

F.No.14/C/03/06-SR(S)

MINUTES OF THE 14TH MEETING HELD ON 03/09/2010 AT 11.00 AM
IN CONFERENCE ROOM NO. 190, NORTH BLOCK, NEW DELHI
UNDER THE CHAIRMANSHIP OF JS(SR)

In compliance with the directions dated 17.04.2007 of the Hon'ble High Court of Chhatisgarh at Bilaspur in Writ Petition No. 445/2001 in the matter of Godbole and others versus Union of India and others the 14th Meeting of the Committee was held under the Chairmanship of Shri Rajeev Kapoor, Joint Secretary (SR), DOPT on 03/09/2010 at 11.00 AM in conference Room no. 190, North Block. The meeting was attended by the following:-

Shri V.S. Niranjana
 Shri A.K. Topo
 Shri Muktesh Vashney
 Shri K.P.K. Nambissan
 Shri N. Siddiqui,
 Shri M.L. Uikey,

Shri S.D. Dubey
 Shri K. Malviya
 Shri M.L. Jain

Secretary, GAD, M.P.
 Addl. Secetary, GAD, Chhatisgarh
 Commissioner, Land Records, Gwalior.
 Deputy Secretary, Department of Personnel & Training
 SE, Administration PWD, Bhopal.
 Addl. Director, Commissioner, Tribal Development,
 M.P. Bhopal.
 DS, Public Health Engineering
 DSP, PHQ, Bhopal.
 Dy. Director, Administration, Agriculture, M.P.

The Chairman welcomed the members of the Committee and thereafter took up the agenda of the meeting for discussion. In the meeting the 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 in each case has been reflected in the last column of the table.

Sl. No.	Name of the Petitioner	W.P. No.	Decision taken
1	Shri Ramsekhar Katiyar, RAO	2395/08	The Committee noted that these five petitioners did not submit any representations so far in compliance of directions dated 17.04.2007 of Hon'ble' High Court. The Committee decided that D/o Agriculture might issue a letter to these petitioners for submitting their representations within a month's time failing which it would be construed that they have nothing to say and the matter would be disposed off accordingly.
2	Shri Trun Kumar Dwivedi, RAO	2024/08	
3	Shri RA Sharma, RAO	2024/08	
4	Shri Ramvilas Yadav, RAO	3800/08	
5	Shri Dhaal Singh, Revenue Inspector	2369/08	

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6	Shri Bhagwan Das Guha, RAEO	3177/08	The petitioner has sought revision of State Cadre from Chhattisgarh to M.P. on the ground of his domicile, option for M.P. and his family circumstances. The Committee recommended his application for rejection as these grounds are not covered under the existing guidelines of allocation.
7	Shri Santosh Kumar Asati, Sub-Engineer, D/o Rural Development	5520/08	The representative of State Government informed that earlier the petitioner was not allocated to the State cadre as his name was missing in the gradation list of Sub-Engineers. On the recommendation of State Government, the Committee decided to recommend his allocation to the State of M.P. as per his eligibility on the basis of his seniority rank in the gradation list.
8	Shri Pahalwan Singh Kshatriya, Head Constable (5 th Bn)	3178/08	The Committee noted that the petitioners are non State Cadre employees and as per guidelines of allocation the non State Cadre employees stand allocated to the State where they were working on the appointed day viz. 01/11/2000. Hence the Committee decided to reject the representations of the petitioners for change of their allocation from Chhattisgarh to M.P. as their request is not covered by the guidelines on allocation.
9	Shri Gajender Singh, D/o Home	2605/08	
10	Shri Kalyan Singh Marko, Revenue Inspector	861/08	
11	Shri Vijay Bahadur Dubey, Tracer	861/08	The Committee noted that the petitioner has sought revision of his state Cadre on the ground that he has opted for M.P. and he is not a domicile of Chhattisgarh. The Committee decided to reject the representation of the petitioner for change of his allocation from Chhattisgarh to M.P. as his request is not covered by the guidelines.

2. The Committee considered the representations of the following employees of erstwhile M.P. and decision of the Committee has been reflected against each case as under:-

S. No.	Name, Designation and Department	Decision
1.	Shri Satish Kumar Srivastava, Lecturer, D/o Tribal Welfare	On the recommendation of State Government, the Committee decided to recommend accepting the representation of Shri Srivastava for revision of his State Cadre from Chhattisgarh to Madhya Pradesh as his dependent mother Smt. Malti Devi is suffering from cancer, which is covered by the existing guidelines of allocation.
2.	Shir Santosh Kumar Khatri, Asstt. Gr.-II, Social Welfare	On the recommendation of State Government, the Committee decided to recommend accepting the representation of Shri Santosh Kumar Khatri, for revision of his State Cadre from Chhattisgarh to Madhya Pradesh on the ground that he himself and his parents are the victims of Bhopal Gas tragedy and received a compensation of more than Rs. 50000/-.

