

No.14014/9/2001-AIS (I)(part)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block, New Delhi  
Dated the 6<sup>th</sup> February 2013

The Government of Assam vide their letter no AAP.105/2004/333 dated 20<sup>th</sup> December, 2012 has sent a proposal for fixation of seniority/year of allotment in IAS of Md. Nurul Haque, a promotee IAS officer of Assam, who has already retired from service in 2004.

2. The Selection Committee which met on 9.4.2001 for selection of SCS officer for inclusion of their names in the select list of 1998, 99, 2000 and 2001 had inter-alia included the name of Md Nurul Haque at Sl No. 05 of Select List of 2000 subject to his clearance in disciplinary proceedings pending against him. Since the name of Md Nurul Haque was provisionally included in the said select list he could not be appointed to IAS. Whereas, the officers whose names were unconditionally included in the said select list were appointed to IAS vide notification dated 28.6.2001.

3. Aggrieved by non appointment to IAS Mr Haque had filed OA No. 156/2004, which was allowed by Hon'ble CAT Guwahati Bench vide order dated 9.5.2006. Against the order of the Tribunal, the Government of Assam filed WP(C) No. 4812/2006 before the Hon'ble High Court of Guwahati. Hon'ble High Court vide order dated 8.1.2010 upheld the order of the Hon'ble Tribunal. In pursuance of directions of Hon'ble Tribunal as upheld by Hon'ble High Court, the Government of Assam sent a proposal to UPSC for declaring the inclusion of the name of Mr Haque in the select list of 2000 as unconditional and final. Thereafter, UPSC declared inclusion of Mr Haque in the said select list as unconditional and final. In pursuance of advice of UPSC this Department vide order dated 12.9.2011 appointed Mr Haque notionally to IAS from the date on which, his immediate junior in SCS viz. Shri Seikholien Thadou was appointed vide notification dated 28.6.2001 with all consequential benefits in terms of refixation of pay, gratuity pension etc.

4. In the above background, the year of allotment of Mr Haque in IAS, who has already retired from service on 29.2.2004 is required to be fixed. The year of allotment on the basis of data provided by the State Government has been included under Rule 3(3)(ii) IAS (Regulation of Seniority) Rules, 1987 as amended and other relevant rules as under:-

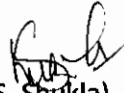


**SCS (Select List-2000)**

Sl.No.	Name of the Officer (S/Shri/Smt)	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 Dy. Collector in SCS or equivalent till 31 <sup>st</sup> December of the year immediately prior to the one 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. 31.12.1999.	Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time.	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.	Md. Nurul Haque	30.4.1977	22	7	1993	Md Allauddin allotted 1993 on the basis of select list of 2000	1993

5. In view of above, Md Haque may be allocated 1993 batch below Md Allauddin, promotee IAS officer of 1993 batch and above Shri Seikholien Thadou, a promotee IAS officer of 1993 batch of Assam segment of Assam-Meghalaya Joint cadre appointed on the basis of select list of 2000.


6. The order may be conveyed to the concerned officers.

  
(S.S. Shukla)

Under Secretary to the Government of India

**Copy to:-**

1. The Chief Secretary, Government of Assam, Guwahati with 1 spare copy for onward transmission to the officer concerned.
2. The Accountant General, Assam
3. US(S-I)/AIS (III)/EO (PR)/RO (CM) / Guard File.
4. ✓ NIC, for uploading on Ministry's website.

  
(S.S. Shukla)

Under Secretary to the Government of India