

**BY SPEED POST**

F. No. 28(c)/8/2011-SR(S)  
Government of India  
Ministry of Personnel, P.G. and Pensions  
(Department of Personnel & Training)

3<sup>rd</sup> Floor, Lok Nayak Bhawan,  
Khan Market, New Delhi-110003  
Dated 5<sup>th</sup> May, 2014

To

05 MAY 2014

The Chief Secretary,  
Government of Bihar,  
Patna- 800023.

The Chief Secretary,  
Government of Jharkhand,  
Ranchi-834001.

Subject: Compliance of directions dated 13.01.2012 of the Hon'ble High Court of Bihar at Patna in CWJC No. 3887/2011- Decision on the representation of Shri Surendra Singh, Driver, Department of Urban Development and Housing for revision of allocation from Jharkhand to Bihar.

Sir,

I am directed to draw your kind attention to the above mentioned subject and to say that in compliance of directions dated 13.01.2012 of the Hon'ble High Court of Bihar at Patna in CWJC No. 3887/2011, representation of Shri Surendra Singh, Driver, Department of Urban Development and Housing was considered by the State Advisory Committee, Bihar in its meeting held on 17.01.2014. The Committee considered the applicability of compliance of directions dated 13.01.2012 whereby the Court set aside the order dated 10.01.2006 allocating Shri Singh to Jharkhand and further opined that the petitioner is held entitled to allocation to Bihar. It was informed by the office of the State Advisory Committee that there were three drivers; 1-SC, 1-BC and 1-General, two (1-SC & 1-BC viz. Shri Nandu Prasad) out of them were allocated to Bihar as per their option while Shri Surendra Singh (General) was allocated to the State of Jharkhand against his option to maintain the ratio of allocation of posts i.e. 2:1 between Bihar and Jharkhand. The contention of the petitioner is that he should have been allocated to the State of Bihar being senior most, whereas Shri Nandu Prasad, who is junior to him, was allocated to Bihar as per his option under BC category whereas he should have been allocated to Jharkhand being junior under General category. The office of State Advisory Committee confirmed that Shri Nandu Prasad belongs to BC category. The Committee, while, disagreeing with opinion of the High Court that Shri Singh is held entitled to allocation to Bihar, has decided to recommend compliance of the Hon'ble Court's order dated 13.01.2012 in contravention of the policy since the time for filing an appeal has lapsed.

2. The Central Government has accepted the recommendations and hereby revises allocation of Shri Surendra Singh, Driver, Department of Urban Development and Housing from Jharkhand to Bihar as recommended by the Committee. It is requested that further necessary action may please be initiated accordingly.

3. Veracity of this order may be verified from the website of this Department i.e. [persmin.nic.in](http://persmin.nic.in) → DoPT → State Reorganization Division → Recent orders (Bihar). This order can also be downloaded from the website of this Department.

4. Kindly acknowledge receipt of this letter.

Yours faithfully,

Sd/-

(A.K. Malhotra)

Under Secretary to the Government of India

Tel.- 24651898

Copy to:

1. The Member Secretary, Office of the State Advisory Committee, Sinchai Awas, Beli Road, Patna, Bihar- 800023.
2. The Principal Secretary, Department of Official Language and Administrative Reforms, Government of Jharkhand, Ranchi-834001.
3. The Principal Secretary, Department of Home (Special), Government of Bihar, Patna-800015.
4. The Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna-800015.
5. The Principal Secretary, Department of Urban Development and Housing, Government of Jharkhand, Ranchi-834001.
6. ✓ Shri Surendra Singh, Driver, s/o Late Raghbir Sharan Singh, r/o Qtr. No. 334/800, Lal Bahadur Shastri Nagar, Patna.

(A.K. Malhotra)

Under Secretary to the Government of India

Tel.- 24651898

05 MAY 2011

Handwritten signature and initials.