

F.No.27(C)/66/2008-SRS  
Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Personnel & Training

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi  
Dated: 8 April, 2011

To

The Chief Secretary,  
Government of Uttar Pradesh,  
Lucknow

The Chief Secretary,  
Government of Uttarakhand,  
Dehradun.

Sub. :- Revision of allocation of Shri Rakesh Chandra Purohit in compliance of judgment dated 14-12-2010 of Hon'ble Uttarakhand High Court in Writ Petition No.174(S/B) of 2008.

Sir,

I am directed to refer to judgment dated 14-12-2010 of Uttarakhand High Court in Writ Petition No.174 (S/B) of 2008 – Rakesh Chandra Purohit Vs. Union of India, vide which the Hon'ble Court has directed State Advisory Committee to consider the option of the petitioner for allocating him to the State of Uttarakhand, if possible, in accordance with Uttar Pradesh Reorganisation Act, 2000 and the Guidelines framed by the Union of India, within three months of the date of judgment. The Central Government has also been directed to publish the final allocation of the petitioner within one month of the recommendation of the Advisory Committee.

2. Shri Purohit's representation for allocation to Uttarakhand was considered by the State Advisory Committee in its meeting held on 24-7-2008 but was recommended for rejection as his option was conditional. Based on the recommendation of the Committee, the Central Government issued the final allocation order dated 31-7-2008 in which he was not allocated to Uttarakhand. Shri Purohit approached the Uttarakhand High Court stating that one Shri Lokesh Kumar Sharma despite having a similar conditional option, has been allocated to Uttarakhand, whereas his request has been turned down. Taking into account the similarity between the two options, the Hon'ble Uttarakhand High Court in its order dated 14-12-2010, directed the State Advisory Committee as well as Government of India to re-consider his allocation.

3. The matter was considered in the last meeting of the Advisory Committee headed by JS (SR), held on 14-2-2011. After thoroughly considering the options of both Shri Lokesh Kumar Sharma and Shri Rakesh Chandra Purohit, the Committee reviewed the recommendations made by the SAC in the last meeting held on 24-7-2008 and recommended as under:-

समिति की बैठक में श्री राकेश चन्द्र पुरोहित एवं श्री लोकेश शर्मा, सहायक अभियंता के विकल्प पर विचार किया गया । श्री पुरोहित एवं श्री शर्मा का विकल्प निम्नवत् है:-

—24—  



श्री राकेश चन्द्र पुरोहित	श्री लोकेश कुमार शर्मा
उत्तरांचल का मूल निवासी होने के कारण उत्तरांचल की भौगोलिक, सांस्कृतिक व भाषा से सुपरिचित होने के कारण उत्तरांचल में कार्य करने में सुविधा होती है। अतः सेवा की लोक सेवा आयोग द्वारा अनुमोदित मूल संयुक्त वरियता सूची के अनुसार वरियता प्रदान कर उत्तरांचल की सेवा में लिया जाये।	अ- मैंने उत्तरांचल में कुल 11 वर्ष की सेवा की है। ब- मैंने अपनी तकनीकी शिक्षा उत्तरांचल (पन्त नगर विश्व विद्यालय) से ही प्राप्त की है। वहाँ अध्यापन कार्य भी किया है। स- उत्तरांचल से मेरा भवनात्मक लगाव है और पूर्ण मनोयोग से सेवा करने की इच्छा है। लोक सेवा आयोग के संवर्ग की ज्येष्ठता सूची के अनुसार स्थापित किया जाये।

पूर्व में श्री पुरोहित के विकल्प को इस आधार पर स्वीकार नहीं किया गया था कि यह सशर्त है। जबकि श्री शर्मा के विकल्प को स्वीकार कर लिया गया था। समिति द्वारा विचार किये जाने पर यह पाया गया कि श्री शर्मा एवं श्री पुरोहित का विकल्प एक समान है। अतः समानता को देखते हुये श्री पुरोहित को भी उत्तराखण्ड आवंटित किया जाना चाहिये। बैठक में यह भी बताया गया कि उत्तराखण्ड को सहायक अभियंता की एक रिक्ति भी दी गई है। समिति द्वारा उक्त रिक्ति के विरुद्ध श्री राकेश चन्द्र पुरोहित को उत्तराखण्ड आवंटित किये जाने की संस्तुति की गई।

4. The Government of India has carefully considered the recommendations of the Committee and has decided to accept the recommendations. Accordingly the allocation of Shri Rakesh Chandra Purohit, then Assistant Engineer (Civil), PWD is hereby revised to Uttarakhand with effect from 9-11-2000, i.e. the appointed day, against the vacant post available in the State, in compliance of the order of the Hon'ble Court. The final allocation order No.1/2008 issued vide No.21/1/2008-SRS dated 31-7-2008 shall be modified to this extent.

5. The concerned official may be apprised of the allocation.

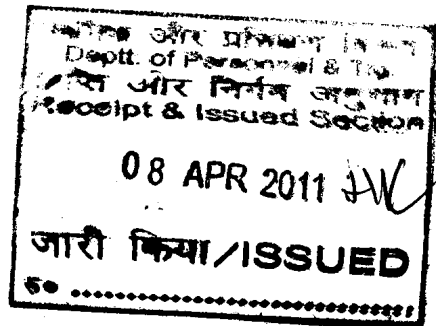
Yours faithfully,


  
(K.P.K. Nambissan)

Deputy Secretary to the Govt. of India

Copy to :

- Principal Secretary, U.P. Reorganisation Coordination Department, Government of Uttar Pradesh, Secretariat, Lucknow.
- Principal Secretary, Reorganisation, Government of Uttarakhand, Dehradun.
- Secretary (PWD), Government of Uttar Pradesh, Secretariat, Lucknow
- Secretary (PWD), Government of Uttarakhand, Secretariat, Dehradun
- Shri Rakesh Chandra Purohit, Executive Engineer, Construction Division, PWD Division, Baghpat, Uttar Pradesh.
- Ms. Anjali Bhargava, Central Government Standing Counsel, Uttarakhand High Court, Nainital, Bisht Bhawan, Hemantkunj, Ravi Niwas, Pilgrim Lodge Compound, Mallital, Nainital, for apprising the Hon'ble Court.



  
Deputy Secretary to the Govt. of India