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**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 299/2000

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet.....*O.A.*.....Pg. *1*.....to *3*.....
2. Judgment/Order dtd. *8.11.01*.....Pg. *2*.....to *10 separate orders 8/0*
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....*OA 299/00*.....Pg. *1*.....to *22*.....
5. E.P/M.P.....Pg.....to.....
6. R.A/C.P.....Pg.....to.....
7. W.S.....Pg.....to.....
8. Rejoinder.....Pg.....to.....
9. Reply.....Pg.....to.....
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Kalits
2012-17

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

COWAHATI BENCH: COWAHATI.5 (FORM NO. 4)
ORDER SHEET. (See Rule-42)

APPLICATION NO. 289/2000

Applicant(s) Sri Manjit Lal Choudhry

Respondent(s) Union of India and ors.

Advocate for Applicant(s) Mr. A. Roy, Mr. M. Chanda,
Mr. G. N. Choudhary,

Advocate for Respondent(s) Mr. B.S. Basumatary,
Addl. C.G.S.C.

Notes of the Registry

DATE

ORDER OF THE TRIBUNAL

26.9.00

Present : The Hon'ble Mr Justice D.N. Chowdhury, Vice-Chairman.

List on 27.9.00 for admission on the prayer of Mr M.Chanda, learned counsel for the applicant.

Vice-Chairman

pg

27.9.00

Heard Mr A.Roy, learned Sr.counsel for the applicant and Mr B.S.Basumatary, learned Addl.C.G.S.C for the respondents.

Application is admitted. Issue notice on the respondents. Call for the records.

List on 23.10.2000 for written statement and consideration of interim order.

Any appointment/engagement to the post of Divisional Organiser/Joint Director in SSB by way of transfer on deputation shall be subject to the result of this case.

Vice-Chairman

pg

23.10.00

Present: Hon'ble Mr. Justice D.N. Choudhury, Vice-Chairman.

Heard Mr.M.Chanda learned counsel for the applicant and also Mr.B.S.

Basumatary, Addl.C.G.S.C. for the

502870
22.9.2000
M. Chanda
B.S. Basumatary

~~Steps are yet to be received to issue notices.~~

26/9/00

Steps are received and send by Speed Post vide B/No 2230 to 2233 dtd 11/10/00 Speed Post No. 499961, 62, 63 & 64 dtd 11/11/2000

M/S 27/10/2000

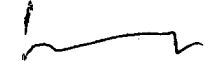
NO W/S has been filed by the respondents.

M/S 26/10/2000

23.10.00

respondents. Mr. Basumatary has submitted that the DPC for ^{of the applicant} ~~considering the case~~ for promotion to the Grade of DO/JD has already been held on 11.10.2000. In the circumstances the question of granting of interim order does not arise at this stage.

List on 10.11.2000 for orders.


Vice-Chairman

lm

10.11.00

10 days time is allowed to the learned counsel for the applicant to enable him to receive further instruction.

List on 20.11.00 for order.


Vice-Chairman

pg

20.11.00

Heard Mr A.Roy, learned Sr.counsel ~~and~~ for the applicant and Mr B.S.Basumatary, learned Addl.C.G.S.C for the respondents.

On 23.10.00 when the matter came up for filing ^{or in} written statement and consideration of interim order it was informed ^{by the learned Standing Counsel} ~~before the Tribunal~~ that DPC was held on 11.10.2000 and in the circumstances the Tribunal refrained from passing any interim order. On 10.11.2000 also the respondents ^{took} ~~taken~~ time to file written statement. But no written statement has been filed nor the learned Addl.C.G.S.C could enlighten about the position of the DPC that was held on 11.10.2000. Mr Roy, the learned counsel for the applicant on the other hand referred to a WT message of the respondents showing the appointment of an officer on deputation after the DPC was held. The interim order was refused on the consideration that the respondents will act as per the DPC and

No. wfs has been
filed
3/11
9.11.2000

b

Notes of the Registry	Date	Order of the Tribunal
<p>Order dtd 20/11/00 Communicated to Sre A.K. Roy, Adv. & Mr. P.S. Basumatary, C.S.C., CAT. Gb Bench Gb-5 vide DINO N1? dtd <u>23/11/00.</u> 23/11/00</p>	<p>20.11.00</p>	<p>not to ^{meant} provide a scope to the respondents to go ahead to fill up the post by deputationist.</p> <p>List on 7.12.2000 for further order. In the meantime the respondents are directed not to fill up the vacant post of Divisional Organiser/Joint Director, ... Dec 2000</p> <p style="text-align: right;"><i>[Signature]</i> Vice-Chairman</p>
<p>Copy served to Sre M. Chaudes Adv. & P.S. Basumatary, C.S.C. vide _____ dtd _____ [Signature]</p>	<p>pg 7.12.00</p>	<p>Four weeks time is granted to the respondents to file written statement on the prayer of Mr. A. Deb Roy made on behalf of Mr. B.S. Basumatary, Addl. Central Govt Standing Counsel.</p> <p>Interim order dated 20.11.00 shall continue. List on 8.1.2001 for written statement and further orders.</p> <p style="text-align: right;"><i>[Signature]</i> Vice-Chairman</p>
<p>19.1.2001</p> <p>Copy of the order has been sent to the D/Sec for issuing the same to the L/Advocate for the parties.</p> <p>[Signature]</p> <p>Received Copy on 29.1.2001 (B.S. Som.) A.O. (S) NAD 533</p>	<p>mk [Signature] 7/12/2000 8.1.01</p>	<p>Heard Mr. A. Roy, learned Sr. counsel, alongwith Mr. M. Chanda learned counsel for the applicant and also Mr. B.S. Basumatary Addl. C.G.S.C. for the respondents. Mr. Basumatary has submitted that the applicant has already got relief and to that effect he has received a communication dt. 26.12.2000 from the respondents. The said communication shall form part of the records. Accordingly, Application is disposed of as infructuous.</p> <p style="display: flex; justify-content: space-between;"> <i>[Signature]</i> Member <i>[Signature]</i> Vice-Chairman </p>
	<p>lm [Signature] 9/10/01.</p>	

Notes of the Registry

Date

Order of the Tribunal

Notes of the Registry	Date	Order of the Tribunal
<p>[Faint, illegible text in the first column]</p>	<p>[Faint, illegible text in the second column]</p>	<p>[Faint, illegible text in the third column]</p>
<p>[Faint, illegible text in the first column]</p>	<p>[Faint, illegible text in the second column]</p>	<p>[Faint, illegible text in the third column]</p>

25 SEP 2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

Title of the Case : O.A. No. 289/2000
 Sri Mohit Lal Choudhury : Applicant
 -versus-
 Union of India & Ors. : Respondents

I N D E X

Sl.No.	Annexure	Particulars	Page No.
1	-	Application	1-15
2	-	Verification	16
3	1	Promotion order dated 26/27.10.92.	17
4	2	Order dt. 18.2.1993	18
5	3	Memorandum dt. 5.2.1998	19-20
6	4	Notification dt. 4/1.3.77	21-27
7	5	Appointment Order dt.11.8.99	28
8	6	Appointment Order dt. 14.2.2000	29
9	7	Appointment Order dt.26.6.2000	30
10	8	Representation dt. 6.9.2000	31
11	9	Representation dt. 15.9.2000	32

Date : 25.9.2000

Filed by :
 Neera Devi Goswami
 Advocate

Mohit Lal Choudhury

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985).

