

S.No. 9(I)

42

F.No.14/03/2012-SR(S) Vol.-IV  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
(Department of Personnel & Training)

3<sup>rd</sup> Floor, Lok Nayak Bhawan  
Khan Market, New Delhi-110003,  
Dated 06 August, 2012

To

07 AUG 2012

The Principal Secretary,  
General Administration Department,  
Government of Madhya Pradesh,  
Vallabh Bhawan, Bhopal,  
Madhya Pradesh-462004

The Principal Secretary,  
General Administration Department,  
Government of Chhattisgarh,  
D.K.S. Bhawan, Raipur,  
Chhattisgarh-492002

Subject: Minutes of the 20<sup>th</sup> meeting of the Committee held on 13<sup>th</sup> July, 2012 at 11.30 AM in Media Room No. 126, North Block, New Delhi under the Chairmanship of Shri Manoj Joshi, Joint Secretary (AT & A & SR).

Sir,

I am directed to refer to the above mentioned subject and to forward herewith a copy of the minutes of the 20<sup>th</sup> meeting of the Committee held under the Chairmanship of Shri Manoj Joshi, Joint Secretary (AT & A & SR) on 13<sup>th</sup> July, 2012 at 11.30 AM in Media Room No. 126, North Block, New Delhi regarding consideration of the representations of State Government employees in compliance with the directions given by the Hon'ble High Court of M.P. and Chhattisgarh and other representations of employees under SC/ST category and spouse policy etc., for information and necessary action.

Yours faithfully,

Encls: As mentioned above.

*M.S. Sharma*

(M.S.Sharma)

Under Secretary SR(S)

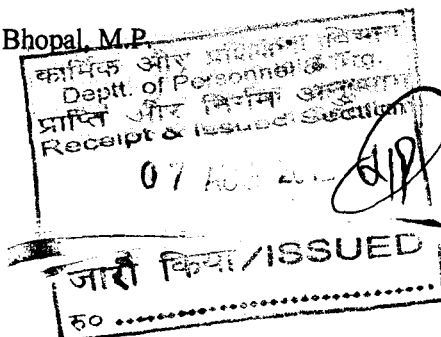
Tel.No. 24651898

Copy to:

- The Principal Secretaries,
1. D/o Public Relations, M.P.
  2. D/o Farmers' Welfare and Agriculture Development, M.P.
  3. D/o Fisheries, M.P.
  4. D/o Water Resources, M.P.
  5. D/o Home, M.P.
  6. D/o Welfare of Scheduled Tribes and Scheduled Castes, M.P.
  7. D/o Development of Tribal and Scheduled Castes, Chhattisgarh.
  8. D/o Law and Justice, M.P.
  9. Controller, Weight and Measurement, Bhopal, M.P.

Copy also to:

1. PS to JS (AT & A & SR)
2. PS to DS (SR)



**MINUTES OF THE 20<sup>TH</sup> MEETING OF STATE ADVISORY COMMITTEE, MADHYA PRADESH HELD ON 13-07-2012 AT 11.30 AM IN MEDIA ROOM No. 126, NORTH BLOCK, NEW DELHI UNDER THE CHAIRMANSHIP OF JS (AT&A)**

In compliance with the directions of the Hon'ble High Courts of Chhattisgarh and Madhya, Pradesh the 20<sup>th</sup> Meeting of the State Advisory Committee was held under the Chairmanship of Shri Manoj Joshi, Joint Secretary (AT & A), DOPT on 13/07/2012 at 11.30 AM in Media Room No. 126, North Block to consider the representations of the petitioners and employees of State of Madhya Pradesh and Chhattisgarh. The list of attendants is enclosed at Annexure "A".

2. The Chairman welcomed the members of the Committee and thereafter took up the agenda of the meeting for discussion. The Committee considered 52 cases and decision of the Committee in each individual case has been reflected in the last column of the table.

