

No.14014/03/2007-AIS-I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Date 08.02.2018

ORDER

Whereas, this Department in the wake of Hon'ble High Court of Punjab and Haryana order dated 01.02.2010 in CWP No.15798/2009 in the case of Praveen Kumar, an State Civil Service officer of Punjab cadre Vs Union of India and 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. And whereas, consequent upon dismissal of SLP No.4930-4931 of 2016 and Review Petition No. 001428 -001429/2017 filed by DoPT 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, this Department vide OM No. No.14014/14/2014-AIS-I dated 21.8.2017 has decided to apply the amended seniority regulations prospectively i.e. w.e.f. 18.04.2012.

3. And whereas, this Department vide OM No.14014/14/2014-AIS-I dated 03.11.2017 has decided that Seniority/year of allotment of officer appointed after 18.4.2012 against the vacancies arisen between 1.2.2010 to 18.4.2012 may be fixed as per pre amended seniority rules throughout the Cadres.

4. And whereas, further, this Department vide OM No.14014/14/2014-AIS-I dated 22.01.2018 has also decided to count the service of the officer rendered in the rank of Deputy Collector or equivalent upto the 31st December of the vacancy year against which he has been appointed to the IAS.

5. And therefore, the seniority /year of allotment of officers appointed by promotion to IAS of West Bengal cadre from Select List, 2009-A, 2010 and 2011 notified during the period from 1.2.2010 to 18.4.2012/ prepared against the vacancies arisen during the said period have been reviewed and re-determined by applying pre-amended seniority Rule 3 (3)(ii) of IAS (Regulation of Seniority) Rules, 1987 read with clarification dated 21.08.2017, 03.11.2017 and 22.01.2018 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)

(Signature)

6.

Select List – 2009-A
(Prepared against vacancies arisen between 1.1.2009 to 31.12.2009)

Sl.No.	Name of the Officer (S/Shri/Smt.)	Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent.	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 st December of 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.	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.	Smt.Madhumita Ray #	01.08.1981	28	10	1999	Sh. Arup Kumar Saha allotted 1999 on the basis of SL of 2009.	1999
2.	Smt.Nita Nandy #	01.08.1981	28	10	1999	As at S. No. 01 in column no.2	1999
3.	Durgadas Goswami #	01.08.1981	28	10	1999	As at S. No. 02 in column no.2	1999
4.	Souvik Sukumar Majumder #	01.08.1981	28	10	1999	As at S. No. 03 in column no.2	1999
5.	Amalesh Pathak #	01.08.1981	28	10	1999	As at S. No. 04 in column no.2	1999
6.	Pasang Norbu Bhutia	01.08.1981	28	10	1999	As at S. No. 05 in column no.2	1999
7.	Dinabandhu Bhattacharyya #	01.08.1982	27	10	1999	As at S. No. 06 in column no.2	1999

Since retired.

6.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, officers at Sl. No.1 to 7 in the Select List 2009-A shall be placed below Shri Arup Kumar Saha, junior most promotee IAS officer of 1999 batch (SL - 2009) and above Shri Santanu Basu, senior most RR IAS officer of 2000 batch of West Bengal Cadre.

7.

Select list - 2010

(Prepared against vacancies arisen between 1.1.2010 to 31.12.2010)

Sl.No.	Name of the Officer (S/Shri/Smt)	Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent.	Completed year of service rendered in the rank not below that of Deputy Collector or equivalent upto the 31 st December of 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. 31.12.2010.	Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time.	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.	Sahique Ahmed #	01.08.1982	28	10	2000	Shri Dinabandhu Battacharya allotted 1999 on the basis of Select list of 2009-A.	2000
2.	Mira Ray #	01.08.1982	28	10	2000	As at S. No. 01 in column no.2	2000
3.	Manabendra Chakravarty	04.09.1983	27	10	2000	As at S. No. 02 in column no. 2	2000
4.	Jawaid Akhtar	04.09.1983	27	10	2000	As at S. No. 03 in column no.2	2000
5.	Gouranga Gopal Sarkar #	27.09.1983	27	10	2000	As at S. No. 04 in column no.2	2000
6	Jiban Chandra Chakraborty #	04.09.1983	27	10	2000	As at S. No. 05 in column no.2	2000