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3.	Shri Radheylal Nirmalkar, Asstt. Gr.-III, Social Welfare	On the request of State Government, the Committee decided to defer the consideration of this case and decided that State Government would include this case in the agenda for the next meeting with full facts of this case inter-alia confirming that he belongs to State cadre. The State Government would also confirm whether the applicant has received a compensation of Rs. 50000/- on account of suffering from Bhopal Gas tragedy.
4.	Shri Prabhat Kumar Tailang, Asstt. Statistical Officer, D/o Agriculture	On the recommendation of State Government, the Committee decided to recommend accepting the representation of Shri Prabhat Kumar Tailang for revision of his State Cadre from Chhattisgarh to Madhya Pradesh on the ground that his wife Smt. Shalini Tailang is a victim of Bhopal Gas tragedy and received a compensation of Rs. 50000/-.
5.	Shri A.R. Gajbhaiye, Sub-Engineer, PHE	The Committee decided to recommend the representation of Shri Gajbhaiye, Sub-Engineer, for accepting for revision of State Cadre from Chhattisgarh to M.P. under the spouse policy subject to the condition that Department of Public Health Engineering would confirm that the wife of the applicant is a State Govt. employee and was serving in the State Government prior to re-organisation of the erstwhile state of M.P.
6.	Dr. Umashankar Gupta, AMO, Medical Education	On the recommendation of State Government the Committee decided to recommend accepting the representation of Shri Umashankar Gupta for revision of his State Cadre from Chhattisgarh to M.P. on the ground that his wife Smt. Premalata Gupta is working as Asstt. Grade - II (Civil Reader) O/o District and Session Judge, Tikamgarh, Madhya Pradesh w.e.f. 23.02.1981 as this case is covered under the spouse policy.
7.	Shri Mahesh Prasad Raghuvanshi, Asstt. Engineer, WRD	The Committee noted that Dr.(Smt.) Rekha Raghuvanshi, the wife of applicant Shri Mahesh Prasad Raghuvanshi has been working as Medical Officer since 23.01.89 in the M.P. Government and moreover she is a victim of Bhopal Gas tragedy and received a compensation of Rs. 50000/- on this account. Hence on the recommendation of State Government, the Committee decided to recommend accepting the representation of Shri Mahesh Prasad Raghuvanshi for revision of his State Cadre from Chhattisgarh to M.P. as his case is covered under the guidelines of allocation.
8.	Shri Makrand Golwalkar, Asstt. Engineer, WRD	On the recommendation of State Government the Committee decided to recommend accepting the representation of Shri Golwalkar, for revision of his State Cadre from Chhattisgarh to M.P. on the ground that his wife Smt. Archana Golwalkar is working as Asstt. Teacher in Kendriya Vidhyalaya -3, Bhopal, M.P. w.e.f. 20.08.1994 as this case is covered under the existing guidelines of allocation under spouse policy.
9.	Shri Dinesh Kumar Sehgal, Sub- Engineer, WRD	The Committee considered this case and accepted the representation for revision of allocation from Chhattisgarh to M.P. as his son is suffering from mental retardation with I.Q. 42 and with 68% disability, which is covered under the existing guidelines on allocation.

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10.	Shri R.A. Khan, Sub-Engineer, WRD	The Committee decided to defer the consideration of this case and decided to obtain the comments of the State Government about the eligibility of allocation of Shri R. A .Khan to Madhya Pradesh under the category of A4(junior most) on the basis of his amended rank in the seniority from 4742 to 4270-A. State Government should also confirm person junior to Shri R.A. Khan under General category has been allocated to M.P.
11.	Shri Alok Kumar Tiwari, Sub-Engineer, WRD	On the recommendation of State Government, the Committee decided to recommend accepting the representation of Shri Alok Kumar Tiwari for revision of his State Cadre from Chhattisgarh to M.P. on the ground that he himself and his wife are the victims of Bhopal Gas tragedy and received a compensation of more than Rs. 50000/-.
12.	Smt. Munni Kazi, Asstt. Gr.-III, PWD W.P. No. No. 193/08(s)	The Committee noted that the present case pertains to inter-state mutual allocation of employees of Non-State Cadre employees and Central Government has no power to decide such cases. In this case the Hon'ble High Court of Madhya Pradesh directed the Union of India, the main respondent to decide the mutual transfer of Non-State Cadre employees. The Committee was of the view that it has no objection to State Govt. taking a decision in the matter keeping in the view the directions dated 26.8.2009 of Hon'ble High Court in W.P. No. 193/2008(s).
13.	Shri Om Prakash Shukla, Sub-Engineer, PWD	The Committee noted that the State Government has decided the allocation of Shri O.P. Shukla, Sub-Engineer at their own level in compliance with the directions of the Hon'ble High Court in W.P. No. 3955/08(s). The Committee was of the view that it is for State Govt. to take a view on the directions of Hon'ble High Court of Madhya Pradesh.
14.	Shri Uday Singh, Amin, Department of Water Resources. RP No. 183/09	The Committee decided to recommend the revision of state allocation of the petitioner from Chhatisgarh to M.P. as the employee belongs to SC category and this case is covered under the guidelines of allocation as per recent clarifications issued by the Department on 24.6.2010 by the Central Government.

The meeting ended with a vote of thanks to the chair.

M. Prakash