Sl. No.	Name, Desg. & Department	Recommendations of the Committee
1	Shravan Kumar Singh, Assistant Director, D/o Public Relations ( Writ Appeal No. 255/11)	<p>The Hon'ble High Court of Madhya Pradesh directed on 13th March, 2012 for reconsidering the representation made earlier by Shri Singh and communicate him by passing speaking order within 60 days from the date of receipt of certified copy of the order. The Administrative Department of the State Government refuted his claim for re-allocation to the State of Madhya Pradesh as there is no error in his allocation to the State of Chhattisgarh as he is junior most in his cadre.</p> <p>The Committee decided to recommend the representation of Shri Singh for rejection as his request for re-allocation is not covered by the existing guidelines on the subject.</p>
2	Umesh Chandra Bhati, Assistant Fisheries officer, D/o Fisheries ( W.P. No. 5631/06)	<p>The Hon'ble High Court of M.P. Bench, Indore directed on 15/11/2011 for considering representation of the petitioner. His grievance is that 11 junior Asstt. Fisheries Officers were allocated to M.P. The consideration of this case was deferred by the SAC in its meeting held on 20/04/2012 because the representative of State Government could not explain the case properly.</p> <p>This case was again considered by the Committee and Administrative Department of petitioner informed that 8 junior Asstt. Fisheries Officers were allocated to M.P. in the lower pay scale Rs. 4500-7000 as they were not eligible for ACP in pay scale of Rs. 5000-8000 on the cutoff date. Two Asstt. Fisheries Officers namely Shri Abdul Rashid Qureshi and Arun Kumar Dixit were given the pay scale of Rs. 5000-8000 on 08/08/2005. So these two officers were also allocated to M.P. in lower pay scale of Rs. 4500-7000 considering them seniors in that scale. One officer namely Shri D D Maurya, who was junior to the petitioner, was allocated to M.P. under the SC category.</p> <p>On the recommendation of Administrative Department the Committee decided to recommend the representation of the petitioner for rejection as his request for re-allocation is not covered by the existing guidelines on the subject.</p>
3	Naresh Kumar Mishra, Fisheries Inspector, D/o Fisheries (W.P. No. 7917/11)	<p>The Hon'ble High Court of Madhya Pradesh directed on 30/11/11 that respondents shall consider and decide the representation of the petitioner within 3 months from the date of submission of representation.</p> <p>The Administrative Department informed that his State allocation was not done by Central Government as the petitioner was appointed as Fisheries Extension worker in the Fisheries Development Agency, which was the self-governing agency of the district. The petitioner is not state cadre employee and the Committee was of the view that the State allocation of the petitioner does not fall within the purview of the guidelines of Reorganization and recommended to reject his representation.</p>

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4	Virendra Kumar Srivastava, Fisheries Inspector, D/o Fisheries (W.P. No.1330/05)	<p>On 27/04/2012 the Hon'ble High Court of Madhya Pradesh directed to consider the representations made earlier by the petitioner. He had raised the issue of allocating three junior Fisheries Officers viz. Shri Girish Chandra Dubey, Arun Kumar Dixit and Shri Abdul Rashid Qureshi to the State of Madhya Pradesh. Administrative Department has not responded to the contention of the petitioner</p> <p>The consideration of the case was deferred and the Committee decided that the Administrative Department would furnish the reasons for allocating the said three juniors to M.P. for the consideration of this case in its next meeting.</p>
5	Rajesh Kumar Pathak, Fisheries Inspector, D/o Fisheries (W.P. No. 4671/08)	<p>On 05/05/2011 the Hon'ble High Court of Madhya Pradesh had quashed the allocation order of the petitioner for the State of Chhattisgarh. The petitioner has raised the issue of allocating the junior Fisheries Officers to the State of Madhya Pradesh.</p> <p>The Administrative Department of the petitioner has informed that Writ Appeal is going to be filed against the judgement dated 05/05/2011. The Committee decided that Writ Appeal should be filed at the earliest and necessary details may be furnished to the Central Government.</p>
6	Dr. S K Ambawatia, Assistant Veterinary Surgeon, D/o Animal Husbandary (W.P. No. 2967/06)	<p>On 17/11/2011 the Hon'ble High Court of M.P. Bench, Indore directed for consideration of representation of the petitioner by the Committee. In his representation he has inter-alia raised the issue of illness of wife i.e. epilepsy for the last eleven years and stated that he himself is a diabetic patient and suffering from paralysis from September, 2011. This case was earlier considered by the Committee in its meeting held on 20/04/12.</p> <p>The Administrative Department informed that the petitioner has not given any medical certificates in respect of illness of self and his wife. The Committee decided to recommend the rejection of his representation because all the grounds raised by him are not covered for re-allocation of his services to M.P. as per the existing guidelines on the subject. The petitioner will be communicated about the rejection of his representation by issuing a speaking order.</p>
7	Ashok Singh, Law Officer, D/o Jail, (W.P. No. 13179/11)	<p>The petitioner has filed a Writ Petition against Union of India and others and CA is still to be filed. The Administrative Department of the petitioner has forwarded the details of his wife Smt. Annapurna Singh, who is supervisor in the Department of Women and Child Development since 03/02/83. The petitioner is eligible for re-allocation to the State of Madhya Pradesh under the spouse policy. The Committee decided to re-allocate the services of the petitioner to the State of M.P. under spouse policy subject to withdrawal of the W.P. by him from the Court.</p>
8	Virendra Singh Raghuvanshi, Inspector, D/o Contoller, Weight and Measurement ( W.P. No. 3099/06)	<p>The Hon'ble High Court of Madhya Pradesh had directed on 15/02/11 for considering representation of the petitioner by the State Advisory Committee. The petitioner has raised the issue of allocation of the Inspectors in the scale of Rs. 4500-7000 while they were working in the scale of Rs. 5000-8000 as on 23/09/2000. The Administrative Department of the petitioner has refuted his contention stating that there was no Inspector working in the scale of Rs. 5000-8000 There is an indication in the documents submitted by the petitioner that 2<sup>nd</sup> ACP was given to some inspectors but the pay scale of 2<sup>nd</sup> ACP was not shown.</p> <p>The Committee decided that Administrative Department would furnish the date of joining of all the inspectors who were working in the pay scale of Rs. 4000-6000 and 4500-7000 on the appointed day to verify their eligibility for 1st and 2<sup>nd</sup> ACP and reasons for not granting ACP to those who had completed 12 and 24 years respectively from the date of joining the state Government service.</p>

