

No.27/07/2011-SRS
Government of India
Ministry of Personnel, P.G. and Pensions
Department of Personnel & Training

3rd floor, Lok Nayak Bhavan,
New Delhi, June 2011

To

7/7/11

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

Sub: Consideration of representations of Shri Pramod Kumar Upadhyay, in compliance of the directions dated 18/12/2009 of Hon'ble High Court of Allahabad, Lucknow Bench, Writ Petition No.8389/2009 – regarding

Sir,

I am directed to refer to the subject noted above and to say that Hon'ble High Court of Allahabad, Lucknow Bench vide judgement dated 18.12.2009 in Writ Petition No. 8389/2009 directed that ***“Keeping in view the circular dated 12.11.2007, the writ petition is finally disposed of directing the committee concerned to decide the petitioner's representation in accordance with law by passing a speaking and reasoned order expeditiously and preferably within a period of three weeks from the date of receipt of a certified copy of this order and communicate the decision to the petitioner within next one month and during this period the petitioners shall be allowed to discharge his duties in the State of U.P. on the post on which they have been promoted and will be paid his salary.*”**

The petitioner is also given liberty to make afresh representations, if he so desires; alongwith certified copy of this order to the State Advisory Committee within a period of one week from today.

Subject to the aforesaid observations and directions, the writ petition is disposed of finally.”

2. Shri Pramod Kumar Upadhyay in his representation dated 27.12.2009, has raised the following grounds:

- (i) optee and domicile of UP,
- (ii) not junior most
- (iii) suffering from high blood pressure and snowfelia

S. Sanyal

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3. The representation of Shri Pramod Kumar Upadhyay, received in compliance of the directions dated 18.12.2009 of Hon'ble High Court of Allahabad, Lucknow Bench in Writ Petition No. 8389/2009 on the above grounds, was considered by the State Advisory Committee in its meeting held on 14.02.2011. The Committee found that the grounds mentioned by him are not covered under the Guidelines on Reorganization and as such recommended for rejection of his representation for revision of allocation to Uttar Pradesh.

5. The Government of India has considered the representation as well as the recommendations of the Committee and decided to accept the recommendations. Accordingly, Shri Pramod Kr. Upadhyay, Head Constable continues to be allocated to the successor State of Uttarakhand. The officer/official concerned may kindly be apprised of the decision.

Yours faithfully,

S. Nayak
(S.Nayak)

Under Secretary to the Government of India

Copy to:

1. Sh. R.M. Srivastava, Principal Secretary, U.P. Reorganisation Coordination Department, Vikas Bhawan, Janpath Market, Lucknow.
2. The Principal, Secretary, Reorganisation, Govt. of Uttarakhand, Dehradun.
3. The Principal Secretary, Home Department, Government of Uttar Pradesh, Lucknow.
4. The Principal Secretary, Home Department, Government of Uttarakhand, Dehradun.

7/7/2011

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