O.A. No. 289/2000

BETWEEN

Sri Mohit Lal Choudhury,
Deputy Inspector General,
Special Service Bureau,
Training Centre, Haflong,
Assam, under Director General
Security, Government of India.

....Applicant

-AND-

1. Union of India,
through the Secretary to the
Government of India, Department
of Cabinet Affairs, Cabinet Secretariat,
Bikanir Annex., Sahajahan Road,
New Delhi-110011.
2. Cabinet Secretary,
Government of India,
Bikanir Annex., Sahajahan Road,
New Delhi-110011
3. Director General Security cum
Secretary (R), Cabinet Secretariat,
Government of India, CGO Complex,
Lodhi Road, New Delhi-110003.

Contd...

25 SEP 2000

Guwahati Bench

Mohit Lal Choudhury

4. Director
Special Service Bureau
Directorate General of Security
Cabinet Secretariat, Block (East)-V,
R.K.Puram, New Delhi-110066

.... Respondents

DETAILS OF APPLICATION

1. Particulars of order against which this application is made.

This application is made not against any particular order but praying for a direction to the respondents to consider the case of the applicant for promotion to the post of Divisional ^Organiser/Joint Director in any of the existing four vacancies in terms of the SSB ^{Senior} Service Executive Service Rules 1977 on priority basis with immediate effect and also for a further direction to the respondents not to fill up the existing vacancies by way of transfer on deputation basis till consideration of this application filed before the Hon'ble Tribunal.

2. Jurisdiction of the Tribunal :

The applicant declares that the subject matter of the applicant is within the jurisdiction of the Hon'ble Tribunal.

3. Limitation

The applicant further declares that the application is within the limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985.

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25 SEP 2000

bench

Mohit Lal Chaudhuri

Facts of the Case

4.1 That your applicant is a citizen of India and as such, he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.2 That your applicant is presently serving as Deputy Inspector General, Special Service Bureau, Training Centre, Government of India, Haflong, Assam in the department of Cabinet Secretariat.

4.3 That the petitioner was initially appointed as Circle Organiser on 20.4.1970 in the department of Special Service Bureau under the Director General of Security, Cabinet Secretariat, Government of India, New Delhi. Thereafter the applicant was promoted to the post of Sub Area Organiser on 5.5.1976. He was further promoted to the post of Area Organiser, Group A service on 1.1.1983 after being found suitable and efficient for the said post of Area Organiser. The applicant was again promoted to the post of Deputy Inspector General and posted in the Special Service Bureau (for short SSB), Training Centre, at Haflong, Assam vide order dated 26/27.10.1992 while working as Area Organiser in the Divisional Headquarter, Arunachal Pradesh, Itanag in the pay scale of Rs. 5100-6150 (Pre-revised) as conveyed under Cabinet Secretariat Order No. 6/1/96-DO.II-4158 dated 9.9.1992. The said promotion is granted with effect from 1.11.1992 with the approval of Director General^{of} Security. The applicant has taken over ~~the~~ charge of DIG in the forenoon of 2.11.1992 which is evident from order dated 18.2.1993.

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25 SEP 2000
Guwahati Bench

Mohi-ud-din Chaudhuri

10

A copy of the Promotion order dated 26/27.10.92 and order dated 18.2.1993 are annexed as Annexures-1 & 2 respectively.

4.4 That the next avenue of promotion for the applicant is in the grade of Divisional Organiser/Joint Director as per the provision laid down in SSB (Senior ^{EXECUTIVE} Service) Rules, 1977 the post of Divisional Organiser is being filled up either by promotion/Deputation/Direct Recruitment/Re-employment but no percentage is fixed for any of the recruitment method. However in case of recruitment by promotion/deputation eligibility criteria for the post of Divisional Organiser has been laid down in the said SSB Service Rules 1977 is six years service in the grade of Deputy Inspector General or in an equivalent grade and the mode of recruitment is being prescribed by holding of Departmental Promotion Committee as per the aforesaid rules. As per the existing service rules the present applicant has already earned eligibility for consideration of promotion in November, 1998 as per the said Recruitment Rules. It is pertinent to mention here that since no quota for recruitment to the cadre of Divisional Organiser/Joint Director has been fixed in the case either by promotion/deputation/Direct Recruitment the higher authority very often used to adopt mode of recruitment to the post of Divisional Organiser/Joint Director as per their own wisdom, as a result it is seen that in the recent past three vacant posts of Divisional Organiser have been filled up by deputation from amongst the officers belonging to IPS cadre ignoring the claim of the petitioner and without giving due weightage to eligible cadre of SSB. Unfortunately no departmental promotion

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Nehit Lal Chaudhary

25 SEP 2000

Guwahati Bench

committee was constituted by the respondents for consideration of promotion of the eligible officers serving in the department of Special Service Bureau since 1.11.1998 although eligible officers in terms of SSB (Senior Executive Rules) 1977 are very much available in the department. It is relevant to mention here that the applicant presently placed at serial No.2 in the seniority position of Deputy Inspector General although his name has been figured at serial No.3 in the provisional seniority list published in respect of Deputy Inspector General as on 1.2.1998 under Memorandum bearing letter No.IV/109/97(37)-77-89 dated 5.2.1998, but the serial No.2 Sri S.D. Sharma, Deputy Inspector General has already retired from service on superannuation. As such the position of the present applicant in the seniority list of DIGs has been improved and factually the applicant is at serial No.2 of the seniority list of DIG.

A copy of the Memorandum dated 5.2.1998 and Notification dated 4/1.3.97 are annexed as Annexures 3 & 4 respectively.