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9	Anil Kumar Sharma, SADO D/o Agriculture ( W.P. No. 337/11)	<p>While disposing the Writ Appeal No. 337/11 the Hon'ble Court (Double Judge Bench) directed the Central Government to reconsider the representation made earlier by Shri Sharma. His main contention is that SADOs viz. Shri Suresh Babu Sharma, Shri Gopal Singh Dhakar, Shri Ram Naresh Sharma, Shri Chaturvedi, Shri R S Chauhan, Shri S K Sone and Shri Prithvi Raj Chauhan were junior to him and were allocated to M.P.</p> <p>The Administrative Department has informed that Shri Suresh Babu Sharma was allocated to M.P. due to error in data feeding in respect of his seniority. Shri Dhakar and Shri Chaturvedi were allocated to M.P. in mutual exchange with SADOs who were allocated to M.P. Shri Ram Naresh Sharma was allocated to Chhattisgarh and Shri R S Chauhan, Prithvi Raj Chauhan and Shri Sone were allocated to M.P. because they belong to SC and were domicile of M.P.</p> <p>The Committee decided to reject the representation of Shri Sharma for re-allocation to the State of M.P. and also recommended re-allocation of Shri Suresh Babu Sharma from M.P. to Chhattisgarh as he was allocated to M.P. on account of technical error as stated above.</p>
10	Shyam Sunder Mahajan, RAEO, D/o Agriculture ( W.P. No. 2985/06)	<p>While disposing of the W.P. No. 2985/06 on 15/11/2011 the Hon'ble High Court directed that Committee shall pass necessary orders on the representation within 30 days from the date of receipt of certified copy of the order. This case was considered in the last meeting of the committee and was deferred for want of re-examination of this case for working out the number of RAEOs would be affected by the re-allocation of the petitioner from Chhattisgarh to M.P. The Administrative Department has recommended the re-allocation of the petitioner from the State of Chhattisgarh to M.P. on the ground that six junior RAEOs in the pay scale of Rs. 4000-6000 were allocated to M.P. as they got the ACP in the said scale after the publication of TFAL but effective from the cut off date viz. 23/09/2000. The Administrative Department has also informed that 34 cases may come up in future for re-allocation if we accept the representation of the petitioner for re-allocation on the plea their junior was re-allocated to MP. So the committee decided to defer the consideration of this case for taking a view in such cases.</p>
11	Udai Kavishwar, RAEO, D/o Agriculture ( W.P. No. 1047/06)	<p>The representation of the petitioner was considered by the Committee in compliance with the directions dated 15/11/2011 for change of State allocation from Chhattisgarh to M.P. The Committee decided to recommend his allocation from Chhattisgarh to M.P. under spouse policy because his wife Smt. Kalpana Kavishwar is working as an Assistant Teacher in Government Girls Middle School, Rau in Distt. Indore since 03/02/1995.</p>
12	R K Dubey, RAEO, D/o Agriculture ( W.P. No. 15987/07)	<p>The Hon'ble High Court of M.P. Principal Bench, Jabalpur directed the respondents to permit the petitioner to work in the State of M.P. This is a peculiar decision of the Hon'ble Court and direct interference in the allocation matters being handled by Union of India and the State Government. Gwalior Bench of the Hon'ble High Court had given similar orders in many Writ Petitions for permitting the petitioners to remain in the State of M.P. The Central Government and State Government had challenged the orders of Gwalior Bench (Single Judge) by filing the Writ Appeals before the Double Judges Bench and now the Court has given fresh directions for deciding the representations submitted earlier by the petitioners as per policy of allocation and quashed the order of the Singh Judge Bench.</p> <p>The Committee decided that State Government should file W.A. against the judgment dated 09/01/2012 of the Single Judge Bench of the Hon'ble High Court citing the judgment dated 13/03/2012 in W.A. No. 337/2011 in the matter of State of M.P. versus Dr. Anil Kumar Sharma and others provided the petitioner is not eligible for</p>

