

Speed Post

F.No.27(C)/232/2009-SR(S)
Government of India
Ministry of Personnel, PG and Pensions
Departmental of Personnel of Training

3rd Floor, Loknaya Bhawan
Khan Market, New Delhi
Dated: 28th June, 2018

To

The Chief Secretary,
UP Government,
Secretariat, Lucknow, U.P.

The Chief Secretary,
Uttarakhand Government,
Secretariat, Dehradun, Uttarakhand

Subject: Consideration of representations of (i) Shri Shailendra Pratap Singh, (ii) Shri Subedar Yadav (iii) Rajeev Kumar Agnihotri and (iv) Shri Sampurnanad Mishra in compliance of the judgements of the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench in WP No. 6399(S/S) dated 31.01.2018, WP No. 6400(S/S) dated 31.01.2018, WP No. 7345(S/S) dated 01.02.2018 and WP No. 7346(S/S) dated 01.02.2018 respectively- reg.

Reference: Four (4) letters received from the Joint Secretary, Department of Jail Administration and Reforms, UP Government vide

- (I) No. Writ-191/22-1-2018 Jailor/2018 dated 16.04.2018
- (II) No. Writ-126/22-1-2018-12(87)/2009 dated 16.04.2018
- (III) No. Writ-131/22-1-2018-12(139)/2010 dated 18.04.2018
- (IV) No. Writ-130/22-1-2018-12(140)/2010 dated 16.04.2018

Sir,

I am directed to refer to the judgments dated 31.01.2018 passed by the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench in the four (4) different WPs as stated in the subject above, wherein the Hon'ble High Court has given identical direction, which is reproduced below:

"... .. In view of aforesaid the petitioner is permitted to move fresh representation to the Chairman State Advisory Committee within three week from today annexing a certified copy of this order and of the writ petition, interim order passed in the petition as well as the order dated 22.05.2015 passed in the Writ-A No. 3636 of 2005 (supra) and all other Government orders, Circulars, or earlier decision taken by the State Government or judgment of the Court and policy decisions etc. in case such a representation is filed by the petitioner, the concerned authority shall decide the same by a reasoned and speaking order within a period of three months from the date a certified copy of this order is placed before him. Till the final decisions is taken by the authority concerned, the petitioner would be permitted to continue on the represent post on which he is working."

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2. In compliance of the Hon'ble High Court's order dated 31.01.2018 the petitioners submitted their representations addressed to the Chairman, Advisory Committee in February, 2018 which were forwarded by their Department i.e. Jail Administration and Reforms, Government of Uttar Pradesh in April, 2018.

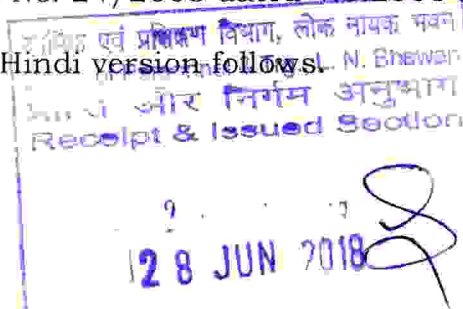
3. On perusal of the representations, it has been observed that since the petitioners had obtained stay orders on their allocation in WP No. 6399/2009 6400/2009, 7345/2000 & 7346/2010 and did not join their allocated state of Uttarakhand as well as continue to serve in Uttar Pradesh, they are fulfilling the eligibility criteria for revision of allocation as prescribed in the revised guidelines dated 27.03.2015 approved by the Hon'ble High Court, Allahabad Bench in its order dated 22.05.2015 in WP No. 3636/2005 (J.N. Doharey & Ors). The Advisory Committee considered the cases of the petitioners in its meeting held in September 2015 and recommended for revision of their allocation to Uttar Pradesh. The recommendations were accepted in principle by the Government of India.

4. Keeping in view of the above facts, and in compliance of the Hon'ble High Court, Lucknow Bench order dated 31.01.2018, the petitioners namely

- (i) Sh. Shailendra Pratap Singh
- (ii) Shri Subedar Yadav
- (iii) Shri Rajeev Kumar Agnihotri
- (iv) Shri Sampurnanad Mishra

are allocated to Uttar Pradesh in partial modification to the final allocation orders No. 24/2005 dated 4.5.2005 and No. 210(b)/2005 dated 8.12.2005.

5. Hindi version follows.



Yours faithfully,

25-6-18
(R. Venkatesan)

Under Secretary to the Govt. of India

To

1. The Principal Secretary, UP Reorganization Coordination Department, Government of UP, Secretariat, Lucknow-226001.
2. The Principal Secretary, Reorganization, Government of Uttarakhand, Secretariat, Dehradun- 248001.
3. The Secretary, Department of Jail Administration and Reform Services, Government of UP, Secretariat, Lucknow-226001.
4. The Secretary, Department of Prisons, Government of Uttarakhand, Secretariat, Dehradun-248001.