4.5 That your applicant begs to state that although he has earned eligibility for consideration for promotion to the post of Divisional Organiser/Joint Director in the month of November 1998 as per existing recruitment rule but unfortunately his case was not considered for promotion to the post of Divisional Organiser although three vacancies were available immediately after the applicant attained the eligibility for consideration of promotion to the post of Divisional Organiser. But surprisingly the respondents without considering the case of

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Mohit Lal Chaudhary

25 SEP 1998

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of the present applicant filled up all the three vacancies after 1.11.1998 by appointing All India Services Officers i.e. IPS officers on deputation basis for a long period of five years from the date of assumption of charge of the post of Divisional Organiser/Joint Director or until further orders. It is evident from the Cabinet Secretariat Order bearing letter No. IV/202/96 (7) Pt.I/550-80 dated 11.8.1998, order bearing letter No. IV/202/99 (7) Pt-I/112-143 dated 14.2.2000 and order bearing letter No. IV/202/2000 (7) Vol-I/545-577 dated 26.6.2000 whereby three IPS officers namely Shri J.S. Pandey, Shri J.B.S.Negi and Shri B.S. Manhas have been appointed to the post of Divisional Organiser/Joint Director in SSB in the pay scale of Rs. 18,400-22,400. Therefore it appears that during a span of less than one year three posts of Divisional Organiser/Joint Director in the SSB has been filled up on deputation basis without considering the case of eligible officers of the Department like the present applicant is arbitrary, unfair and the same is violative of doctrine of legitimate expectation in the matter of recruitment of Divisional Organiser/Joint Director. This arbitrary decision for filling up of all vacancies of Divisional Organiser/Joint Director on deputation basis has shattered the hopes and aspirations of the eligible officers in the department including the present applicant. It is relevant to mention here that the provision for recruitment to the post of Divisional Organiser on deputation basis has been laid down in the recruitment rule with a view of intention to resort to such practice only when eligible officers are not available in the department. But the Respondents now adopting a very

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25 SEP 2000

Gurukul Bench

Mohit Lal Chaudhuri

unfair practice to fill up the available all vacancies of Divisional Organiser/Joint Director on deputation basis even without considering the case of eligible officers serving in the department. This practice has been adopted by the Respondent-Union of India to grant the benefit of higher pay scale to a group of IPS Officers who are working ⁱⁿ the scale of pay of Rs. 16,400-20,000. Therefore the respondents has adopted the practice for filling up the available vacancies by appointment on deputation basis with an ulterior motive denying the legitimate claim for promotion of the eligible officers serving in the department. As such Hon'ble Court be pleased to direct the respondents to consider the case of the present applicant for promotion to the post of Divisional Organiser/Joint Director in the scale of Rs. 18,400-22,400 in the existing available vacancies with immediate effect.

Copy of the appointment order dated 11.8.99, 14.2.2000 and 26.6.2000 are annexed as Annexures-5, 6, & 7 respectively.

4.6 That your applicant categorically stated that at the moment there are altogether 4 clear vacancies of Divisional Organiser/Joint Director available in the department of Special Service Bureau in the scale of Rs. 18,400-22,400 and one more anticipated vacancy is also likely to be occurred very shortly. But unfortunately no departmental promotion committee is constituted for filling up the said vacancies and the applicant is apprehending that all the aforesaid, ^{four} five vacancies including the anticipated vacancy may be filled up by appointment on deputation basis depriving the legitimate

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Mohit Lal Chaudhri

25 SEP 2000

7
Gurukul 30-11

claim of promotion of the present applicant to the post of Divisional Organiser/Joint Director. It is relevant to mention here that the applicant also submitted representation dated 6.9.2000 addressed to the Director General Security cum Secretary (R), Cabinet Secretariat, Government of India, New Delhi through proper channel wherein it is categorically stated by the applicant that he has completed six years of continuous service as Deputy Inspector General under SSB on 1.11.98 and thereby he has attained eligibility for promotion to the next higher grade of Divisional Organiser/Joint Director as per provision laid in SSB (Senior Executive Service) Rules 1977. He has also pointed out in his representation that he has now placed at serial No.2 in the seniority position as on date as per seniority list in the grade of Deputy ^{Inspector} ~~Director~~ General circulated on 5.2.1998. He has also stated that he has rendered 30 years of service in the department of Special Service Bureau including 17 years in the Group A post. It is categorically submitted by the applicant in his representation dated 6.9.2000 that at the moment there are four clear vacancies in the grade of Divisional Organiser/Joint Director are available and one anticipated vacancy is going to be occured very shortly. He has also pointed/^{out}that in the recent past three vacant posts of Divisional Organiser/Joint Director have been filled by the authority by appointment on deputation from among the officers belonging to All India Services cadre ignoring the legitimate claim of eligible officers of SSB and no DPC is constituted for consideration of promotion of the officer belonging to SSB for consideration for promotion to the next higher grade. The applicant

25 SEP 2000

Guwahati 30/09/00

Mohit Lal Chaudhri

further stated in his representation that inordinate delay in promotion to the next higher grade of Divisional Organiser/Joint Director despite available vacancy is not only unjustifiable but also unjust and unfair which demoralises the applicant and requested for immediate holding of DPC for consideration of promotion for the cadre officers. But unfortunately there is no communication received by the applicant from the authorities regarding constitution of the DPC for consideration of his case for promotion. Finding no other alternative the applicant submitted another representation dated 15.9.2000 addressed to the Cabinet Secretary, Govt. of India, Bikaner House Annexe, New Delhi he has also requested to kindly intervene and direct the authorities concerned for immediate holding of DPC for promotion of the Cadre Officers which is over due to the officers in the department including the applicant. But to no result. In the compelling circumstances applicant finding no other alternative approaching the Hon'ble Court praying for a direction to the respondents for immediate constitution of Departmental Promotion Committee for consideration of his case of promotion to the post of Divisional Organiser/Joint Director in the existing available vacancy.

Copy of the representation dated 6.9.2000 and 15.9.2000 are annexed as Annexures 8 & 9 respectively

4.7 That your applicant begs to state that he has learnt from a reliable source that the respondents have already taken a decision to fill up existing 4 vacancies

of Divisional Organiser/Joint Director by appointment

25 SEP 2000

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Nehil Lal Chaudhri

on deputation basis in total violation of the existing recruitment rules where a categorical provision is laid down for consideration of promotion to the post of Divisional Organiser/Joint Director from among the eligible officers who have completed six years of regular service in the cadre of Deputy Inspector General ~~is who are also~~ entitled for promotion to the post of Divisional Organiser/Joint Director. Therefore the decision for filling up of the existing vacancies as stated above by way of deputation which will adversely affect the service career of the present applicant as well as the service prospects. Therefore it is a fit case for the Hon'ble Tribunal to interfere to protect the right and interest of the applicant by way of directing the respondents to consider the case of the applicant for promotion in terms of the Senior Executive Service Rules 1977 for the post of Divisional Organiser/Joint Director in the pay scale of Rs. 18,400-22,400 and further be pleased to restrain the respondents to fill up the available 4 vacancies of Divisional Organiser/Joint Director by way of appointment on deputation basis.

4.8 That the applicant has a legitimate expectation for consideration of promotion to the post of Divisional Organiser/Joint Director since he~~s~~ has attained the eligibility in terms of the Senior Executive Service Rules, 1977 and the denial of benefit of promotion to the said post by way of filling up the vacancies by appointment on deputation basis which demoralises the applicant. It is

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25 SEP 2000
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Mohit Lal Chaudhuri

already settled by the Apex Court that a reasonable promotional prospects should be available in every wing of public services that generates efficiency in service and fosters the appropriate attitude to grow for achieving excellency in service. In the absence of promotional prospects service is bound to degenerate, stagnation kills the desire to serve properly. Therefore Hon'ble Court be pleased to direct the respondents to consider the case of the applicant for consideration of promotion to the existing vacant post of Divisional Organiser/Joint Director with immediate effect.

