

No.27/30/2010-SRS  
Government of India  
Ministry of Personnel, P.G. and Pensions  
Department of Personnel & Training

3<sup>rd</sup> floor, Lok Nayak Bhavan,  
New Delhi, 11 January 2011

To

The Chief Secretary,  
Government of Uttar Pradesh,  
Lucknow.

The Chief Secretary,  
Government of Uttaranchal,  
Deharadun.

Subject: Compliance of directions of the High Court of Allahabad, dated 19.11.2009 in W.P. No.49431/2005 and other linked cases -Decision on the representations of personnel of Panchayati Raj Department regarding -

Sir,

I am directed to refer to the order dated 19-11-2009 of the Hon'ble High Court of Allahabad and to say that the representation dated 22.12.2009 and dated 09.11.2010 of Shri Surender Nath, Assistant District Panchayat Officer was considered by the Committee headed by Joint Secretary (SR) in its meeting held on 01.12.2010. The Committee noted that the Hon'ble Court had directed as under :-

***"The case in which objections are not considered, the same will be considered by the Union of India in consultation with the state/s under section 73 of the Uttar Pradesh Reorganisation Act, 2000 within a period of three months from the date of communication of this order upon giving fullest opportunity of hearing and by passing a reasoned order in the individual cases. At the time of passing order, the authority concerned will give preferential value to the modalities already made known to the parties for the purpose. So far as consequential orders are concerned, since consideration by the Union of India in consultation with the State/s is already over, the consequential orders will be passed also within such period. However the orders which will be passed finally in respect of any of the matters upon consideration of objection or communication of consequential orders will be finally binding upon the parties. Accordingly all the writ petitions are disposed of however without imposing any cost."***

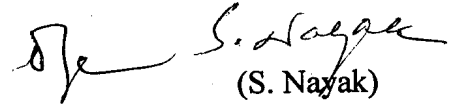
As the representation of Shri Surender Nath, objecting to inclusion of his name in the Tentative Final Allocation List, was already considered by the State Advisory Committee in its meeting held on 28.01.2005 and rejected being juniormost in his cadre

*S. Nayak*

in the reverse order of seniority, the Committee decided not to reconsider his representation as no other different ground was mentioned in it and accordingly, recommended for not revising of his allocation from Uttarakhand to Uttar Pradesh

Government of India has accepted the recommendation of the Committee because the division of posts has been agreed to by both the State Governments keeping in view the details of sanctioned posts, category wise, cadre wise, grade wise, as per administrative structure and work requirement of the new successor States and the recommendations of the State Advisory Committee meeting dated 28.01.2005 were according to the guidelines and already accepted by the Government India. Accordingly the allocation of Shri Surender Nath remains unchanged and he continues to be allocated to the Successor State of Uttarakhand. The Official concerned may kindly be apprised of the position.

Yours faithfully,

  
(S. Nayak)

Under Secretary to the Govt. of India

Copy to:

1. Sh. R.M. Srivastava, Principal Secretary, U.P. Reorganisation Coordination Department, Vikas Bhawan, Janpath Market, Lucknow.
2. Shri D.K. Kotia, Principal Secretary, Reorganisation, Govt. of Uttarakhand, Dehradun.
3. The Principal Secretary, Panchayat Raj Department, Government of Uttar Pradesh, Lucknow.
4. The Principal Secretary, Panchayat Raj Department, Government of Uttarakhand, Dehradun.
5. Shri Surender Nath, Assistant District Panchayat Officer, Tehri Garwal, Uttarakhand.