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<p>13</p>	<p>V N Mahule, RAEO, D/o Agriculture ( W.P. No. 8618/06)</p>	<p>allocation for M.P. as per guidelines.</p> <p>The Hon'ble High Court had directed Central Government on 01/08/2006 in W.P. No. 8618/06 to decide afresh the representation submitted by the petitioner. This case was considered in the last meeting of the committee and was deferred for want of re-examination of this case for working out the number of RAEOs who are likely to be affected by the re-allocation of the petitioner from Chhattisgarh to M.P.</p> <p>The Administrative Department of the petitioner has re-examined the representation of the petitioner and informed that there are three RAEOs namely D L Rajput, V.K. Srivastava and Brij Kishore Sharma, who were allocated to M.P. because of error in data feeding in respect of their seniority. The Administrative Department while furnishing their comments clarified that certain juniors were allocated under special category like mutual exchange, SC/ST policy etc. They have also worked out 18 cases where senior employees may come up for re-allocation of their services to M.P. if the representation of the petitioner is accepted. The Committee, therefore, decided to re-allocate the services of Shri D.L. Rajput, Brij Kishore Sharma and Shri V K Srivastava to the state of Chhattisgarh on the basis of their correct seniority as on the appointed day.</p> <p>On the recommendation of the Administrative Department, the Committee decided to reject the representation of the petitioner for re-allocating his services to MP.</p>
<p>14</p>	<p>Anil Tripathi, RAEO, D/o Agriculture ( W.P. No. 7347/05)</p>	<p>On 22/09/2010 the Hon'ble High Court of M.P. allowed the W.P. and quashed the allocation order dated 11/09/2002 of the petitioner to the State of Chhattisgarh.</p> <p>The Administrative Department of the petitioner has examined the representation of the petitioner in pursuance of Hon'ble High Court' directions and recommended for re-allocation of his services from the State of Chhattisgarh to the State of M.P. on the ground that 29 junior RAEOs were allocated to M.P. in the pay scale of Rs. 4500-7000 in the same category.</p> <p>The Committee accepted the recommendation of the State Government and decided to re-allocate the services of the petitioner from Chhattisgarh to M.P. State on the ground that his juniors were allocated to M.P. under similar conditions in which the allocation of the petitioner took place.</p>
<p>15</p>	<p>Jagdish Chandra Kulhare, RAEO, D/o Agriculture ( W.P. No. 2870/06)</p>	<p>The petitioner belongs to SC category. He is a domicile of M.P. and opted for the same. His request for change of State cadre from Chhattisgarh to M.P. is covered by the existing guidelines of allocation. In compliance with the directions dated 14/12/2011 passed in W.P. No. 2870/2006 by the Hon'ble High Court the Committee decided to re-allocate his services from the State of Chhattisgarh to the State of M.P. as per the guidelines for SC/ST employees.</p>
<p>16</p>	<p>Kailash Chandra Paan, RAEO, D/o Agriculture ( W.P. No.2953/06)</p>	<p>The Hon'ble High Court directed on 15/11/2010 in W.P. No. 2953/06 that Committee shall pass necessary order on the representation of the petitioner within 30 days from the date of receipt of court's order. This case was considered in the last meeting of the committee and was deferred for want of re-examination of this case for working out the number of RAEOs who would be affected by the re-allocation of the petitioner from Chhattisgarh to M.P.</p> <p>The Administrative Department of the petitioner has re-examined afresh the representation of the petitioner and informed that there are three RAEOs namely D L Rajput, Shri Shiv Shankar Singh Tomar and Brij Kishore Sharma, who were allocated to M.P. because of error in data feeding in their seniority. The Administrative Department while furnishing their comments clarified that certain juniors were allocated under special category like mutual exchange,</p>

