

No.14014/17/2005-AIS-1
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated 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 Jammu and Kashmir cadre from Select List 2008-A, 2009, 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:

Completed years of qualifying service	Weightage in years
12	4
15	5
18	6
21	7
23	8
25	9
27	10(Maximum)

6.

Select List-2008-A

(Prepared against vacancies arisen between 1.1.2008 to 31.12.2008)

Sl. No.	Name of the Officer (S/Shri/Smt)	Date from which holding rank not below that of Dy. Collector in SCS 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. 31.12.2008.	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.	Tushar Kanti Sharma #	21.02.1980	28	10	1998	Shri Shahid Anayatullah allotted 2000 batch on the basis of SL of 2008.	2000*
2.	Mohmmad Afzal Bhat	21.02.1984	24	8	2000	As at S. No. 01 in column no.2	2000
3.	Mohmmad Shafi Rather #	21.02.1984	24	8	2000	As at S. No. 02 in column no.2	2000
4.	Sudarshan Sharma #	21.02.1984	24	8	2000	As at S. No. 03 in column no.2	2000

Since, retired.

* Seniority/year of allotment of officer mentioned at Sl. No. 1 in the Select List of 2008-A 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.

6.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name has been mentioned at Sl. No. 1 to 4 of the select list of 2008-A shall be placed below Shri Shahid Anayatullah, the junior most promotee IAS officer of 2000 batch (SL of 2008) and above Dr. Mandeep K Bhandari , senior most RR IAS officer of 2001 batch J&K Cadre.

7.

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

1	2	3	4	5	6	7	8
Sl.No.	Name of the Officer (S/Shri/Smt)	Date from which holding rank not below that of Dy. Collector in SCS 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, 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.	Mehraj Ahmad Kakroo #	21.02.1984	25	9	2000	Shri Sudarshan Sharma allotted 2000 batch on the basis of SL of 2008-A.	2000
2.	Satesh Nehru #	21.02.1984	25	9	2000	As at S. No. 01 in column no.2	2000
3.	Parvez Ahmad Malik #	21.02.1984	25	9	2000	As at S. No. 02 in column no.2	2000
4.	Anal Kumar Gupta #	21.02.1984	25	9	2000	As at S. No. 03 in column no.2	2000
5.	Baseer Ahmad Khan	21.02.1984	25	9	2000	As at S. No. 04 in column no.2	2000
6.	Raj Kumar Bhagat	21.02.1984	25	9	2000	As at S. No. 05 in column no.2	2000
7.	Abdul Majid Mir #	21.02.1984	25	9	2000	As at S. No. 06 in column no.2	2000

8	Mrs. Nirmal Sharma	21.02.1984	25	9	2000	As at S. No. 07 in column no.2	2000
9	Shafat Noor Barlas #	21.02.1984	25	9	2000	As at S. No. 08 in column no.2	2000
10	Abdul Latief Deva #	21.02.1984	25	9	2000	As at S. No. 09 in column no.2	2000
11	Ramesh Kumar Koul #	21.02.1984	25	9	2000	As at S. No. 10 in column no.2	2000
12	Khurshid Ahmad Shah	21.02.1984	25	9	2000	As at S. No. 11 in column no.2	2000
13	Mohmmad Sharif Sood (ST) #	21.02.1984	25	9	2000	As at S. No. 12 in column no.2	2000
14	Zaffar Ahmad Bhat	21.02.1984	25	9	2000	As at S. No. 13 in column no.2	2000
15	Abdul Maajid Ganai #	21.02.1984	25	9	2000	As at S. No. 14 in column no.2	2000

Since, retired.

7.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name has been mentioned at Sl. No. 1 to 15 of the select list of 2009 shall be placed below Shri Sudarshan Sharma, the junior most promotee IAS officer of 2000 batch (SL of 2008-A) and above Dr. Mandeep K Bhandari, the senior most RR IAS officer of 2001 batch of J&K Cadre.

Select List of 2010

(Prepared against vacancies arisen between 1.1.2010 to 31.12.2010)

S. No	Name of the officer (S/(Sh.))	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, 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.	Mohammed Yosuf Dar #	21.02.1984	26	9	2001	Shri Abdul Maajit Ganai allotted 2000 batch on the basis of SL of 2009.	2001
2.	Saleem Mohammed #	21.02.1984	26	9	2001	As at Sr No. 1 in Col. 2	2001
3	Hemant Kumar Sharma	21.02.1984	26	9	2001	As at Sr No. 2 in Col. 2	2001
4.	Hilal Ahmad Parray	21.02.1984	26	9	2001	As at Sr No. 3 in Col. 2	2001
5.	Kifayat Hussain Rizvi	21.02.1984	26	9	2001	As at Sr No. 4 in Col. 2	2001

Since, retired.

8.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name has been mentioned at Sl. No. 1 to 5 of the select list of 2010 shall be placed below Shri Sanjeev Verma, the junior most RR IAS officer of 2001 batch and above Shri Saurabh Bhagat, the senior most RR IAS officer of 2002 batch of J&K Cadre.

9.

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

S. No.	Name of the officer (S/(Sh.))	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. 31.12.2011.	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.	Dilshad Khan #	21.02.1984	27	10	2001	Shri Kifayat Hussain Rizvi allotted 2001 batch on the basis of SL of 2010.	2001
2.	Basharat Saleem	21.02.1984	27	10	2001	As at Sr No. 1 in Col. 2	2001
3.	Tsering Angchok #	21.02.1984	27	10	2001	As at Sr No. 2 in Col. 2	2001
4.	Shafiq Ahmed Raina #	21.02.1984	27	10	2001	As at Sr No. 3 in Col. 2	2001
5.	Sajad Ahmed Khan #	24.09.1984	27	10	2001	As at Sr No. 4 in Col. 2	2001

since, retired.

9.1 As per Rule 4 of the IAS (Regulation of Seniority) Rules, 1987, the officers whose name has been mentioned at Sl. No. 1 to 5 of the select list of 2011 shall be placed below Shri Kifayat Hussain Rizvi, the junior most promotee IAS officer of 2001 batch and above Shri Saurabh Bhagat, the senior most RR IAS officer of 2002 batch of J&K Cadre.

10. This issues with the approval of Secretary (P) in supersession of this Department's Order of even number dated 25.04.2012 and 23.02.2014.

11. 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 Jammu and Kashmir, Srinagar with sufficient copies 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, Government of Jammu and Kashmir, Sri Nagar.
3. US(S-I)/AIS (III)
4. EO (PR)/RO (CM)
- ✓ 5. NIC, for uploading on DOPT's website.