

NO. 14015/07/2019-AIS(I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

...

New Delhi, Dated 16th May, 2019.

ORDER

WHEREAS, in the matter of appointment by promotion to IAS, Haryana Cadre inter-alia the names of Shri Shiv Parshad and Shri Virender Singh Hooda, erstwhile State Civil Service officers of Haryana, were included at Sl. No. 09 and Sl.No. 01 in the Select lists of 2012 and 2015 respectively. .

AND WHEREAS, consequent upon approval of both these select lists by the Union Public Service Commission on 08.05.2019 this Department inter-alia notified the Select Lists of 2015 and 2015 vide notification No. 14015/07/2019-AIS.I(A) dated 08.05.2019.

AND WHEREAS this Department also notified appointments of unconditionally included officers therein and who were members of State Civil service (SCS) at that relevant point of time vide notification no. 14015/07/2019-AIS.I (B) dated 08.05.2019;

AND WHEREAS, while considering the appointment of SCS officers included in the aforesaid Select Lists to IAS cadre of Haryana, it was observed that Shri Shiv Parshad (D.O.B 11.09.1960) and Shri Virender Singh Hooda (Date of Birth: 13.02.1961), after attaining their age of superannuation, i.e. 58 years, had ceased to be members of the State Civil Service;

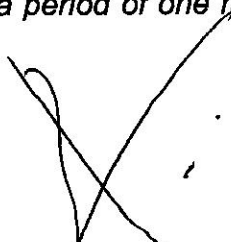
AND WHEREAS, it was observed that in terms of Regulation 9(1) of IAS (Appointment by Promotion) Regulations, 1955 only a member of the State Civil Service could be appointed to IAS;

AND WHEREAS, in view of the above rule position appointment of Shri Shiv Parshad and Shri Virender Singh Hooda to IAS could not be notified;

AND WHEREAS, aggrieved by their non appointment to IAS, Shri Shiv Parshad and Shri Virender Singh Hooda filed OA Nos 060/00490/2019 and 060/00484/2019 respectively before the Hon'ble CAT, Chandigarh Bench, at Chandigarh.

AND WHEREAS, In OA. No. 060/00484/2019, the Hon' ble Tribunal, vide its judgement dated 10.05.2019 disposed of the OA with directions as under:

"13. In view of the ad-idem between the parties, this O.A. is disposed of, at admission stage itself, with direction to respondent No. 1 (competent authority) to take a call and consider the claim of the applicant for induction into IAS, considering the judicial pronouncement relied upon by him, within a period of one month from the date of receipt of a copy of this order.



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Needless to mention that the observations made herein above may not be taken as an any opinion on the merits of the case. No costs."

AND WHEREAS, in OA. No. 060/00490/2019, the Hon' ble Tribunal, vide its judgement dated 14.05.2019 disposed of the OA with the same terms as in the case of Virender Hooda (supra), the operative part of which is reproduced as under:-

"In view of the ad-idem between the parties, this O.A. is disposed of, at admission stage itself, with direction to respondent No.1(competent authority) to take a call and consider the claim of the applicant for induction into IAS, considering the judicial pronouncement relied upon by him, within a period of one month from the date of receipt of a copy of this order.

Needless to mention that the observations made herein above may not be taken as an any opinion on the merits of the case. No costs."

NOW THEREFORE, in pursuance of directions of Hon'ble Central Administrative Tribunal, Chandigarh Bench contained in the order dated 14.05.2019 in OA.No. 060/00490/2019 and order dated 10.05.2019 in OA. No. 060/00484/2019, Shri Shiv Parshad and Shi Virender Singh Hooda will be deemed to have been appointed to IAS Cadre of Haryana on the basis of inclusion of their names in the respective Select Lists not later than their immediate juniors appointed to IAS on the basis of the same select lists as hereunder:-

Select List	Position in the Select List	Name of the Officer (S/Sh.)	Date of Birth	Name of Immediate Junior appointed to IAS
2012	Sl.No. 9.	Shiv Parshad	11.09.1960	Shri Girish Arora, (Sl.No. 10 in the select list)
2015	Sl.No. 01	Virender Singh Hooda	13.02.1961	Shri Yashendra Singh (Sl.No. 2 in the select list)

The period between their superannuation in State Civil Services and their present appointment to IAS shall deemed to be continued subject to vigilance clearance by the State Government.

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


(Pankaj Gangwar)
Under Secretary to the Government of India
Ph: 23093063

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Copy to:

1. The Chief Secretary, Govt. of Haryana, Chandigarh. The State Government is requested to take further necessary action with regard to implementation of the order of Hon'ble Tribunal expeditiously.
2. Shri Shiv Parshad through Chief Secretary, Govt. of Haryana, Chandigarh.
3. Shri Virender Singh Hooda, through Chief Secretary, Govt. of Haryana, Chandigarh.
3. The Secretary, Union Public Service Commission, Dholpur House, New Delhi (Kind Attn. : Sh. Kumar Vaibhav Gaur, Joint Secretary (AIS)).


(Pankaj Gangwar)
Under Secretary to the Government of India
Ph: 23093063

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