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		<p>SC/ ST policy etc. They have also worked out 25 cases where the employees may come up for re-allocation of their services to M.P. if the representation of the petitioner is accepted. The Committee , therefore, decided to re-allocate the services of Shri D.L. Rajput, Brij Kishore Sharma and Shri Shiv Shankar Singh Tomar to the State of Chhattisgarh on the basis of their correct seniority as on the appointed day.</p> <p>On the recommendation of the Administrative Department the Committee decided to reject the representation of the petitioner for re-allocating his services to MP.</p>
17	Santosh Kumar Parmar, RAEO, Agriculture ( W.P. No.2974/06)	<p>The contention of the petitioner is that RAEOs junior to them were allocated to M.P This case was considered in last meeting held on 23/01/2012 and Committee desired that such cases may be re-examined by the Administrative Department and work out the number of RAEOs who would be affected and are likely to submit representations consequent upon the acceptance of representation of the petitioner. The Administrative Department recommended re-allocation of the petitioner to the State of M.P. on the ground that two junior RAEOs were allocated to M.P. in the pay scale of Rs. 4000-6000 under general category. The Administrative Department has also mentioned in the agenda that in 38 cases the employees junior to the petitioner may come up with a representation for re-allocation on the ground that their junior viz. Shri Parmar has been re-allocated to M.P. So the Committee decided to defer the consideration of this case.</p>
18	Mirza Quadir Beg, Sub-Engineer, D/o Water Resources ( W.P. No. 6731/06)	<p>The Hon'ble High Court of M.P. Bench, Indore directed on 15/11/2011 for considering representation of the petitioner. His grievance is that his juniors were allocated to State of M.P. and his wife is suffering from Chronic Heart disease. .</p> <p>The Administrative Department of the petitioner examined the representation of the petitioner and confirmed that no juniors other than eligible for consideration under special category i.e. SC/ST policy, physically handicapped, spouse policy etc. have been allocated to M.P. The Committee, therefore, recommended his case for rejection as the grounds given by him are not covered under the existing guidelines of allocation.</p>
19	Rajendra Kumar Maheshwari, Sub-Engineer, D/o Water Resources ( W.P. No.4632/06)	<p>The Hon'ble High Court of M.P. Bench, Indore directed on 15/11/2011 for considering representation of the petitioner. His grievance is that his juniors were allocated to State of M.P., allocation was made on defective seniority list and against his option for M.P.</p> <p>The Administrative Department of the petitioner examined the representation of the petitioner and recommended for rejection as the grounds given by him are not covered under the existing guidelines of allocation. So the Committee decided to recommend the rejection of representation of the petitioner for re-allocating his service to M.P.</p>
20	Hari Narain Vergadia, Sub-Engineer, D/o Water Resources ( W.P. No.5296/06)	<p>The Hon'ble High Court of M.P. Bench, Indore directed on 15/11/2011 for considering representation of the petitioner. His grievance is that his juniors were allocated to State of M.P., allocation was made on defective seniority list and against his option for M.P.</p> <p>The Administrative Department of the petitioner examined the representation of the petitioner and confirmed that no juniors other than eligible for considerations under special category in SC/ST policy, spouse policy, physically handicapped etc. have been allocated to M.P. Committee, therefore, recommended the case of petitioner for rejection as the grounds given by him are not covered under the existing guidelines of allocation.</p>
21	Vinod Kumar Srivastava, Sub	<p>Department of Water Resources has forwarded the representation of Mr. Srivastava for change of State Cadre from Chhattisgarh to</p>