7.	Arpita Basu (nee Ray Chaudhuri) #	04.09.1983	27	10	2000	As at S. No. 06 in column no.2	2000
8	Amar Nath Mallick	4.09.1983	27	10	2000	As at S. No. 07 in column no.2	2000
9	Dibakar Mukhopadhyay	04.9.1983	27	10	2000	As at S. No. 08 in column no.2	2000
10	Somenath Mukherjee #	04.09.1983	27	10	2000	As at S. No. 09 in column no.2	2000
11	Liakat Ali #	04.09.1983	27	10	2000	As at S. No. 10 in column no.2	2000
12	Debashis Bose	04.09.1983	27	10	2000	As at S. No. 11 in column no.2	2000
13	Saswati Banerjee (Pal) #	30.12.1983	27	10	2000	As at S. No. 12 in column no.2	2000
14	Mita Bandyopadhyay (nee Roy)	04.09.1983	27	10	2000	As at S. No. 13 in column no.2.	2000
15	Donbosco Lepcha	04.09.1983	27	10	2000	As at S. No. 14 in column no.2	2000
16	Piyali Sengupta	07.08.1984	26	9	2001	As at S. No. 15 in column no.2	2001
17	Manindra Nath Pradhan #	07.08.1984	26	9	2001	As at S. No. 16 in column no.2	2001
18	Sekhar Dutta	11.02.1985	25	9	2001	As at S. No. 17 in column no.2	2001

Since retired.

7.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, officers at Sl. No.1 to 15 in the Select List 2010 shall be placed below Ms. Manmeet Kaur Nanda, junior most RR IAS officer of 2000 batch and above Dr. Asvini Kumar Yadav, senior most RR IAS officer of 2001 batch of West Bengal Cadre.

(Signature)

7.2 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, officers at Sl. No. 16 to 18 in the Select List 2010 shall be placed below Shri Abhinav Chandra, junior most RR IAS officer of 2001 batch and above Ms. Smaraki Mahapatra, senior most RR IAS officer of 2002 batch of West Bengal Cadre.

8.

Select List – 2011
(Prepared against vacancies arisen between 1.1.2011 to 31.12.2011)

1 Sl. No.	2 Name of the Officer (S/Shri/Smt)	3 Date from which holding continuous service in SCS not below the rank of Deputy Collector or equivalent	4 Completed year of service rendered in the rank not below that of Dy. Collector in SCS or equivalent till 31 st December of 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 officers were appointed to IAS (Fractions if any, are to be ignored) i.e. on 31.12.2011.	5 Total weightage in years in terms of the IAS (Regulation of Seniority) Rules, 1987 as amended from time to time.	6 Year of allotment entitled	7 Name, year of SL and YOA of the officer in PQ (SCS), immediately senior to the one whose name is in column no. 02	8 Year of Allotment assigned
1	Sumit Halder #	07.08.1984	27	10	2001	Shri Sekhar Dutta allotted 2001 on the basis of SL of 2010.	2001
2	Swapan Kumar Das	07.08.1984	27	10	2001	As at S. No. 01 in column no.2	2001
3	Mriganka Sekhar Kar	07.08.1984	27	10	2001	As at S. No. 02 in column no.2	2001
4	Runu Ghosh	07.08.1984	27	10	2001	As at S. No. 03 in column no.2	2001
5	Pritish Chandra Sarkar	14.07.1985	26	9	2002	As at S. No. 04 in column no.2	2002
6	Tapan Kanti Ganguli	07.08.1984	27	10	2001	As at S. No. 05 in column no.2	2002 *
7	Nityananda Mandal	07.08.1984	27	10	2001	As at S. No. 06 in column no.2	2002 *
8	Smt. Pritha Sarkar	14.07.1985	26	9	2002	As at S.No.7 in Column No.2	2002

Since, retired.

* Seniority/year of allotment of officers mentioned at Sl. No. 6 and 7 in the Select List of 2011 has been restricted under provisions of the rule 3(3)(ii) of IAS(Regulation of Seniority) Rules, 1987 which provide that an officer shall not be assigned year of allotment earlier than year of allotment assigned to other officer senior to him in that Select List or appointed on the basis of earlier Select List.

8.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, officers at Sl. No.1 to 4 in the Select List 2011 shall be placed below Shri Sekhar Dutta, junior most promotee IAS officer of 2001 batch (SL of 2010) and above Ms. Smaraki Mahapatra, senior most RR IAS officer of 2002 batch of West Bengal Cadre.

8.2 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, officers at Sl. No.5 to 8 in the Select List 2011 shall be placed below Shri Avanindra Singh, junior most RR IAS officer of 2002 batch and above Dr. Arabinda Ghosh, senior most promotee IAS officer of 2002 batch(Non-SCS)of West Bengal Cadre.

9. This issues with the approval of Secretary (P) in supersession of this Department's order of even number dated 28.12.2012 and 10.04.2013.

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

Ordered accordingly.



(Udai Bhan Singh)

Under Secretary to the Government of India

Tel: 23094142

Copy to:-

- 1 The Chief Secretary, Government of West Bengal, Kolkata for onward transmission to the officer 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, West Bengal, Kolkata.
3. US(S-II)/US(AIS-III)
4. EO (PR)/RO (CM)
5. ✓ NIC, for uploading on the Ministry's website.