

No. 14014/03/2004-AIS-I  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block, New Delhi  
Date 15.02.2018

**ORDER**

Whereas, this Department in the wake of Hon'ble High Court of Punjab and Haryana order dated 01.02.2010 in CWP No.15798/2009 in the case of Praveen Kumar, an State Civil Service officer of Punjab cadre Vs Union of India and as confirmed by Hon'ble Supreme Court, issued notification dated 18.4.2012 for making amendment in the respective seniority regulations for IAS/IPS/IFoS. These amendments were however made applicable to the Select Lists prepared as per the ratio laid down in the case of Praveen Kumar and accordingly, seniority/year of allotment of the officers included in the said Select Lists were determined as per the amended seniority regulations.

2. And whereas, consequent upon dismissal of SLP No.4930-4931 of 2016 and Review Petition No. 001428 -001429/2017 filed by DoPT in the case of F.R. Jamadar and other connected court cases filed by the Ministry of Home Affairs viz. CA No 4419 of 2016 –UOI Vs Kailash Chandra Agarwal & Ors, CA No.8199 of 2016 –UOI Vs Arvind Kumar Sharda & Ors, CA No.8200 of 2016 –UOI Vs Keval Krishna Indoria & Ors, CA No.1396 of 2016 –UOI Vs R.A. Sanjeev and WP (C) No. 301 of 2016 -N.K.S. Chauhan Vs UOI, this Department vide OM No. No.14014/14/2014-AIS-I dated 21.8.2017 has decided to apply the amended seniority regulations prospectively i.e. w.e.f. 18.04.2012.

3. And whereas, this Department vide OM No.14014/14/2014-AIS-I dated 03.11.2017 has decided that Seniority/year of allotment of officer appointed after 18.4.2012 against the vacancies arisen between 1.2.2010 to 18.4.2012 may be fixed as per pre-amended seniority rules throughout the Cadres.

4. And whereas, further, this Department vide OM No.14014/14/2014-AIS-I dated 22.01.2018 has also decided to count the service of the officer rendered in the rank of Deputy Collector or equivalent upto the 31st December of the vacancy year against which he has been appointed to the IAS.

5. And therefore, the seniority /year of allotment of officers appointed by promotion to IAS Sikkim Cadre from Select List 2008-A, 2009 and 2010 notified during the period from 1.2.2010 to 18.4.2012/ prepared against the vacancies arisen during the said period have been reviewed and re-determined by applying pre-amended seniority rule 3 (3)(ii) of IAS (Regulation of Seniority) Rules, 1987 read with clarification dated 21.08.2017, 03.11.2017 and 22.01.2018 as under:

Weightage Formula as per pre-amended Seniority Rules is as under:-

Completed years of qualifying service	Weightage in years
12	4
15	5
18	6
21	7
23	8
25	9
27	10(Maximum)

6.

**Select List-2008-A**

**(Prepared against vacancies arisen between 1.1.2008 to 31.12.2008)**

Sl. No.	Name of the Officer (S/Shri)	Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 <sup>st</sup> December of the year for which the meeting of the committee to make selection was held to prepare the Select List on the basis of which the said officer(s) were appointed to IAS (Fractions if any, are to be ignored) i.e. 31.12.2008.	Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time, till date.	Year of allotment entitled	Name, year of SL and YOA of the officer in PQ (SCS); immediately senior to the one whose name is in column no. 02.	Year of Allotment assigned
1	2	3	4	5	6	7	8
1.	Tenzing Gelek	27.09.1977	31	10	1998	Shri A.K. Chettri, allotted 1998 batch on the basis of SL of 2008.	1998
2.	D.P. Sharma #	18.10.1979	29	10	1998	As at Sl. No.1 in Col.2	1998
3.	P.R. Poudyal #	01.02.1979	29	10	1998	As at Sl. No.2 in Col2	1998

# Since, retired.

6.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose names has been mentioned at Sl. No. 1 to 3 of the select list of 2008-A shall be placed below Shri A.K. Chettri, allotted, the junior most promotee IAS officer of 1998 batch of Sikkim cadre.

## Select List-2009

(Prepared against vacancies arisen between 1.1.2009 to 31.12.2009)

Sl. No.	Name of the Officer (S/Shri)	Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 <sup>st</sup> December of the year for which the meeting of the committee to make selection was held to prepare the Select List on the basis of which the said officer(s) were appointed to IAS (Fractions if any, are to be ignorec) i.e. 31.12.2009.	Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time, till date.	Year of allotment entitled	Name, year of SL and YOA of the officer in PQ (SCS), immediately senior to the one whose name is in column no. 02.	Year of Allotment assigned
	2	3	4	5	6	7	8
1.	P.T.Euthenpa #	25.11.1979	30	10	1999	Shri P.R. Poudyal allotted 1998 batch on the basis of SL of 2008-A.	1999

**# Since, retired.**

7.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officer whose name has been mentioned at Sl. No. 1 of the Select List of 2009 shall be placed in 1999 batch of Sikkim cadre.

8.

**Select List of 2010**  
(Prepared against vacancies arisen between 1.1.2010 to 31.12.2010)

Sl. No.	Name of the Officer (S/Shri)	Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 <sup>st</sup> December of the year for which the meeting of the committee to make selection was held to prepare the Select List on the basis of which the said officer(s) were appointed to IAS (Fractions if any, are to be ignored) i.e. 31.12.2010.	Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time, till date.	Year of allotment entitled	Name, year of SL and YOA of the officer in PQ (SCS), immediately senior to the one whose name is in column no. 02.	Year of Allotment assigned
1	2	3	4	5	6	7	8
1.	C.T. Wangdi #	01.05.1980	29	10	2000	Shri P.T. Euthenpa allotted 1999 batch on the basis of SL of 2009.	2000

# Since, retired.

8.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officer whose name has been mentioned at Sl. No. 1 of the select list of 2010 shall be placed below Shri Shri D. Anandan, the only RR IAS officer of 2000 batch of Sikkim cadre.

9. This issues with the approval of Secretary (P) in supersession of this Department's orders of even number dated 22.03.2013 and 17.07.2013 and is subject to outcome of any court case pending in any court of law.

Ordered accordingly.



(Udai Bhan Singh)  
Under Secretary to the Government of India  
Tel:23094142

**Copy to:-**

1. The Chief Secretary, Government of Sikkim, Gangtok for onward transmission to the officer concerned. It is also requested that necessary steps may be taken to withdraw all the cases, if any, on the similar issue pending in any court of law.
2. The Accountant General, Government of Sikkim, Gangtok.
3. US (S-II)/US(AIS -III))
4. EO (PR)/RO (CM)
- ✓ 5. NIC, for uploading on DOPT's website.