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	Engineer, D/o Water Resources	<p>M.P. on the ground that he is suffering from epileptic Seizures because of head injury during accident. A copy of Certificate of Medical Board and Neurologist has been enclosed. Government of Chhattisgarh has already given no objection to this proposal.</p> <p>The Principal Secretary present in the meeting recommended the re-allocation of Shri Srivastava from Chhattisgarh to M.P. under medical hardship category. So the Committee decided to recommend his re-allocation from Chhattisgarh to M.P. on the basis of report of Medical Board Government hospital Gwalior.</p>
22	Ravi Shankar Pandey, Sub- Engineer, D/o Water Resources	<p>Shri Pandey has submitted the certificate from the District Medical Board regarding 50% disability of his mother and 40% disability of his wife and requested for change of State cadre from Chhattisgarh to Madhya Pradesh.</p> <p>The Committee noted that the employee can be allocated to the State as per his option if he is physically handicapped with more than 40% disability. The guidelines on allocation do not allow the change of State allocation on the basis of disability of the members of the family. The Committee, therefore, decided to recommend the representation of Shri Pandey for rejection.</p>
23	Arvind Chandel, Sub-Engineer, D/o Water Resources ( W.P. No.6154/06)	<p>The Hon'ble High Court of M.P. Bench, Indore has directed for consideration of representation of the petitioner by the Committee within 30 days from the date of certified copy of the judgment dated 15/11/2011.</p> <p>The Committee was informed that the petitioner had applied for change of home district prior to the appointed day viz. 01/11/2000 and this fact has been confirmed from the communications of office of Chief Engineer, Narmada, Tapati Basin, Indore. The Home District of petitioner was changed on 12/04/2012 by the Chief Engineer, Narmada, Tapati Basin, Indore.</p> <p>On the request of D/o Water Resources the consideration of this case was deferred for verification of the fact whether the petitioner had applied for change of Home District well before the appointed day.</p>
24	Rajendra Kumar Gupta, Sub Engineer, D/o Water Resources ( W.P. No. 2740/06)	<p>The Hon'ble High Court of M.P. Bench, Indore directed on 15/11/2011 for considering representation of the petitioner. His grievance is that his juniors were allocated to State of M.P., allocation was made on defective seniority list and against his option for M:P.</p> <p>The Administrative Department of the petitioner examined the representation of the petitioner and confirmed that no juniors other than eligible for considerations under special category in SC/ST policy, spouse policy, physically handicapped etc. have been allocated to M.P. Committee, therefore, recommended the case of petitioner for rejection as the grounds given by him are not covered under the existing guidelines of allocation.</p>
25	Trilok Singh Sanwle, Sub- Engineer, D/o Water Resources ( W.P. No. 6444/06)	Deferred
26	Manish Sharma, Sub-Engineer, D/o Water Resources (WA No. 38/11)	<p>On 13/03/2012 the Hon'ble High Court of M.P. directed to reconsider the representation made earlier by Shri Sharma and pass speaking order and communicate him within a period of 60 days from the date of receipt of order. He was allocated to Chhattisgarh under category of A-4 viz junior most. He had made an application for mutual transfer with Shri Punjab Singh Yadav. He has no other ground on which his request can be conceded. The Committee decided to reject the request of Shri Sharma for rejection because the date specified for mutual transfer by the General Administration Department was expired on 31.03.2011 and the request was received after that date.</p>

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27	<p>Rakesh Kumar Srivastava and P N Sharma, Assistant Engineer, D/o Water Resources ( W.P. No. 837/12)</p>	<p>Both the employees filed W.P. against Union of India and others and Counter Affidavit is still to be filed. The contention of the petitioners is that 25 junior Assistant Engineers were allocated to M.P. and the guidelines of allocation were violated. Their Administrative Department has accepted the fact of allocating the junior Assistant Engineers to the State of M.P. But they did not favour the proposal for allocating the petitioners to the State of M.P. on the ground that their juniors were allocated to M.P.</p> <p>In the case of employees of Department of Agriculture the SAC has agreed to re-allocate the services on the ground that juniors had already been allocated to M.P. The proposal of Department of Water Resources is not in accordance with the guidelines of allocation and against the landmark decision dated 13/08/2008 of Jabalpur High Court passed in W.A. No. 783/07 - R S Chaurasia which has been accepted by the Central and State Government. There is no ground to defend the action of Union of India for allocating them to the State of Chhattisgarh in the W.P. filed by them. The Committee considered the above judgment of the Hon'ble Court and sought the views of Department of Agriculture, WRD and GAD. Department of Agriculture and GAD had agreed to allocate the seniors to M.P. if their juniors were allocated as per para 6 (5) of guidelines dated 22/03/2001. But the Department of Water Resources has not responded on this issue so far. The Committee took the decision in the previous meeting to implement the judgment dated 13/08/2008 in Agriculture Department where there are errors in allocating juniors to M.P. in violation of para 6 (5) of guidelines dated 22/03/2001</p> <p>The Principal Secretary, WRD was specifically invited to attend the meeting to know the stand of his Department for deciding the representations of the petitioners where they have raised the ground of allocating the junior to M.P. and senior to Chhattisgarh. The Sub-Engineers, who were granted ACP in the next higher scale prior to 23/09/2000, were allocated in the higher scale were allocated to M.P. considering them juniors in the higher scale. The Sub-Engineers, though junior to the some Sub-engineers ( who got ACP before the 23/09/2000 and allocated in higher scale), who were granted the next ACP scale after the publication of TFAL were grouped into lower scale and allocated to M.P. considering them senior in the lower scale. The D/o Water Resources was of the view that the judgment dated 13/08/2008 is not applicable in all cases and the circular dated 26/12/2001, which gave rise to the anomaly of allocating juniors to M.P. and seniors to Chhattisgarh, has not been set aside by the Hon'ble High Court. They have apprehension in mind that the consideration of the representations of the petitioners ignoring the circular dated 26/12/2000 will lead to re-opening of the settled cases and re-starting of the allocation procedure.</p> <p>The Committee decided that D/o Water Resources will provide a write up explaining justifications for not implementing the decision dated 13/08/2008 of Hon'ble M.P. High Court in W.A. No. 783/07 keeping in view the legal implications.</p>
28	<p>Vijay Kumar Mohase, Assistant Engineer, D/o Water Resources</p>	<p>Deferred</p>
29	<p>Amrit Minz, Constable, D/o Home ( W.P. No.1228/05)</p>	<p>The petitioner belongs to non-State cadre and consideration of such cases is not within the purview of the Committee and Central Govt. So the Committee did not find this case fit for consideration and expressed the view that the State Government may like to consider the request under the guidelines of inter-State transfer framed by them for non-State cadre employees.</p>
30	<p>Ram Karan Yadav, Head Constable, D/o</p>	<p>The petitioner's contention is that he was allocated to Chhattisgarh in pay scale of Rs. 4000-6000 while his juniors were</p>

