

No.14014/12/2006-AIS-I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated 1st February, 2018

ORDER

And 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 whereas, the seniority /year of allotment of officers appointed by promotion to IAS of Gujarat cadre from Select List 2009-A, 2010 and 2011 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 regulations Rules. 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-2009-A

(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 st 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. 31.12.2009.	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
1	2	3	4	5	6	7	8
1.	S.K. Pandya #	05.09.1985	24	8	2001	Shri J.B. Babaria allotted 2002 batch on the basis of SL of 2009.	2002 *
2	B.J. Bhatt #	06.09.1985	24	8	2001	As at Sr. No. 1 in col.2	2002 *
3	C.P. Patel #	15.10.1985	24	8	2001	As at Sr. No. 2 in col.2	2002 *
4.	J.C. Chudasama #	17.10.1986	23	8	2001	As at Sr. No. 3 in col.2	2002 *

Since retired /deceased.

* Seniority/year of allotment of officers mentioned at Sl. No. 1 to 4 in the Select List of 2009-A has been restricted under provisions of the rule 3(3)(ii) of IAS(Regulation of Seniority) Rules, 1987 which provide that an officer shall not be assigned year of allotment earlier than year of allotment assigned to other officer senior to him in that Select List or appointed on the basis of earlier Select List.

6.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name have been mentioned at Sl. 1 to 4 of the select list of 2009-A shall be placed below Shri J.B. Babaria, the junior most RR IAS officer of 2002 batch (SL-2009) and above Shri Avantika Singh Aulakh, senior most RR IAS officer of 2003 batch of Gujarat cadre.

7.

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

1	2	3	4	5	6	7	8
Sl. No.	Name of the Officer (S/Shri)	Date from which holding continuous service in SCS not below the rank of Deputy Collector.	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 st 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.	B.K. Thacker #	20.10.1986	24	8	2002	Shri J.C. Chudasama allotted 2002 batch on the basis of Select List of 2009-A	2002
2	J.K. Astik #	04.11.1986	24	8	2002	As at Sr. No. 1 in col.2	2002
3.	S.L. Amrani	26.12.1989	21	7	2003	As at Sr. No. 2 in col.2	2003
4	M.M. Kotwal	26.12.1989	21	7	2003	As at Sr. No. 3 in col.2	2003
5.	M.S. Patel	26.12.1989	21	7	2003	As at Sr. No. 4 in col.2	2003
6	B.C. Patni #	26.12.1989	21	7	2003	As at Sr. No. 5 in col.2	2003
7.	L.P. Padalia	26.12.1989	21	7	2003	As at Sr. No. 6 in col.2	2003
8.	K.D. Chandani	14.09.1990	20	6	2004	As at Sr. No. 7 in col.2	2004

Since retired /deceased.

7.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name have been mentioned at Sl. 1 and 2 of the select list of 2010 shall be placed below Shri J.C. Chudasama, the junior most promotee IAS officer of 2002 batch (SL-2009-A) and above Smt. Avantika Singh Aulakh, junior most RR IAS officer of 2003 batch of Gujarat cadre.

7.2 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name have been mentioned at Sl. 3 to 7 of the select list of 2010 shall be placed below Shri Pravinbhai K. Solanki, the junior most RR IAS officer of 2003 batch and above Shri Rahul Babulalbhai Gupta, senior most RR IAS officer of 2004 batch of Gujarat cadre.

7.3 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officer whose name have been mentioned at Sl. 8 of the select list of 2010 shall be placed below Shri Shri Raj Kumar Beniwal, the junior most RR IAS officer of 2004 batch and above Shri M.A. Gandhi, junior most promotee IAS officer of 2004 batch (Non-SCS category) of Gujarat cadre.

8.

Select List - 2011

(Prepared against vacancies arisen between 1.1.2011 to 31.12.2011)

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 State Civil Service or equivalent till 31 st 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 officers were appointed to IAS (Fractions if any, are to be ignored) i.e. on 31.12.2011	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 sen or to the one whose name is in column no. 02.	Year of Allotment assigned
1	2	3	4	5	6	7	
1.	K.D. Kapadia	20.10.1989	22	7	2004	Shri K.D. Chandani allotted 2004 batch on the basis of Sl of 2010.	2004
2	K.M. Bhimjiyani	26.12.1989	22	7	2004	As at Sr. No. 1 in col.2	2004
3.	M.J. Thakkar	27.12.1989	22	7	2004	As at Sr. No. 2 in col.2	2004
4.	V.N. Desai	26.12.1989	22	7	2004	As at Sr No. 3 in Col. 2	2004
5.	R.J. Mankadia	26.12.1989	22	7	2004	As at Sr No. 4 in Col. 2	2004
6.	D.G. Patel	26.12.1989	22	7	2004	As at Sr No. 5 in Col. 2	2004
7.	G.C. Brahmhatt	26.12.1989	22	7	2004	As at Sr No. 6 in Col. 2	2004
8.	S.M. Patel	26.12.1989	22	7	2004	As at Sr No. 7 in Col. 2	2004
9.	R.G. Bhalara	26.12.1989	22	7	2004	As at Sr No. 8 in Col. 2	2004
10	R.G. Trivedi	26.12.1989	22	7	2004	As at Sr No. 9 in Col. 2	2004

8.1. As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name have been mentioned at Sl. 1 to 10 of the select list of 2011 shall be placed below Shri K.D. Chandani, the junior most promotee IAS officer of 2004 batch(SL- 2010) and Shri M.A. Gandhi, junior most promotee IAS officer of 2004 batch(Non-SCS category) of Gujarat cadre.

9. This will supersede this Department's order of even number dated 27.2.2013 and 27.5.2013.

10. This issues with the approval of Secretary (P) and is subject to outcome of any court case pending in any court of law.



(Udai Bhan Singh)

Under Secretary to the Government of India

Tel:23094142

Copy to:-

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