

F. No.14014/08/2006-AIS-I
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated 30.08.2017

ORDER

Whereas, this Department in the wake of Hon'ble High Court of Punjab and Haryana order dated 1.2.2010 in CWP No.15798/2009 in the case of Praveen Kumar, an State Civil Service officer of Punjab cadre Vs Union of India 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. Whereas, consequent upon dismissal of SLP No.4930-4931 of 2016 and Review Petition No. 001428 -001429/2017 filed by this Department 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, it has now been decided to apply the amended seniority regulations prospectively i.e. w.e.f. 18.04.2012. Accordingly, seniority/year of allotment of the officers of three All India Services (IAS, IPS and IFoS) appointed during 1.2.2010 to 18.4.2012 from the Select Lists prepared as per ratio laid down in the Praveen Kumar case would need to be re-determined as per the pre-amended Seniority Regulations. Since it will have cascading effect, seniority/year of allotment of the officers appointed by later select lists will also require to be reviewed.

3. Whereas, Select Lists 2008-A and 2010 in respect of Mizoram Segment of Joint AGMUT Cadre have been prepared during the period from 01.02.2010 to 18.04.2012 as per ratio laid down in the case of Praveen Kumar. It may be mentioned that no Select List has been prepared for the year 2009.

4. And therefore, the seniority /year of allotment of officers appointed by promotion to IAS of Mizoram Segment of AGMUT cadre from the said select lists prepared as per ratio laid down in the Praveen Kumar case has been reviewed and re-determined 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)

5.

Select List of 2008-A

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 immediately before 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. 31.12.2007.	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	V. Sapchhunga #	08.10.1985	22	7	2001	Shri Zothankhuma allotted 2001 batch on the basis of Select list of 2008.	2001
2.	Lalhmingthanga	20.01.1986	21	7	2001	As at Sr. No. 1 in col.2	2001
3.	Rodney L. Ralte	21.02.1986	21	7	2001	As at Sr No. 2 in Col. 2	2001

since retired.

5.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officer whose name has been mentioned at Sl. No. 1 to 3 of the select list of 2008-A shall be placed below Shri Zothankhuma, the junior most promotee IAS officer of Mizoram segment of Joint AGMUT cadre of 2001 batch and above Ms. Padmini Singha, the senior most RR IAS officer of 2002 batch of Joint AGMUT cadre.

(Signature)

6.

Select List of 2010

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 immediately before 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.	Baiktluanga	20.01.1986	23	8	2002	Shri Rodney Ralte allotted 2001 batch on the basis of Select list of 2008-A.	2002
2.	V. Lalremthanga	22.01.1986	23	8	2002	As at Sr No. 1 in Col. 2	2002
3.	P. Lalchhunga	17.01.1986	23	8	2002	As at Sr No. 2 in Col. 2	2002
4.	Lalthangpuia Sailo	06.08.1986	23	8	2002	As at Sr No. 3 in Col. 2	2002

6.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officer whose name has been mentioned at Sl. No. 1 to 4 of the select list of 2008-A shall be placed below Shri Vikas Anand, the junior most RR IAS officer of 2002 batch of Joint AGMUT cadre and above Shri Ankur Garg, the senior most RR IAS officer of 2003 batch of Joint AGMUT cadre.

Handwritten signature/initials

7. This issues in supersession of this Department's order of even number dated 22.04.2014.

8. This is subject to outcome of any court case pending in any court of law.

Ordered accordingly.


(Uday Bhan Singh)
Under Secretary to the Government of India
Tel:011-23094142

Copy to:-

1. The Secretary, Ministry of Home Affairs, North Block, New Delhi (Attn: Shri Dilip Kumar, Under Secretary (UTS-I) with for onward transmission to the officers 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, Mizoram, Aizawl.
3. US(S-I)/AIS (III).
4. EO (PR)/RO (CM).
- ✓ 5. NIC, with request to upload the order on the website of this Department