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	Home ( W.P. No.3743/05)	allocated to M.P. considering them senior in the lower pay scale of Rs. 3500-5200. The representative of the Administrative Department informed the Committee that the junior Head Constables allocated to M.P. falls under the category of SC or covered under mutual exchange policy. The Committee decided to recommend to reject the representation of the petitioner.
31	Ratnakar Jha, Head Constable (Traffic), D/o Home ( W.P. No.1234/05)	The petitioner belongs to non-State cadre and consideration of such cases is not within the purview of the Committee and Central Govt. So the Committee did not find this case fit for consideration and expressed the view that the State Government may like to consider the request under the guidelines of inter-State transfer framed by them for non-State cadre employees.
32	Kishan Singh Tomar, H C (Radio) Operator, D/o Home ( W.P. No.5927/06)	The W.P. was disposed of on 15/12/2010 and Hon'ble High Court quashed his allocation for the State of Chhattisgarh and directed to permit the petitioner to work in the State of M.P. as he is working in M.P. for the last ten years. The contention of petitioner is that he was not an employee of wireless unit at the time of allocation. Administration Department refuted the contention of the petitioner. The Committee noted that there is no justification for re-allocating the services of the petitioner in the State of M.P. in violation of the existing guidelines and decided to recommend filing a Writ Appeal against the judgment dated 15/12/2010 of the Single Judge Bench as done in other Writ Petitions where judgment were similar.
33	Shankar Lal Pawar, Constable (Radio) Operator, D/o Home ( W.P. No.3793/05)	The petitioner belongs to SC category and is entitled for allocation as per his domicile of M.P. The Committee decided to recommend his re-allocation from Chhattisgarh to M.P. as per the guidelines of allocation for SC/ST employees.
34	Baiju Ram , Constable (Radio) Operator, D/o Home ( W.P. No.1171/05)	The petitioner belongs to non-State cadre and consideration of such cases is not within the purview of the Committee and Central Govt. So the Committee did not find this case fit for consideration and expressed the view that the State Government may like to consider the request under the guidelines of inter-State transfer framed by them for non-State cadre employees.
35	Sant Pal Singh Bhadoria, Constable, D/o Home ( W.P. No.2312/05)	The W.P. was disposed of on 28/04/09. The contention of the petitioner is that his juniors were allocated to M.P. No representative from the D/o Home attended the meeting to explain whether juniors were allocated to M.P. or not. Hence the consideration of this case was deferred for next meeting.
36	Ram Govind Tewari, High Court (radio) Operator, D/o Home ( W.P. No.2997/05)	The contention of the petitioner is that his juniors were allocated to M.P. The Administrative Department has informed that juniors who were allocated to M.P. fall in the category of SC whereas the petitioner was allocated to Chhattisgarh in general category. The Committee, therefore, recommended to reject the representation of petitioner.
37	Gustap Lakra, Head Constable, D/o Home ( W.P. No.7322/06)	The petitioner belongs to non-State cadre and consideration of such cases is not within the purview of the Committee and Central Govt. So the Committee did not find this case fit for consideration and expressed the view that the State Government may like to consider the request under the guidelines of inter-State transfer framed by them for non-State cadre employees.
38	Nand Keshwar, Head Constable, D/o Home ( W.P. No. 1229/05)	The petitioner belongs to non-State cadre and consideration of such cases is not within the purview of the Committee and Central Govt. So the Committee did not find this case fit for consideration and expressed the view that the State Government may like to consider the request under the guidelines of inter-State transfer, framed by them for non-State cadre employees.

