

F. No. 19/01/2022-CS.I(P)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

Lok Nayak Bhawan, New Delhi –110003
Dated the 11th November, 2022

Order

Whereas, few CSS officers [co-applicants in O.A. No. 2464/2022 filed before CAT (PB)] submitted representations for inclusion of the vacancies that arose from creation of posts in the 3rd Cadre Restructuring of CSS (CRC) to the Select List year 2017 instead of 2018.

And Whereas, the Hon'ble CAT (PB) vide its order dated 7.9.2022 in the said OA directed this Department to dispose of the representations dated 8.8.2022 of the applicants within a period of 4 weeks.

And Whereas, on examination it is observed that the concerned officers in their representations have *inter-alia*, submitted the following:

- i. Vacancies of 3rd Cadre Restructuring of CSS wrongly included in SL 2018 instead of SL 2017.
- ii. 463 posts of SO grade created on account of 3rd Cadre Restructuring be implemented from SL 2017 instead of SL 2018 and accordingly 232 additional posts be included in SO LDCE 2017.
- iii. Revise the vacancy communicated to UPSC for SO LDCE 2016 & 2017 after undertaking review in all grades.
- iv. Request UPSC to hold the declaration of result till DoPT sends the revised vacancies.

And Whereas, in pursuance to the recommendations of the 3rd CRC Report and in terms of this Department's OM No.19/3/2013-CS.I(P)(Vol.II) dated 11.09.2017, all Cadre Units of CSS were requested to send their requirements of the posts in the grades of DS/US/SO by 3rd October, 2017.

And Whereas, it was further stated that the proposal received from various Ministries/Departments in the matter would be examined by a Committee comprising of Joint Secretaries of DOPT and Department of Expenditure. Based on which further action would be taken by this Department for the operationalization/allocation of posts among the Cadre Units.

And Whereas, on receipt of the said proposals from Ministries/Departments and their consequent examination by the said Committee, allocation of posts to various Care Units in CSS was undertaken with the approval of the Competent Authority vide OM No.19/01/2018-CS. I(P) dated 13.09.2018.

And Whereas, para 4 of the OM dated 13.09.2018, further states as under:

"The operationalisation of these posts would come into effect from 11.9.2018. The vacancies arising out of creation of these posts, in the grade of DS/US and SO will be included in the Select List-2018. The posts would be filled up as per CSS Rules, 2009 and Regulations framed thereunder."

And Whereas, in compliance to the said instructions and with the approval of the Competent Authority, these additional posts have been accounted for in Select List 2018 in the various grades of CSS and promotions have since been made against them in terms of CSS Rules, 2009 and Regulations. Hence, there is no justification for inclusion of the additional created posts in the Select List 2017.

And Whereas, since the additional created posts were to be filled from SL 2018, the question of diverting the SO vacancies/ the additional created posts to Select List year 2017 does not arise.

And Whereas, the final results of SO LDCE 2016 & 2017 have since been declared by the UPSC and successful candidates have also since been promoted in the SO grade.

Now, therefore, in light of the above facts, the demand of the officers for inclusion of the vacancies arising from 3rd CRC in 2017 and consequent revision of vacancies for SO LDCE 2016 & 2017 is devoid of any merit and accordingly, the representations of the applicants stands disposed of.


(George D. Toppo)

Under Secretary to the Government of India

To,

Sh. Dipak Kumar Mahta & Other applicants in O.A No. No.2464/2022 (through DoPT's website).