

F.No. 27(C)/12/2013-SRS
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi
Dated: 31st December, 2013

To

The Chief Secretary,
Govt. of UP,
Secretariat, Lucknow.

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The Chief Secretary,
Govt. of Uttarakhand,
Secretariat, Dehradun.

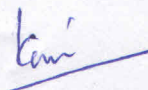
Sub:- Compliance of judgement dated 02.12.2013 of Hon'ble Uttarakhand High Court in Writ Petition No. 294(S/B)/2013 – Shakeel Hassan Vs. State Advisory Committee & Ors.

Sir,

I am directed to refer to the judgement dated 02.12.2013 of Hon'ble Uttarakhand High Court in Writ Petition No. 294(S/B)/2013 – Shakeel Hassan Vs. State Advisory Committee & Ors. and the accompanying representation of the petitioner seeking compliance of the judgment. The Hon'ble Court in its judgment, has ordered as under:-

“We accordingly, dispose of this writ petition by directing the Central Govt. to take a final decision on the option dt. 2nd October, 2000 within a period of 30 days from the date of service of a copy of this order upon respondent No. 2. In the event, a decision on the option dt. 2nd October, 2000 has already been taken, the said decision is required to be communicated to the petitioner within the period as mentioned above.”

2. The Central Govt., which is Respondent No. 2 in the writ petition, has considered the option of the petitioner in compliance of the direction of the Hon'ble Court and his representation as well and found that the petitioner was deemed to have been allocated to Uttarakhand being a district cadre employee in terms of general order dt. 11.09.2001 since the district in which he was appointed became part of the State. As district cadre employees are confined within the particular district and not transferable throughout the



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State, their options are invalid and not actionable. Accordingly, the petitioner is ineligible for revision of allocation to Uttar Pradesh.

3. The allocation of district cadre employees is regulated as per basic policy guidelines dt. 13.09.2000 and subsequent general order dt. 11.09.2001 which was based on it. The Central Govt. cannot interfere in this regard. It is however, open for the State Govts. to take a policy decision in the matter by mutual consent.

The petitioner may please be apprised of the decision.

Yours faithfully,

Kim Kipgen
(K. Kipgen)

Director

Copy to:-

1. Shri Ashok Ghosh, Pr. Secretary. UPRCD, R. No. 46, Bahukhandi Bhavan, Secretariat, Lucknow.
2. Dr. Hemlata Dhaundiya, Secretary, Reorganization, 4, Subhash Marg, Secretariat, Dehradun.
3. Mohd. Shakeel Hassan, Urdu Translator-cum-Junior Clerk, Office of District Police, Uddham Singh Nagar, Uttarakhand., through Govt. of Uttarakhand.