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39	Ajay Singh Bais Sub Inspector, D/o Home ( W.P. No. 5739/06)	The W.P. was disposed of on 15/11/2011. The contention of the petitioner is that his juniors were allocated to M.P. No representative from the D/o Home attended the meeting to explain whether juniors were allocation to M.P. or not Hence the consideration of this case was deferred for next meeting.
40	Arun Kumar Tripathi, Head Constable (Radio) Operator, D/o Home ( W.P. No.2010/05)	The Hon'ble High Court quashed the allocation order of the petitioner and opined that it would not be just and proper to refer the matter to the appropriate Government. The Administrative Department of petitioner has confirmed that no employee junior to the petitioner was allocated to M.P. The Committee noted that there is no justification for re-allocating the services of the petitioner to the State of M.P. in violation of the existing guidelines and decided to recommend to file a Writ Appeal against the judgment dated 15/12/2010 of the Single Judge Bench as was done in other Writ Petitions where judgments were similar.
41	Kanti Ranvira, staff Nurse, D/o H & FW ( W.P. No.5478/10)	The Hon'ble High Court directed Union of India on 06/01/2012 to decide the claim of the petitioner with regard to her allocation to the State of Chhattisgarh in accordance with the scheme and policy applicable within a reasonable time. The Committee noted that the petitioner belongs to SC, and is a domicile of Chhattisgarh and opted for Chhattisgarh. The Director, Health Services, M.P. has clarified that the petitioner is a State cadre employee. The Committee recommended to allocate the services of the petitioner to the State of Chhattisgarh as per the guidelines of allocation for female State Government employees and SC/ST employees.
42	R K Malviya, Investigator, D/o Housing & Environment ( W.P. No.2848/04)	The State Government has informed that they have filed the reply in a Contempt Petition No. 2005/05 for non compliance of directions dated 07/12/2004 passed in W.P. No. 2848/04 by the State Government. The Contempt Petition has also been disposed of on 22/07/2005 by the Hon'ble High Court. No further action required in this case.
43	Madan Lal Ahirwar, Sub-Engineer, D/o Water Resources	Deferred
44	B P Chadar, Sub-Engineer, D/o Water Resources	The Administrative Department informed that the caste of the employee has not been notified in the State of Chhattisgarh. So on the recommendation of the Administrative Department the Committee decided to recommend the re-allocation of Shri Chadar from Chhattisgarh to M.P. as his request is covered by the guidelines of allocation for SC/ST employees.
45	Gya Deen Kori, Sub-Engineer, D/o Water Resources	Deferred
46	P L Kori, Amin, D/o Water Resources	The Committee decided to recommend the representation of Shri Kori for rejection as he himself opted for Chhattisgarh under mutual exchange scheme with other Sub-Engineer.
47	Prakash Chandra Sankala, Sub-Engineer, D/o Water Resources	Deferred
48	Murari Lal Shakya, RAO, D/o Agriculture	The consideration of these cases was deferred by the Committee and it was decided to seek confirmation from the Chhattisgarh Government whether they belong to SC and are domicile of M.P. from the entries made in the service books of the employees.
49	Sewa Ram Khede, RAO, D/o Agriculture	
50	Lakhan Lal Bachale, ASO, D/o SC/ST Welfare	The Committee decided to recommend the re-allocation of both the employees belonging to SC from Chhattisgarh to M.P. as their request is covered by the guidelines of allocation for SC/ST employees.
51	Bansi Lal Bhaisare, ASO, D/o SC/ST Welfare	

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52	R D Shakya, Compounder, PH & FW	The Committee deferred the consideration of this case and decided that facts regarding the caste and domicile of employee may be ascertained from the Chhattisgarh Government on the basis of entries in his service book.
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The meeting ended with a vote of thanks to the Chair.

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Annexure 'A'

List of Attendants

- Shri Manoj Joshi, Joint Secretary (A&AT), DOPT ..... Chairman
- Shri R.S. Julaniya, Principal Secretary, Department of Water Resources, M.P
- Shri K.P.K. Nambissan, DS (SR), DOPT ..... Member
- Shri K.K. Bajpai, Deputy Secretary, GAD, Chhattisgarh
- Shri Rajesh Kaul, Deputy Secretary, General Administration Department, M.P
- Shri M.L Jain, Deputy Director Administration, D/o Agriculture and Farmer Welfare
- Shri H.N. Ahirwar, D.S.P.(Radio), Department of Home, M.P.
- Shri K.K. Bhawsar, Deputy Controller, Weight & Measure, Jabalpur
- Shri Nisar Ahmed Qureshi, Sp. Law officer, Department of Jail, M.P.
- Shri O.P. Gupta, Department of Water Resources
- Shri S.K. Srivastava, D.D.F., Department of Fisheries, Bhopal
- Shri Pradeep Bhatia, Director, Department of Information Centre, M.P.
- Shri D.C. Patel, A.S.O, Department of Animal Husbandry,

*Manoj Joshi*