

No. 14015/12/2011-AIS (I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, 4th April, 2013.

ORDER

WHEREAS, inter-alia the name of Shri B Mohanan, a member of the State Civil Service of Kerala was included at Sl. No. 2 in the Select List of 2009 approved by the Union Public Service Commission on 07.02.2013 for promotion to Kerala cadre of IAS;

AND WHEREAS, this Department notified the Select List of SCS officers of Kerala for the year 2009 and 2010 vide Notification No. 14015/12/2011-AIS (I)-A dated 04.03.2013 and No. 14015/12/2011-AIS (I)-B dated 04.03.2013;

AND WHEREAS, while considering the appointment of SCS officers included in the aforesaid Select Lists to Kerala cadre of IAS, it was observed that Shri B. Mohanan (Date of Birth: 10.04.1955) after attaining the age of superannuation, i.e. 56 years had already retired from the State Civil Service;

AND WHEREAS, it was observed that in terms of Regulation 9(1) of IAS (Appointment by Promotion) Regulations, 1955 only a member of the State Civil Service could be appointed to IAS;

AND WHEREAS, it was observed that Shri B Mohanan who had since retired from the State Civil Service on the date of notification had ceased to be a member of the SCS;

AND WHEREAS, in view of the above rule position appointment of Shri B Mohanan to IAS was not notified;

AND WHEREAS, aggrieved by non appointment to IAS on the basis of inclusion of his name in the Select List of 2009 Shri B Mohanan filed O.A. No.264/2013 before the Hon'ble Bench of CAT at Ernakulam;

AND WHEREAS, the Hon'ble Tribunal vide their order dated 27.03.2013 in O.A. No. 264/2013 have directed as under: -

“Let counsel for the respondent 1 get instructions in respect of the reason for omission of the name of the applicant. If the reason is on account of the applicant's retirement, the same shall not hold good in view of the observation already made vide para 4 of the order dated 22.03.2011. Priority

shall be given to this case as the validity of the said select list is expiring within 60 days, which in this case is on 06.04.2013. Liberty is given to the applicant to communicate a copy of the order to the concerned authorities."

NOW THEREFORE, in pursuance of the aforementioned directions dated 27.3.2013 of the Hon'ble CAT, Ernakulam Bench in O.A. No. 264/2013 and in exercise of powers conferred by sub rule (1) of Rule 8 of the IAS (Recruitment) Rules, 1954 read with sub regulation (1) of the Regulation 9 of the IAS (Appointment by Promotion) Regulations, 1955, the President is pleased to appoint Shri B Mohanan to Kerala cadre of IAS w.e.f. 04.3.2013, i.e. the date on which other SCS officer included in the select list of 2009 was appointed to IAS.

(By order and in the name of the President).



(Narendra Gautam)

Under Secretary to the Government of India

- ✓ 1. The Chief Secretary, Govt. of Kerala, Thiruvananthapuram.
2. Sh. B. Mohanan, through Chief Secretary, Govt. of Kerala, Thiruvananthapuram.
3. The Secretary, Union Public Service Commission, Dholpur House, New Delhi (Kind Attn. : Ms. Rashmi Sinha, Deputy Secretary).

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