

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

3rd Floor, Lok Nayak Bhawan,
New Delhi, June, 2011

To

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

Sub : Consideration of representations of Shri Shamshad Md. Khan, JE, RES Deptt. in compliance of the directions dated 18.12.2009 of Hon'ble High Court of Uttarakhand, Nainital in Writ Petition No.422(S/B)/2006 – regarding.

Sir,

I am directed to refer to the subject noted above and to say that Hon'ble High Court of Uttarakhand vide judgment dated 18.12.2009 in Writ Petition No. 422(S/B)/2006, directed that ***“Order No.45/05 dated 22.11.05 passed by UOI so far it relates to the petitioner is kept in abeyance till the disposal of the representation of the petition. UOI is directed to decide the representation dated 16.7.07 made by petitioner within a period of 3 months from the date of certified copy of this order placed below the said authority.”***

2. Shri Khan in his representation dated 04.01.2010, has raised the following grounds:
 1. Optee and domicile of Uttarakhand.
 2. The Haridwar division was not in existence on the appointed day 09.11.2000, hence the 15.33% posts of Haridwar Distt. and 15.66% posts of Head quarter should be allocated to Uttarakhand and applicant can be absorbed in the continuous posts getting vacant in RES due to death / retirement of J.E./A.E.
3. The representation of Shri Shamshad Md. Khan, JE, RES Deptt., received in compliance of the directions dated 18.12.2009 of Hon'ble High Court of Uttarakhand, Nainital in Writ Petition No.422(S/B)/2006 on the above grounds, was considered by the Advisory Committee in several meetings but could not be decided earlier for want of relevant information from the concerned Department. The matter was again deliberated in

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the meeting held on 14-02-2011. The departmental representative informed the Committee that Shri Shamshad Md. Khan was not allocated because he was junior amongst the optees. The Committee recommended for rejection of his representation for allocation to Uttarakhand on account of being junior optee.

4. The Government of India has considered the representation as well as the recommendations of the Committee and decided to accept the recommendation. Accordingly, Shri Shamshad Md. Khan, JE, RES Department continues to be allocated to the successor State of Uttar Pradesh. The 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. Shri R.M. Srivastava, Principal Secretary, UP Reorganisation Coordination Department, Vikas Bhawan, Janpath Market, Lucknow.
2. The Principal Secretary, Reorganisation, Government of Uttarakhand, Dehradun.
3. The Principal Secretary, RES Department, Government of Uttar Pradesh, Lucknow.
4. The Principal Secretary, RES Department, Government of Uttarakhand, Dehradun.

7/7/2011

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