4.9 That it is further stated that the applicant during the period of 30 years of service career he has ^{stand} excellent service in the department of Special Service Bureau which is recognised by the respondent Union of India by awarding the applicant namely. (i) POORVI STAR (ii) SANGRAM MEDAL (iii) POLICE (SPECIAL DUTY) MEDAL (iv) DIRECTOR'S COMMENDATION WITH DISC, AND (v) PRIME MINISTER'S UTTAM ~~SM~~ SEWA PRAMAN PATRA, 1998 FOR METRIT-ORIOUS SERVICE. This recognition itself is evident that that he has served the department with satisfaction to all concerned and as such respondents are duty bound to consider the case of the applicant for promotion in the existing vacant post of Divisional Organiser/Joint Director. As such the Hon'ble Tribunal would be pleased to direct the respondents to consider the promotion of the petitioner to the post of Divisional Organiser/Joint Director with immediate effect.

4.10 That it is stated that although the petitioner has submitted his representations dated 6.9.2000 and 15.9.2000 but he is approaching the Hon'ble Tribunal in a compelling circumstances as because he has learnt from

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25 SEP 2000

a reliable source that the respondents has decided to fill~~ly~~ up the existing ~~all the~~ 4 vacancies by way of deputation within this month, as such finding no other alternative the applicant under compelling circumstances approaching the Hon'ble Court praying for an interim order restraining the respondents not to fill up the vacancies by appointment on deputation basis till disposal of the application.

4.11 That this application is made bona fide and for the cause of justice.

5. Grounds for relief(s) with legal provisions :

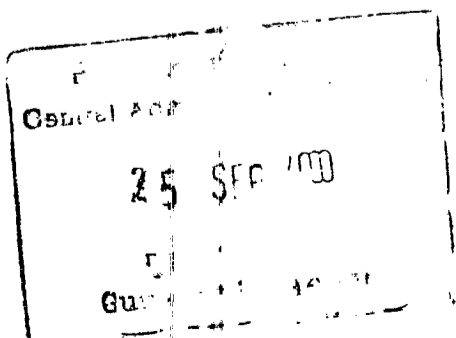
5.1 For that the applicant has attained eligibility for consideration for promotion to the ^{existing} post of Divisional Organiser/Joint Director in terms of provisions laid down in the SSB Senior (Executive) Service Rules, 1977.

5.2 For that there are 4 existing vacancies available at this moment for consideration of promotion of the applicant to the post of Divisional Organiser/Joint Director.

5.3 For that non-consideration of promotion of the applicant to the available post of Divisional Organiser/Joint Director since 1.11.98 is violative of doctrine of legitimate expectation as well as violation of Article 14 of the Constitution.

5.4 For that the applicant has acquired valuable and legal right for consideration on priority basis for promotion in the existing vacancies of Divisional

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Mohit-Lal Chaudhuri

Organiser/Joint Director in terms of the SSB (Senior Executive) Service Rules, 1977.

- 5.5 For that specific provision has been laid down in the SSB (Senior Executive) Service Rules, 1977 for filling up the vacancies of Divisional Organiser/Joint Director by way of promotion from the eligible officers of the department in terms of the SSB (Senior Executive) Services Rules, 1977.
- 5.6 For that the Respondents have no jurisdiction, to fill up all the vacancies occurring in a particular year of Divisional Organiser/Joint Director by way of transfer on deputation basis ignoring the legitimate claim of the officers of the department only on the ground that there is a provision for recruitment by way of deputation exist in the Sr Executive Recruitment Rules 1977.
- 5.7 For that respondents cannot act arbitrary, in the matter of filling up the available vacancies by way of transfer ^{on} deputation basis, on the plea that no quota or percentage has been fixed by the Union of India/Opposite Party for recruitment of Divisional Organiser/Joint Director.
- 5.8 For that the applicant has rendered valuable and outstanding meritorious service for about 30 years in the Establishment of Special Service Bureau, which is evident from the fact that the applicant has been sanctioned various awards namely, (i) Director's Commendation with Disc (ii) P.M.'s ^{Praman Patra, 1998} Uttam SEWA including highest award of the department. As such he is entitled to

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Neel-Sal Chaudhri

25 SEP 2000

be considered for promotion to the available post of Divisional Organiser/Joint Director on priority basis, before filling up the vacancies by way of transfer on deputation.

6. Details of remedies exhausted.

That the applicant states that he has no other alternative and other efficacious remedy than to file this application. Representation through proper channel were submitted by the applicant but to no result.

7. Matters no previously filed or pending with any other Court.

The applicant further declare that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any Court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Reliefs sought :

In view of the facts and circumstances stated in paragraph 4 above, the applicant prays for the following reliefs :

- 8.1 That the Hon'ble Tribunal be pleased to direct the respondents to consider the promotion of the applicant in the available existing vacancies of Divisional Organiser/Joint Director on priority basis by constituting a DPC with immediate effect in terms of SSB (Senior Executive) Service Rules, 1977.

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Mohit Lal Chaudhri

25 SEP 2000

8.2 That the Respondents be directed not to fill up the existing 4 vacancies of Divisional Organiser/ Joint Director by way of transfer on deputation basis before consideration of promotion of the applicant to the post of Divisional Organiser/Joint Director.

8.3 Costs of the Application.

8.4 Any other relief or reliefs to which the applicant is entitled to as the Hon'ble Tribunal may deem fit and proper.

99 Interim order prayed for :

During the pendency of this application the applicant prays for the following reliefs :

9.1 That the Hon'ble Tribunal be pleased to direct the respondents not to fill up the existing vacancies of Divisional Organiser/Joint Director by way of transfer on deputation basis till consideration of the case of promotion of the present applicant or till final disposal of this application.

10.

This application has been filed through advocate.

11. Particulars of I.P.O.

- | | |
|-------------------|---------------------|
| i. I.P.O. No. | : 26 502890 |
| ii. Date of Issue | : 22.9.2000 |
| iii. Payable at | : G.P.O., Guwahati |
| iv. Issued from | : G.P.O., Guwahati. |

List of enclosures :

As stated in the Index.

Abhit Lal Chaudhri

25 SEP 2000^{12.}

Guwahati Bench

2/2

V E R I F I C A T I O N

I, Sri Moti Lal Choudhury, son of Late M.M. Chandhuri aged about 54 years, presently working as Deputy Inspector General in the Department of Special Service, ^{BUREAU} Security, Haflong, Assam, do hereby ~~solemnly~~ ~~affirm and declare~~ ~~xxx~~ verify that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 25th day of September, 2000.

