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F. No.27(C)/29/2009-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: August, 2013

To

27 AUG 2013

1. The Chief Secretary,  
Government of Uttar Pradesh,  
Lucknow.
2. The Chief Secretary,  
Government of Uttarakhand,  
Uttarakhand.

Sub.:- Consideration of revision of allocation of Sh. Diwan Singh Chamiyal, ASI(M),  
Vigilance Department, to Uttarakhand in pursuance of order dated 11.04.2013 of  
Hon'ble Uttarakhand High Court, in Special Appeal No.224 of 2008.

Sir,

I am directed to refer to the judgement dated 11.04.2013 of Hon'ble Uttarakhand High  
Court in Special Appeal No.224 of 2008 on the subject cited above, vide which the Hon'ble  
Court has directed as under:-

“We, accordingly, allow the appeal, set aside the judgement and order under appeal  
and, at the same time, allow the writ petition by quashing the allocation of the  
appellant / writ petitioner to the State of Uttar Pradesh, with a direction upon the  
Central Government to reconsider the option of the appellant / writ petitioner in the  
light of the policy adopted by the Central Government / State Advisory Committee as  
quickly as possible. Until then, appellant / writ petitioner shall be permitted to serve  
the State of Uttarakhand, where he is presently serving. In the event, Central  
Government, after consideration of the option of the appellant/writ petitioner, allocates  
him to the State of Uttar Pradesh, reasons must be furnished in the order as to why the  
option is not being acceded to.”

2. A representation received from Smt. Deepa Chamiyal, W/o Sh. Diwan Singh Chamiyal  
enclosing a copy of the relevant portion of the senirity list in which Shri Chamiyal is shown to  
be senior to the second optee allocated to Uttarakhand, Sh. Tilak Ram, was forwarded to both  
the State Govts. of UP and Uttarakhand, for comments. The State Governments were reminded  
urgently to expedite their comments in pursuance of the judgment. The Director (Vigilance),

Mona Singh

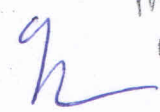
Govt. of UP in his comments under his letter dated 08.08.2013, has stated that although Sh. Chamiyal was senior (Seniority No.15) to the second optee, Sh. Tilak Ram (Seniority No.27), the name of Sh. Chamiyal was not included in the Tentative Final Allocation List erroneously and as such he could not be allocated to Uttarakhand.

3. It may be pointed out here that only two officials, Namely, S/Sh. Chandan Singh and Tilak Ram, both ASI(M), were allocated to Uttarakhand on the basis of their options against the two posts of ASI(M) allocated to Uttarakhand. It is evident from the comments of the State Govt that had Sh. Chamiyal been included in the TFAL at the time of finalization of allocation, he would have been allocated to Uttarakhand being senior optee.

4. In view of the position brought out above, the Central Government has considered the matter of allocation of Sh. Diwan Singh Chamiyal, ASI(M) to Uttarakhand and hereby allocates Sh. Chamiyal to Uttarakhand, as per his option, in compliance of the judgement dated 11.04.2013 of Hon'ble Uttarakhand High Court.

The official may kindly be apprised of the position.

Yours faithfully,

  
Mona Singh  
(Mona Singh)  
Director

Copy to:-

- (1) Principle Secretary, Uttar Pradesh Re-organisation Co-ordination Department, 46, Bahukhandi Bhawan, Secretariat, Govt. of U.P., Lukhnow.
- (2) Secretary, Re-organization, Govt. of Uttarakhand, 4, Subhash Marg, Secretariat, Dehradun.
- (3) Director, UP Vigilance Organization, Govt. of UP, T.C.B.-44, Vibhuti Khand, Lucknow.
- (4) Director, Vigilance, Govt. of Uttarakhand, Nainital Sector, Haldwani.

कार्यिका और प्रशिक्षण विभाग, लोक सेवा क्वार्टर  
Deptt. of Personnel & Trg., L. M. Chowan  
प्राप्ति और निरोध अनुभाग  
Receipt & Issue Section  
27 AUG 2013  
जारी किया/ISSUED