines dated 22.03.2001 issued by the Madhya Pradesh Govt. The Committee decided that the State Administrative Department would verify the facts about the grant of ACP and its effective date with supporting documents to enable this Department to decide the representation of the petitioner in compliance with the directions dated 31.08.2009 passed in W. A. No. 777/2006.

4. The Committee decided to hold its next in the last week of June, 2010.
5. The meeting ended with a vote of thanks to chair.

M. Anandisetti