

F.N. 14015/34/2021-AIS(I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 25th July, 2022

ORDER

WHEREAS, in the matter of appointment by promotion from the Assam Segment to the IAS of the Joint Assam-Meghalaya Cadre inter-alia the name of Shri Gokul Ch. Sarma, an erstwhile State Civil Service officer of Assam, was included at Sl. No. 02 in the Select list of 2004, prepared by the Selection Committee in its meeting held on 23.12.2005, but provisionally, subject to clearance in the disciplinary proceedings pending against him and grant of Integrity Certificate by the State Government.

AND WHEREAS, consequent upon approval of the above mentioned select list of 2004 by the Union Public Service Commission on 15.05.2006 this Department inter-alia notified the Select List of 2004 vide notification No. 14015/03/2003-AIS.I(A) dated 13.06.2006.

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. 14015/03/2006-AIS.I (B) dated 13.06.2006;

AND WHEREAS, Appointment of Shri Gokul Ch. Sarma (D.O.B 01.03.1948) by promotion could not be notified as his name remained provisional during the validity period of 2004 Select List.

AND WHEREAS, aggrieved by his non appointment to IAS, Shri Gokul Ch. Sarma, filed an OA No. 40/74/2017 before the Hon'ble CAT, Guwahati Bench.

AND WHEREAS, in OA No. 40/74/2017, the Hon'ble Tribunal, vide its judgement dated 23.07.2021 disposed of OA No. 40/74/2017 with directions as under:

"11. Keeping in view of the above, we are of the considered view that the applicant has the right to get reviewed his claim for promotion to IAS in the Select List of 2004. Accordingly, the respondent No.2 in consultation with Assam Govt. respondent Nos.3 to 5 are directed to initiate within three months from the receipt of this order to hold review Selection Committee for review of the Select list of 2004 for promotion of the applicant to IAS cadre i.e. the date of his junior in the said list was promoted. This, however, if cleared by the Review Selection Committee shall be only for the purpose of benefits of seniority, notional fixation of pay in the appropriate scale of pay and arrears of pay or pension if any shall be restricted to the order of the Apex Court [Union of India & Ors. Vs. Tarsem Singh (2008) SSCC 648] in this regard.

12. Accordingly, communication No. 9/2/2015-AIS dated 22.07.2015 and communication No. 6/2/2015-AIS dated 02.02.2016 issued by the Under Secretary, UPSC, Dholpur House, New Delhi are hereby set aside,

13. With the above observations and directions, O.A. stands disposed of No order as to costs.

AND WHEREAS, in compliance of order dated 23.07.2021, passed by Hon'ble CAT Guwahati Bench in OA. No. 40/74/2017 filed by Shri Gokul Ch. Sarma, the Union



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Public Service Commission convened the Review Selection Committee Meeting on 25.03.2022 to re-consider the name of Shri Gokul Ch. Sarma for the Select List of 2004 for promotion to IAS of Assam segment of Assam-Meghalaya Joint Cadre.

AND WHEREAS, the Review Selection Committee observed that Shri Gokul Ch. Sarma stands exonerated from the charges framed against him, vide order dated 02.01.2006 and his integrity also stands certified by the State Government. The Review Selection Committee therefore recommended that the provisional inclusion of the name of Shri Gokul Ch. Sarma (Date of Birth: 01.03.1948) at S.No. 02 in the Select List of 2004 prepared by the SCM held on 23.12.2005 may be treated as unconditional for promotion to the IAS of Assam Segment of Assam-Meghalaya Joint Cadre.

NOW THEREFORE, in pursuance of directions of Hon'ble Central Administrative Tribunal, Guwahati contained in the order dated 23.07.2021, in OA. No. 40/74/2017 and on the basis of declaration of his name as 'unconditional' by Union Public Service Commission through Review Selection Committee held on 25.03.2022 and approved on 08.07.2022 without any modification, Shri Gokul Ch. Sarma (D.O.B 01.03.1948) will be deemed to have been notionally appointed from the Select list of 2004 to the IAS of Assam Segment of Joint Assam-Meghalaya Cadre, not later than his immediate junior Shri Sabbir Hussain (D.O.B 01.01.1955) appointed to IAS from the same select list of 2004 vide notification no 14015/03/2005-AIS(I)-B dated 13.06.2006 with consequential benefits in accordance with the directions of this Hon'ble Tribunal dated 23.07.2021.

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

(Pankaj Gangwar)

Under Secretary to the Government of India

Ph: 23093063

Copy to:

1. The Chief Secretary, Govt. of Assam, Guwahati. The State Government is requested to take further necessary action with regard to implementation of the order of Hon'ble Tribunal expeditiously.
2. Shri Gokul Ch. Sarma, through Chief Secretary, Govt. of Assam, Guwahati.
3. The Accountant General, Government of Assam, Guwahati.
4. The Secretary, Union Public Service Commission, Dholpur House, New Delhi.
5. E.O. to the Government of India, New Delhi.
6. Additional Secretary (Training), DoPT, Old JNU Campus, New Delhi

(Pankaj Gangwar)

Under Secretary to the Government of India

Ph: 23093063

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