Moti-Lal Chandhuri

Signature

25 SEP 2000
 Central Administrative Tribunal
 Disputes Branch

Annexure-1

SECRET

No. IV/202/92 (2)-2079
Directorate General of Security
(Cabinet Secretariat)
Office of the Director, SSB,
Block V East, RK Puram
New Delhi 110 066

Dated the 26/27 OCT 1992

O R D E R

Consequent upon approval of the ACC to the promotion of Shri M.L.Choudhury, Area Organiser, Divisional HQRs, AP Division, Itanagar to the grade of Deputy Inspector General in the pay scale of Rs. 5100-6150/- as conveyed under Cabinet Secretariat's order No. 6/1/92-DO.II-4158 dated 09 Sep 92, Shri M.L. Choudhary is posted, on promotion to the grade of Deputy Inspector General, to SSB Directorate, New Delhi, with effect from the date he assumes charge of the post. Shri M.L.Choudhary should, however, take over charge of Dy. Inspector General, on promotion, only on or after 01st November 92.

2. This issues with the approval of Director General (Security).

Sd/- Illegible 26.10.92
(J.P. VERMA)
JOINT DIRECTOR (A), SSB

DISTRIBUTION

1. The Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi.
2. Shri Amarnath, Director (SR), Cabinet Secretariat, New Delhi, w.r.t. their order No. 6/1/92-DO.II-4158 dated 09.09.92.
3. The Divisional Organiser, AP Division, Itanagar.
4. Shri M.L.Choudhary, Area Organiser, Divisional HQRs, AP Division, Itanagar. He should take over charge of Dy. Inspector General, on promotion, only on or after 01.11.1992.
5. The Assistant Director (EA), SSB Directorate, New Delhi.
6. Personal file of the Officer.
Guard File (NGO).

Annexure-2

CONFIDENTIAL

No.6/1/92-DO-II
GOVERNMENT OF INDIA
CABINET SECRETARIAT
BIKANER HOUSE ANNEXURE
SHAHJAHAN ROAD
NEW DELHI-110 011

DATED, THE 18 FEB 1993

O R D E R

In continuation of this Secretariat's order of even number/dated 9.9.1992, Shri M.L. Chaudhuri on his promotion as Deputy Inspector General has taken over the charge of the post of Deputy Inspector General on the forenoon of 2nd November, 1992.

Sd/- Illegible

(S. NATH)

DIRECTOR TO THE GOVT. OF INDIA

Copy to :

1. Shri B.D. Adhikari, Assistant Director (EA) Dte. SSB New Delhi, with reference to his U.O. No. 22/SSB/A-2/80 (31-II-5241 dated 18.11.1992.
2. Smt. Sunita Bhardwaj, Assistant Director of Accounts, DACS, R.K.Puram, New Delhi.
3. Personal file of the officer.
4. Guard file.

CONFIDENTIAL

No. IV/109/97(37)-77-89
Directorate General of Security
(Cabinet Secretariat)
East Block-V, R.K. Puram
New Delhi-110 066

Dated the 5 FEB 1998

M E M O R A N D U M

Subject : Provisional seniority list in respect of Dy.
Inspectors General under the SSB.

Enclosed please find a copy of the provisional
seniority list in respect of Dy. Inspectors General of
SSB.

2. You are requested to go through the list.
Discrepancy/omission if any, noticed by you may please
be intimated to us by 27.2.1998. If no discrepancies are
pointed out within the stipulated date, the seniority list
will be treated as final.

Enclo : As stated

Sd/- Illegible

(N.K. CHATTERJEE)
ASSISTANT DIRECTOR (NGO)

To

1. Shri R.D.Thongchi, DIG, J & K Division.
2. Shri S.D.Sharma, DIG, TC, Sarahan.
3. Shri M.L.Choudhury, DIG, NA Division.
4. Shri K.S.Katoch, DIG, SSB Dte.
5. Shri T.N. Shanoo, DIG, UP Division, Ranikhet.
6. Shri S.K.Chakraborty, DIG, TC, Haflong.
7. Shri B.K. Ahluwalia, DIG, TC Jammu.
8. Shri T.Namgiyal, DIG, AP Division, Itanagar.
9. Shri Vimal Bhagat, DIG SSB Dte.
10. Shri L. Rinchin, DIG, SB Divn. Calcutta.
11. Shri G.S. Sajwan, DIG, Raj & Guj. Divn., Jodhpur.
12. Shri G.S. Sayana, DIG, Kohima.
13. Shri A.K. Bhardwaj, DIG, SSB Dte.

Copy together with enclosure for information to
DIG (EA), SSB Dte.

Sd/- Illegible

Assistant Director (NGO)

PROVISIONAL SENIORITY LIST IN RESPECT OF DEPUTY INSPECTORS GENERAL AS ON 1.2.1998

S1. No.	Name and Educational Qualification	Date of Birth	Date of joining Govt. Service, DGS	Date of appointment as DIG	Date of super-annuation	Whether SC/ST	Remarks
I	2	3	4	5	6	7	8
1.	S/Shri R.D. Thongchi, Matric	07.04.47	02.05.69	09.09.92	30.04.2005 (30.04.2007)	ST	
2.	S.D. Sharma, MA	20.06.40	01.12.67	09.09.92	30.06.98	-	Retired on 30.6.98
3.	M.L. Choudhury, BA	04.05.46	20.04.70	02.11.92	31.05.2004 (31.05.2006)	-	
4.	K.S. Katoch, BA	06.11.43	01.08.69	31.05.93	30.11.2001	-	
5.	T.N. Shanoo, F.Sc	09.03.46	28.07.70	15.07.94	31.03.2004	ST	
6.	S.K. Chakraborty, BA	01.10.41	22.09.65	28.04.95	30.09.99	-	
7.	B.K. Ahluwalia, Intermediate	01.01.41	05.01.70	12.09.95	31.12.98	-	
8.	T. Namgial, Intermediate	12.06.46	22.08.70	13.11.95	30.06.2004	ST	
9.	Vimal Bhagat, BA	04.01.41	01.09.69	12.01.96	31.01.99	-	
10.	L. Rinchin, Intermediate	02.02.51	21.11.70	27.10.97	28.02.2009	ST	
11.	G.S. Sajwan, BA	09.05.44	28.03.72	06.10.97	31.05.2002	-	
12.	G.S. Sayana, BSc	12.02.47	20.02.69	30.09.97	28.02.2005	ST	
13.	A.K. Choudhury		...				

P. 1701. 10/11/98
 X
 2.

/ Copy /

Annexure-4

SECRET/REGISTERED

No. EA/SE-191/74
 Government of India/Bharat Sarkar
 Cabinet Secretariat/Mantrimandal Sachivalaya,
 Apartment of Cabinet Affairs/Mantrimandal Kayya Vibhag.

New Delhi the 1.3.1977

NOTIFICATION

In exercise of the powers conferred by the provision to article 309 of the constitution and of all other powers enabling him in this behalf, the President hereby makes the following rules relating the method of recruitment to Class-I post in the SSB (Senior Executive) Service, namely,

1. SHORT TITLE AND COMMENCEMENT:

- i. These rules may be called SSB (Senior Executive) Service Rules, 1977.
- ii. These rules shall come into force at once.

