

F.No. 22012/81/2015-AIS-I  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel and Training  
\*\*\*

New Delhi dated the, 19<sup>th</sup> May, 2016

**ORDER**

WHEREAS, inter-alia the name of Sh. S. Narasimhaiah, an erstwhile member of the State Civil Service of Karnataka was included at Sl. No. 3A in the Review Select List of 2007 approved by the Union Public Service Commission on 20.09.2013 for promotion to IAS Cadre of Karnataka.;

AND WHEREAS, while considering the appointment of Sh. S. Narasimhaiah to IAS cadre of Karnataka from the Review Select List of 2007 it was observed that Sh. S. Narasimhaiah ( Date of Birth: 22.05.1952) after attaining the age of superannuation, i.e. 60 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 Sh. S. Narasimhaiah, who had since retired from the State Civil Service on the date of notification he had ceased to be a member of the SCS;

WHEREAS, in view of the above rule position appointment of Sh. S. Narasimhaiah, to IAS could not be notified and his representation rejected accordingly vide this department's letter No. 14015/46/2012-AIS.I (I) dated 26.12.2013;

AND WHEREAS, aggrieved by rejection of his representation Sh. S. Narasimhaiah had filed OA No. 1085 / 2014 before Hon'ble CAT, Bangalore Bench . The Hon'ble Tribunal vide its order dated 19.01.2016 has directed as under: \_

**“Keeping in view of the aforesaid facts, we are of the view that it will completely unreasonable and unfair to deny the applicant his promotion from the Karnataka Administrative Service to the India Administrative Service in select list 2007 as the lapses are not on account of the applicant but on account of the respondents themselves. Therefore, we hold that the communication dated 26.12.2013 rejecting the promotion to the applicant to IAS cannot be sustained and is therefore set aside. We also hold that the applicant is entitled to be considered for promotion to the Indian**

Contd.../-



**Administrative Service with effect from the date when his juniors were promoted. It is further made clear that the applicant shall be entitled to only notional benefit till his date of superannuation for the purpose of fixation of pension etc. Consequential monetary benefits that will arise from reviewing of his pensionary benefits that will arise from reviewing of his pensionary benefits shall be paid to him.”**

NOW THEREFORE, in pursuance of directions of Hon'ble Tribunal contained in its order dated 19.01.2016 in OA No. 1085/2014, S. Narasimhaiah (D.O.B. 22.05.1952) will be deemed to have been appointed to IAS Cadre of Karnataka with all consequential benefits on the basis of inclusion of his name in the Revised Select List of 2007 not later than his immediate junior viz. Sh. S. Puttaswamy appointed to IAS on the basis of the same Review Select List of 2007.

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



(Pankaj Gangwar)

Under Secretary to the Govt. of India  
Tele No. 23093063

1. The Chief Secretary, Govt. of Karnataka, Bangalore.
2. Sh. S. Narasimhaiah, through Chief Secretary, Govt. of Karnataka, Bangalore.
3. The Secretary, Union Public Service Commission, Dholpur House, New Delhi (Kind Atm. : Sh. S.P. Singh, Deputy Secretary).

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