

F.No.11/2/3021-CS.II(B) Part-I
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

Lok Nayak Bhawan, New Delhi,
Dated the 21st October, 2022.

ORDER

The Central Secretariat Service Section Officers' Grade (Limited Departmental Competitive Examination) Regulations, 2010 provide that for being eligible to appear in the Section Officers' Grade (Limited Departmental Competitive Examination), an officer of the Assistants' Grade of the Central Secretariat Service (CSS) or of Personal Assistants' Grade (Stenographer Grade 'C') of the Central Secretariat Stenographers Service (CSSS) possessing a Bachelor's Degree of a recognised university or equivalent shall inter-alia, satisfy the following condition on the crucial date:

"He shall have rendered not less than five years' approved service and shall also have, earned at least four Annual Performance Appraisal Reports in the Assistants' Grade of the Central Secretariat Service or Personal Assistants' Grade of Central Secretariat Stenographers Service."

2. As per the above Regulations, the DR ASOs upto select list 2012 and Seniority quota ASO upto 2013, who have 5 years approved service and possess atleast 4 APARs are eligible to appear the SO LDCE 2018. However, due to the inter-se seniority litigations in the SSA SL of 2003 pending before the Hon'ble Delhi High Court in W.P.(C)No.8616/2019 (UoI Vs Sugam Arora & Ors) and W.P. No.8454/2019 (UoI Vs Uttam Dey Sarkar and Ors)} the SL of ASOs for 2013 under seniority quota has not been finalised. Some of these SSAs of 2003 (extended list) shall be included in the ASO SL for 2013 under seniority quota after the outcome of the above WPs.

3. As a result, the SO LDCE for 2018 is on hold and the Department is unable to fill up the vacancies in Section Officer grade earmarked under LDCE quota and this is affecting the Govt. functioning. Delay in conducting the examination is also affecting the morale of the eligible DR ASOs of 2012 batch and ASOs (SQ) of 2013.

4. The WPs in the matter of inter-se seniority of SSA of 2003 (extended list) are likely to be taken up in the Delhi High Court for their final decision soon. In order to expedite the process of filling up the vacancies of SO under LDCE quota, it has been decided in consultation with the UPSC to relax the following provisions stipulated in CSS SO's Grade (LDCE) Regulations, 2010 under the powers conferred in Rule 23 of the Central Secretariat Service Rules, 2009 and the Central Secretariat Service (Amendment) Rules, 2022 to all the SSAs of 2003 (extended list) as a onetime relaxation not to be treated as a precedent to appear in SO/PS LDCE, 2018, subject to submission of an undertaking as per the Annexure to this Order:

- (a) The provision of 5 years' of approved service in the ASO grade.
- (b) The provision of availability of minimum 4 APARs/ACRs in the grade of ASO. From the required 4 APARs/ACRs, available APARs/ACRs in the grade of ASO and remaining APARs/ACRs from SSA Grade (the APARs upto the year 2017-18) shall be considered for the SO/PS LDCE, 2018.

5. The aforesaid relaxation shall further be subject to the following conditions-

- (i) That appearing in the examination shall not confer any right on the candidate to consider his / her eligibility / selection in the examination till finalization of Common Seniority List of SSA Grade for SL-2003(Extended) and subsequently the Select List of ASO Grade for 2013 onwards based on the final decision on the pending WPs and also on any other court case filed subsequently after final disposal of the WP by Delhi High Court.



- (ii) That final results of the examination(s) conducted by UPSC shall be declared subject to determination of final eligibility to appear in the examination after finalization of the Select List of ASOs for 2013, which will be finalized after the outcome of the decision on the pending WPs.
- (iii) That after the final outcome on the pending WPs, the Select List of ASO Grade for 2013 under seniority quota will be prepared and accordingly the officials who would have figured in the ASO SL-2013 and qualified SO/PS LDCE for 2018, their selection would be considered as valid.
- (iv) That the declaration of the results of the SO/PS LDCE for 2018 are also subject to final outcome of the SLP No. 30621/2011 and 31288/2017 pending before the Hon'ble Supreme Court of India regarding 'reservation in promotion' and 'own merit case'.

6. This has the approval of competent authority in DoPT and concurrence of the UPSC.


(P. Bairagi Sahu)

Deputy Secretary to Government of India

To

All Cadre Units of CSS

Copy to:

Union Public Service Commission, [Kind attn.: Shri Mehboob Reza, US]

Dholpur House, Shahjahan Road, New Delhi, 1100069.-w.r.t their letter letter 11/25(2) –AP.1 (STF) dated 12.10.2022.

UNDERTAKING

This is to certify that I, Shri/Mrs/Ms. _____ working in Ministry/ Department of _____ and my name figures in the SSA Grade at S. No. _____ of the Select List Year 2003 and 2003 (Extended) notified by Dept. of Personnel and Training vide O.M. No. 20/53/2008 CS.II(B) Vol.II dated 16.12.2011 and O.M. No. 12/5/2015-CS.II dated 02.11.2015. I understand that the issue of seniority of SSAs of 2003 (extended) is under challenge in WP Nos. 8616/2019 and 8454/2019 in the Hon'ble High Court of Delhi, where the Hon'ble Delhi High Court has directed to maintain status quo as granted by the Ld. CAT regarding non-alteration of the position of the petitioners as on date (23.12.2015). As per the above direction, the position of the SSAs belonging to SL- 2003 (Extended) notified on 02.11.2015 is required to be maintained as on 23.12.2015. As the Hon'ble High Court of Delhi has not yet delivered its final judgement on the issue raised by the applicants in OA No. 4700/2015 and 639/2016, preparation of Select List of ASO Grade for 2013 onwards are pending.

2. I do understand that pending finalisation of Select List of ASOs for 2013 onwards, the SO/Steno Limited Departmental Competition Examination for 2018 onwards has been held up. I do further understand that consequent upon representation from a large number of ASOs including those working as ad-hoc ASOs after promotion from SSA grade, the Government despite the above-mentioned litigations, has decided to conduct the LDCE for SO for 2018 by allowing all the SSAs belonging to Select List 2003 and Select List 2003 (Extended) to appear the SO/PS LDCE for 2018 purely on provisional basis subject to the following conditions:

(i) That appearing in the examination shall not confer any right on the candidate to consider his/her eligibility/selection in the examination till finalisation of Common Seniority List of SSA Grade for SL-2003 (Extended) and subsequently the Select Lists of ASO Grade for 2013 onwards based on the final decision on the WPs mentioned on para-1 above and also on any other court case filed subsequently after final disposal of the WP by Delhi High Court

(ii) That final results of the examination(s) conducted by UPSC shall be declared subject to determination of final eligibility to appear in the examination after finalisation of the Select List of ASOs for 2013, which will be finalised after the outcome of the decision on the above WPs.

(iii) That after the final outcome on the above-mentioned WPs, the Select List of ASO Grade for 2013 under seniority quota will be prepared and accordingly the officials who would have figured in the ASO SL-2013 and qualified SO/PS LDCE for 2018, their selection would be considered as valid.

(iv) That the declaration of the results of the SO/PS LDCE for 2018 are also subject to final outcome of the SLP Nos. 30621/2011 and 31288/2017 pending before the Hon'ble Supreme Court of India regarding "reservation in promotion" and "own merit issue".

3. Having gone the above facts and understanding the conditions under which I am being allowed to appear the SO/PS LDCE for 2018, I do hereby agree that my candidature for the SO LDCE 2018 is purely provisional and undertake to abide by all the above conditions.



(Signature)

Name (in block letter) _____
Designation _____
Min./Dept. _____
Mob No. _____