2. DEFINITION:

In these rules, unless the context otherwise required :

- (a) 'appointed' means the date on which these rules come into force;
- (b) 'controlling authority' means the Secretary, Deptt. of Cabinet Affairs, Cabinet Secretariat.
- (c) 'Duty post' means any post in the SSB as specified in Schedule-I;
- (d) 'Service' means the SSB (Senior Executive) Service.

3. CONSULTATION OF THE SERVICE AND DUTIES OF ITS MEMBERS:

- i. There shall be constituted a service to be known as SSB (Senior Executive) Service.
- ii. Members of the service shall be required to work in any establishment of the SSB.

4. COMPOSITION OF THE SERVICE :

(1) The designation, classifications and scale of pay of the posts in the services shall be as shown in the table below, namely,

Contd...

Annexure-4 (Contd.)

Sl.No.	Designation	Classification	Scale of pay
1	Director	Class-I Gazetted	Rs.2500-125/22750
2	Divisional Organiser	-do-	i. Rs.2500-125/2-750 (for promotees and deputationists of the rank of IGP or equi- valent. ii. Rs.2000-125/2-2750 (for deputationists of the rank of DIG or equivalent).
3	Deputy Director/ Deputy Director General	-do-	Rs.2000-125/1-2750
4	Assistant Director Area Organiser	-do-	Rs.1100-80-1600

(2) In relation to each grade of the service, there shall be a common gradation list for the SSB.

5. AUTHORISED STRENGTH :

(1) The authorised permanent and temporary strength of the various grades of the service on the appointed day shall be as specified in Schedule-I.

(2) The Govt. shall at intervals of every two years, re-examine the strength and composition of each grade and make such alterations therein as it may deem fit.

Provided that nothing in this sub-rule shall effect the general powers of Govt. to alter the strength and composition of any grade at any time.

6. INITIAL CONSTITUTION

(1) All persons holding, as on the appointed day, any one of the categories of posts specified in rule 4, whether in a permanent or temporary or officiating capacity or on deputation basis, shall be eligible for appointment to the service at the initial constitution thereof.

(2) The controlling authority shall constitute a Screening Committee in respect of each grade for adjud-

Annexure-4 (Contd.)

ging the suitability of persons, who being eligible to be appointed to the service under sub rule (1) were serving in any grade immediately before the initial constitution of the cadre, for permanent appointment therein and every committee so constituted shall, subject to such general or special instructions as the controlling authority may give and after following such procedure as the committee may deem fit, prepare lists of persons considered suitable for such appointment in each grade with the names of such persons arranged in the order of seniority based on the date of continuous appointment in the grade in which they are to be absorbed or in an equivalent grade.

Provided that if the controlling authority deems necessary so to do the same committee may be constituted to function in relation to two or more grades.

(3) An intimation shall be sent to every person considered suitable for appointment on a permanent basis to a post in any grade giving him an opportunity to express, within thirty days of receipt of intimation by him, his willingness to be so appointed on a permanent basis and the option once exercised shall be final.

(5) Notwithstanding anything contained in Sub Rules (2) to (4), every person holding as on the appointed day, a permanent post in any one of the categories specified in rule 4 in the SSB shall without prejudice ~~to his~~ ~~xxxxxxx~~ being considered for appointment to a permanent post in the higher grade or to his continuance in such higher grade in an officiating or temporary capacity, be absorbed in his respective substantive grade against the permanent post available as on the appointed day.

(6) The Screening Committee may recommend for permanent appointment in a lower grade any person who is serving in a higher grade irrespective of whether he is a deputationist or a direct recruit and every appointment made on such recommendation shall be without prejudice to his continuing to serve in the higher grade.

Contd...

Annexure-4 (Contd.)

(7) Persons holding posts, as on the appointed day, in any grade of his service, who are not found suitable for permanent appointment under sub-rule (2) to (6), may be continued in posts in the same grade of the service in a temporary or officiating capacity, as the case may be.

"(4)" Persons who are willing to be appointed on a permanent basis shall be so appointed in the order of seniority against permanent posts available as on the appointed day.

7. SENIORITY OF THOSE APPOINTED AT THE TIME OF INITIAL CONSTITUTION.

Seniority of persons appointed on a permanent basis in each grade at the initial constitution of the service shall be in the order in which they are shown in the relevant list prepared in accordance with provisions of rule-6.

8. MAINTENANCE :

(1) Subject to the initial constitution of the various grades in the service every post remaining unfilled and every vacancy that may arise thereafter shall be filled in accordance with the provisions contained in Schedule-II, by appointment on promotion, deputation/transfer, re-employment after recruitment or direct recruitment as the case may be.

(2) For a period not exceeding three years from the date of commencement of these rules, notwithstanding the limits specified in column 7 of Schedule-II, the controlling authority may, if it considers it necessary so to do, exceed the percentage specified for filling up of vacancies by deputation and decrease the percentage prescribed for filling up of vacancies by promotion, direct recruitment or re-employment after retirement, as it may deem fit.

9. PROBATION :

(1) Every direct recruit appointed to a grade of the service shall initially be appointed on probation, the period of probation being three years from the date of appointment.

Contd...

(2) Every person promoted to a higher grade shall be on trial for a period of two years.

(3) The period of probation or trial referred to in sub rules (1) and (2) may, if the controlling authority deems fit, be extended or curtailed in a particular case but such extension/curtailment shall not exceed one year.

10. SENIORITY AT THE MAINTENANCE STAGE:

Seniority in a particular grade shall be reckoned with reference to the date of appointment to the post in that grade by direct recruitment or by promotion.

11. EXECUTIVE INSTRUCTIONS :

The controlling authority may issue executive instructions not inconsistent with these rules to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

12. RESIDUARY MATTERS :

In regard to matters not specifically covered by these rules or by orders issued by the Govt., the members of the service shall be governed by general rules, regulations and orders applicable to persons belonging to the corresponding Central Civil Service.

13. TO RELAY :

Where the Govt. is of the opinion that it is necessary or expedient so to do it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any clause or category of persons or posts.

14. INTERPRETATION :

Where any doubt arises as to the interpretation of these rules, it shall be referred to the Govt. of India in the Cabinet Secretariat (Deptt. of Cabinet Affairs) whose decision thereon shall be final.

Sd/-
(F.T.R.COLASO)
Deputy Secretary to the Govt. of India
Contd...

SCHEDULE-1

(Rule-5)

STATEMENT OF SANCTIONED POSTS IN THE SSAB (SENIOR EXECUTIVE) SERVICE AS ON 31.7.75.

Sl.No.	Category of post	No. of posts sanctioned		Total
		permanent	Temporary	
1	Director	-	1	1
2	Divisional Organiser	-	6	6
3	Deputy Director/Deputy Inspector General	4 (4)	3	7
4	Assistant Director/ Area Organiser	46	24	70

*Includes the posts of Depty Commissioners,
Superintendents of Police and Staff Officers.

