

No. 14015/22/2012-AIS(I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi 28th July, 2015

ORDER

Whereas, Shri Gaya Prasad, a State Civil Service officer of Uttar Pradesh was appointed by promotion to the Indian Administrative Service vide this department's Notification No. 14015/22/2014-AIS.I(B) dated 13.08.2014 from the Select List of 2013;

And whereas, on the basis of his appointment from the Select List of 2013, Shri Gaya Prasad was assigned 2006 as his year of allotment in IAS;

And whereas, Sh. Gaya Prasad had filed OA No. 647 / 2013 before the CAT, Allahabad Bench with the contention that as the adverse remarks against him had since been expunged by State Govt. vide its order dated 04.12.2012, he should be appointed to IAS from the Select List of 2010;

And whereas, the factual position was that the name of Shri Gaya Prasad was included in the Select List of 2010, provisionally subject to expunction of adverse remarks. As his name remained provisional during the validity period of the said Select List of 2010, Shri Gaya Prasad could not be appointed therefrom.

And whereas, the Hon'ble Tribunal vide its order dated 14.05.2015 allowed the above OA. The operative portion of the order is as under:

" According to the above facts and circumstances of the case, we are of the view that the applicant cannot suffer for the fault of the Respondent No. 3. Accordingly, the OA is allowed. The applicant is entitled to the benefit of recommendation by the Select Committee for inclusion in IAS Cadre from the select panel for the year 2010. Respondent No. 2 is accordingly directed to declare the name of applicant unconditional from conditional in the Select List of 2010 within a period of two months from the date of receipt of this order. However, if necessary, a fresh Selection Committee or a Review DPC shall be constituted and convened. The applicant is also entitled for all the consequential benefits had he been given promotion as per Selection List of year 2010. No cost. "

And whereas, in compliance with the above order, the State Government, vide their letter dated 03.07.2015 recommended to Union Public Service Commission that the name of Sh. Gaya Prasad be made unconditional from the Select List of 2010 and that he be appointed therefore;

Contd./-



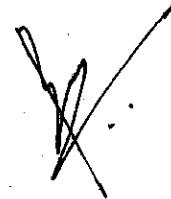
And whereas, Union Public Service Commission, has also complied with the above mentioned order and declared the name of Sh. Gaya Prasad as unconditional from the Select List of 2010 vide its letter dated 21.07.2015;

And whereas, Shri Gaya Prasad has thus become entitled for appointment to IAS from the Select List of 2010 instead of the Select List of 2013 and fixation of his seniority / year of allotment in IAS on that basis;

And whereas, in the Select List of 2010, the name of Shri Gaya Prasad was included at Sl. No. 31 above Smt. Damyanti Dohre and below Smt. Sharada Singh

Now therefore, in pursuance of directions of Hon'ble CAT, Allahabad Bench contained in its order dated 14.05.2015 in OA No. 647/2013 Sh. Gaya Prasad (D.O.B. 01.10.1959) shall be deemed to have been appointed to IAS Cadre of Uttar Pradesh from the Select List of 2010 w.e.f. 27.07.2012 viz the date from which his immediate junior in the Select List Smt. Damyanti Dohre was appointed to IAS. His name shall now accordingly be inserted at Sl. No. 25A in this department's Notification No. 14015/22/2012-AIS(I)B dated 27.11.2012. Consequently Shri Gaya Prasad would be entitled year of allotment as 2002 and will be placed below Smt. Sharada Singh(SCS:2002) and above Smt. Damyanti Dohre(SCS:2002) in the gradation list of IAS officers of the Cadre of Uttar Pradesh.

(By order and in the name of the President)



(Pankaj Gangwar)

Under Secretary to the Government of India

Copy to:

1. The Chief Secretary, Government of Uttar Pradesh, Lucknow [Kind Attn. Sh. Sanjay Kumar Singh Yadav, Spl Secretary,]. A copy of the above order may please be communicated to the officer concerned.
2. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi (Kind Attn. Sh. Shailendra Singh, Joint Secretary).

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