

No. 22012/17/2016-AIS (I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, 23rd August, 2016.

ORDER

WHEREAS, the name of Shri Laxmi Kant Shukla an erstwhile State Civil Service officer Uttar Pradesh were included at Sl. No. 9 in the Select List of 2006 approved by the Union Public Service Commission on 26.11.2012 for promotion to IAS Cadre of Uttar Pradesh, provisionally subject to clearance in the disciplinary proceedings pending against him:

AND WHEREAS, this Department inter-alia notified the said Select List and also appointments of unconditionally included officers therein and who were also in service vide notification no. 14015/22/2012-B dated 27.11.2012;

AND WHEREAS, as the name of Shri Laxmi Kant Shukla remained unconditional during the validity period of the Select List of 2006 he could not be appointed to IAS in terms of Regulation 9(1) of IAS (Appointment by Promotion) Regulations, 1955.

AND WHEREAS, aggrieved by his non appointment to IAS, Shri Laxmi Kant Shukla filed OA No. 512/2012 before the Hon'ble CAT, Lucknow Bench.

AND WHEREAS, the Hon'ble Tribunal, vide its order dated 12.11.2014 allowed the OA with directions to issue the appointment of Shri Lasmi Kant Shukla by treating his provisionality as quashed. The operative portion of the order read as under:

“ Accordingly, OA is allowed and impugned provisionality in notification dated 27.11.2012 is quashed and set aside and the applicant shall also get all the consequential benefits deeming him selected and promoted in the IAS cadre from the date from which persons appearing in the relevant select list. The respondents are directed to issue consequential orders and pay him arrears of pay, if any. This order should be complied with within a period of two months from the date of receipt of this order.

There is no order as to costs. “

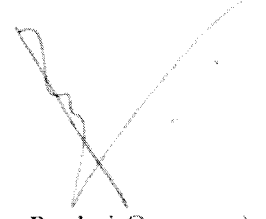
AND WHEREAS, Union of India filed a Writ Petition No. 6519 of 2016 before the Hon'ble High Court of Allahabad, Lucknow Bench against the order dated 12.11.2014 of Hon'ble CAT, Lucknow Bench in OA No. 512/2012.

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AND WHEREAS, the Hon' ble High Court vide its order dated 18.04.2016 dismissed the Writ Petition No. 6519 of 2016 .

NOW THEREFORE, in pursuance of directions dated 12.11.2014 of Hon'ble CAT, Lucknow Bench in OA No. 512/2012, Shri Laxmi Kant Shukla (date of birth: 20.12.1953) will be deemed to have been appointed to IAS Cadre of Uttar Pradesh with all consequential benefits on the basis of inclusion of his name in the Select List of 2006 not later than his immediate junior appointed to IAS on the basis of the same Select List of 2006 viz. Shri Virendra Pratap Singh-I.

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



(Pankaj Gangwar)

Under Secretary to the Government of India

Copy to:

1. The Chief Secretary, Govt. of Uttar Pradesh, Lucknow (Kind Attn. Shri K.S. Atoria, Principal Secretary, Apptt).
2. Sh Laxmi Kant Shukla, through the Chief Secretary, Government of Uttar Pradesh, Lucknow.
3. The Secretary, Union Public Service Commission, Dholpur House, New Delhi (Kind Attn. : Sh. S.P. Singh. Deputy Secretary).

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2. NIC, DOPT, with the request to upload the orders on the website of the Department.