Designation	Whether selection or non selection posts.	Minimum age limit for direct recruitment.	Education and other qualifications for direct recruitment.	Whether any special conditions prescribed for direct recruitment.	Method of recruitment whether by direct recruitment or by promotion/deputation and percentage of vacancies to be filled by each method.	In case of recruitment by promotion/deputation, from which promotion/deputation to be made.	Composition of posts.
1.	2.	3.	4.	5.	6.	7.	8.
Director	Selection	40-53 yrs.	1) Graduate of a recognised university. ii) Experience 12 years in a position of responsibility.	No	By promotion/Deputation/transfer/direct recruitment/employment (to percentage fixed for any of these methods.)	Promotion of Deputy Inspector General with 6 years service in the grade or in an equivalent grade. Deputation of officers of Rs 2500-125/2-2700 or officers eligible for appointment to such grade in offices of Central Govt. Transfer of Divisional Organiser the scale of Rs 2500-125/2-2700. Re-employment of retired officers considered suitable.	Class I BPO
Divisional Organiser.	Selection	37-51 years.	i) Graduate of a recognised university. ii) Experience: 14 yrs in a position of responsibility.	No	By promotion/Deputation/Direct recruitment/employment (to percentage fixed for any of these methods.)	Promotion of Deputy Director/Deputy Inspector General with 6 yrs. service in the grade or in an equivalent grade. Deputation of officers in the grade of Rs 2500-125/2-2750/- or officers eligible for appointment to such grade in offices of State/Central Govt. officers of this grade are not available for deputation the posts may be filled by deputation of officers in the grade of Rs 2000-125/2-2250. Re-employment of retired officers considered suitable.	Class II BPO
Deputy Director/Deputy Inspector	Selection	32-45 yrs.	1) Graduate of a recognised university. ii) Experience: 9 yrs in a position of responsibility.	No	By promotion/Deputation/Direct recruitment/employment (to percentage fixed for any of these methods.)	Promotion of Asstt. Director/Area Organiser with 3 years service in the grade or in an equivalent grade. Deputation of officers in the grade of Rs 2000-125/2-2250, Rs 1500-2000 or Rs 1200-2000 or officers eligible for appointment to such grade in offices of State/Central Govt. Re-employment of retired officers considered suitable.	Class III BPO
Asstt. Director/Area Organiser	Selection	28-43 yrs.	1) Graduate of a recognised university. ii) Experience: 5 yrs in a position of responsibility/ preferably experience in Detective work and or specialised study/ attitude in G. S. Schools.	No	By promotion/Deputation/Transfer/Direct recruitment/employment (to percentage fixed for any of these methods.)	Promotion of Senior Field Officers Sub-Area Organisers with 6 years service in the Gr. or in an equivalent Gr. Deputation of officers holding the rank of Asstt. Director/Area Organiser or equivalent or persons eligible for appointment to such posts in office of State/Central Govt. Transfer of Sr. Instructor (maintainance) or equivalent or officers eligible for appointment to such posts or of civilian pilots of AEC Dto. who are unable to perform maintainance/flying duties for medical or other reasons. Re-employment of retired officers considered suitable.	Class IV BPO

Divisional Organiser.

4

SECRET

No. IV/202/96(7)Pt.I/550-80
Directorate General of Security
Cabinet Secretariat
Block-V (East)
R.K.Puram
New Delhi-110066

Dated : 11 AUG 1999

O R D E R

Pursuant to the Cabiner Sectt's Order No. 6/2/90-DO. II-2613 dated 05.08.99, Shri J.S. Pandey, ~~xxxxxx~~ IPS (UP:76) is appointed as Divisional Organiser/Joint Director in the SSB, in the pay scale of Rs.18,400-22,400/- on deputation basis for a period of five years from the date of assumption of charge of the post and until further orders, whichever event takes place earlier.

2. On his appointment as Joint Director/Divisional Organiser in the SSB on deputation basis, Shri J.S.Pandey, IPS, is posted as Divisional Organiser, SSB, UP Division, Ranikhet against the existing vacancy.

Sd/- Illegible

(K.K. LUTHRA)

DEPUTY INSPECTOR GENERAL (EA)

DISTRIBUTION :

1. The Director of Accounts, Cabinet Sectt. Block-IX (East), R.K.Puram, New Delhi.
2. The Additional Secretary (SR), Cab. Sectt. for information with reference to Cab. Sectt's Order under reference.
3. The Chief Secretary to the Govt. of UP. Lucknow
4. The Director General of Police, UP, Lucknow.
5. Shri J.S.Pandey, IPS (UP:76), C/o the Director General of Police, UP.
6. The Divisional Organiser, HP/UP/R&G/J&K/SB/NB/NA/SHG/AP/M&N.
7. The Joint Deputy Director (EA) SSB Dte, alongwith a copy of Cabinet Sectt. Order dt. 5.8.99.
8. All Deputy Inspectors General at SSB Dte/I.C.Jammu, Sarhan, Salonibari, Haflong, Kohima, FA Gwaldam.
9. The Accounts Officer, SSB Directorate.
10. PS to ID, DGS/Director, SSB.
11. S.O's Guard File.

It is requested that the officer may please be relieved immediately for taking over the above appointment.

SECRET/CONFIDENTIAL

No.IV/202/99(7) Pt-I/112-143
Directorate General of Security
Cabinet Secretariat
Block V (East)
R.K.Puram,
New Delhi-110088

Dated : 14 Feb 2000

ORDER

Pursuant to the Cabinet Secretariat's Order No.6/2/99-DO.II-444 dated 11.02.2000, Shri J.B.S. Negi, IPS (WB:76) is appointed as Divisional Organiser, SSB, South Bengal Division, with Hqrs. at Calcutta in the pay scale of Rs.18,400-22,400/- on deputation basis for a period of five years from the date of assumption of charge of the post or until further orders, whichever event takes place earlier.

Sd/- Illegible
DEPUTY INSPECTOR GENERAL (EA)

DISTRIBUTION

1. The Director of Accounts, Cabinet Sectt., Block II (East) R.K. Puram, New Delhi.
2. Shri P.N.Thakur, Director (SR), Cabinet Sectt. for information with reference to Cabinet Sectt's order under reference.
3. The Chief Secretary, Govt. of Tripura/Chief Secretary, Govt. of West Bengal, Calcutta, with the request that the officer may please be relieved immediately with directions to take over his new assignment.
4. Shri J.B.S. Negi, IPS (WB:76), I.G. (P), Tripura, C/o DG (P) Tripura for information and necessary action.
5. The Divisional Organiser : HP/UP/R&G/J&K/SB/NB/NA/SHG/AP/M&N Divisions.
6. The Joint Director (P&C)/Joint Director (Pers)/Joint Director (Ops&Trg.).
7. All the DIGs at SSB Dte/TC Jammu/Sarahan/Salonibari/Haflong/Kohima & FA Gwaldam.
8. The Joint Deputy Director (EA), SSB Dte. along with a copy of Cabinet Sectt. order referred to above.
9. The Accounts Officer, SSB Directorate.
10. P/F Shri J.B.S. Negi, Divisional Organiser.
11. SO's Guard File.

CONFIDENTIAL

No.IV/202/2000(7) Vol-I/545-577
Directorate General of Security
Cabinet Secretariat
Block - V, R.K.Puram
NEW DELHI-110066

Dated 26 JUN 2000

O R D E R

In pursuance of Cabinet Secretariat's order No.6/11/98-D.O.II-1449 dated 23.6.2000, Shri D.S.Manhas, IPS (HP:77), presently working as Deputy Inspector General in SSB, is appointed as Divisional Organiser/Joint Director in SSB in the pay scale of Rs. 18,400-22,400/- on deputation basis for a period upto 04.01.2003 or until further orders whicher is earlier, from the date of assumption of charge of the post.

2. On his appointment on deputation basis as Divisional Organiser/Joint Director in the SSB, Shri D.S. Manhas, IPS (HP : 77) is posted as Divisional Organiers, HP Division with Hqrs. at Shimla.

Sd/- Illegible 26.6.2000

(S.R.MEHRA)

JOINT DIRECTOR (PERS)

DISTRIBUTION

1. The Director of Accounts, Cabinet Sectt. Block-IX (East), R.K.Puram, New Delhi-110066.
2. Shri P.N.Thakur, Director (SR), Cabinet Sectt.
3. The Chief Secretary, Govt. of HP Shimla.
4. The Director General (Police), HP Shimla.
5. Shri D.S.Manhas, IPS DIG HP Division, Shimla.
6. Divisional Organiser-HP/UP/R&G/J&K//SP/NP/NA/SHG/AP/M&N Divisions.
7. The Joint Director (P&C)/Joint Director (Pers)/Joint Director (Ops & Trg.).
8. All the DIGs at SSB Dte./T.C.Jammu/Sarahan/Salonibari/Haflong/Kohima/FA Gwaldam.
9. The Joint Deputy Director (EA), SSB Dte. alongwith a copy of Cabinet Sett. order dated referred to above.
10. The Accounts Officer, SSB Directorate.
11. P/F of Shri D.S.Manhas, IPS, D.O.
12. SOs Guard file.

Haflong, Assam.

The 6th. Sept., 2000.

37

To

Shri A.S. Dulat, IPS.
 Director General (Security)-Cum-Secretary (R)
 Cabinet Secretariat.
 Govt. of India.
New Delhi:

(Through proper channel).

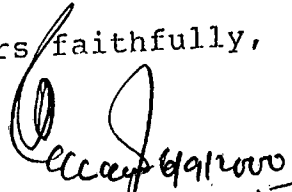
Sir,

May I draw your kind attention to the following facts for favour of your kind consideration and favourable orders.

1. That I have completed 6 (six) years of continuous Service as Dy. Inspector General under SSB on 1st. Nov., 1998 and become eligible for promotion to the next higher grade of Divisional Organiser/Jt. Director as per provisions in SSB (Senior Executive) Service Rules, 1977.
2. That I stand at SL.2 (two) in Seniority as on date as per seniority list in respect of Dy. Inspector General under SSB last circulated on 5th. Feb., 1998 and completed total service of 30 years in SSB including 17 years in Group-A post.
3. That at present there are 4 (four) clear and 1 (One) anticipated vacancies in the grade of Divisional Organiser/Jt. Director (M&N, NBS, N.A. Divisions, JD(Coord) and A.P. Division) after recent filling up of 3 (three) vacant posts of DO/JD (SB, UP and H.P. Divisions) by deputation of Officers belonging to AIS Cadre ignoring the claims of eligible cadre officers of SSB.
4. That no DPC was held for promotion of the Officers belonging to SSB (Senior Executive) Service to next higher grade of DO/JD after I became eligible for promotion as on 1st. Nov., 1998 which is against the established norms and practices.
5. That it may kindly be appreciated that eligible Officers from SSB Cadre and their inordinate delay in promotion and under-representation to next higher grade of DO/JD despite (available) clear vacancy, is not only unjustifiable but also unjust, unfair and much demoralising for the Cadre Officers.
6. I shall, therefore, be grateful if you could kindly look into the matter and kindly arrange holding of DPC for the Cadre Officers which is long over due so that I am not forced to knock the doors of the Court of Law seeking redress to my legitimate and just claim for promotion to the next higher grade of DO/JD against the existing clear vacancies.

With kind regards.

Yours faithfully,


 (M.L. CHAUDHURI)
 DIG(SSB), T.C. (SSB)
 HAFLONG: ASSAM.

(copy)
32.

REGISTERED

ANNEXURE-5

38

HAFLONG : ASSAM.
THE 15 TH. SEPT., 2000.

To

The Cabinet Secretary,
Government of India.
Bikaner House Annexe
Shajahan Road.
New Delhi-110 011.

(Through Proper Channel).

Sir,

May I draw your kind attention to the following facts for favour of your kind consideration and favourable orders.

1. That I have completed 6 (six) years of continuous service as Dy. Inspector General on 1st. Nov., 1998 in SSB under DG(S), Cabinet Secretariat and became eligible for promotion to the next higher grade of Divisional Organiser/Jt. Director as per provision in SSB (Senior Executive) Service Rules, 1977.

2. That I stand at SL.2 (two) in seniority as on date as per seniority list in respect of Dy. Inspector General under SSB circulated last on 5th. Feb., 1998 and have completed total service of 30 years on 19-4-2000 (including 17 years in Group-A post).

3. That at present there are 4 (four) clear and 1 (one) anticipated vacancies in the grade of Divisional Organiser/Jt. Director (M&N, NBS, NA Divns., JD (Coord) and A.P. Divn) in SSB under Cabinet Secretariat.

4. That 3 posts of DO/JD (South Bengal, U.P. and H.P.) in SSB have recently been filled up by deputation of Officers belonging to AIS Cadre despite availability of eligible Cadre Officers and in violation of the provisions of the recruitment/promotion rules for the cadre officers.


Unfortunately, no DPC was held for promotion of the eligible Officers belonging to SSB (Senior Executive) Service to the next higher grade of DO/JD after I became eligible for promotion on 1-11-1998 which is against the established norms and promotion policy.

5. That It may kindly be appreciated that eligible officers from SSB Cadre and their inordinate delay in promotion and under-representation to next higher grade of DO/JD despite availability of clear vacancy, is not only unjustifiable but also unjust, unfair and much demoralising for the Cadre Officers.

6. That I made a representation to DG(Security), Cabinet Secretariat but not received any favourable order till date forcing me to make the instant representation seeking immediate redressal to the injustice done to me by not holding the DPCs for last nearly three years.

7. I shall, therefore, be grateful if you could kindly intervene and direct the authorities concerned for immediate holding of DPC for promotion of the Cadre Officers which is long over due so that I am not forced to knock the door of the Court of law seeking redress to my legitimate and just claim for promotion to the next higher grade of DO/JD against the existing/anticipated vacancies as mentioned in Para 4 above.

Yours faithfully,


(M.L. CHAUDHURI)
DIG (SSB), T.C. (SSB)
HAFLONG : ASSAM.