

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

X

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 102/95

R.A/C.P No.

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SECTION OFFICER (Judl.)

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH::GUWAHATI.5

✓ O.A.No. 102/95

Misc. Petn.

C. P. No.

R. Appl:

.....B. B. Acharya Sharma APPLICANT'S
frs.

.....State of Manipal..... RESPONDENT'S

Mr. T. Nandakumar,.....FOR THE APPLICANTS

Mr. Manohar Singh, Mr. Narasimhan

Mr. J. Manilal Singh.

~~Mr. A. Richard [unclear] [unclear]~~ FOR THE RESPONDENTS

Mr. A. K. Choudhury, Adm. Case

OFFICE NOTE

DATE _____

ORDER

24-5-95

Mr.T.N.Singh, advocate for the

applicant.

Heard. Prima facie the question raised in the O.A. appears to be a question of law and needs consideration particularly having regard to the decision of the Jabalpur Bench of Central Administrative Tribunal in O.A. No.591/89 dated 13-8-95. The unanticipated vacancy occurred when the 1994 Select list was still in operation. Since the applicant was selected and was in the panel it is possible to take the view that Regulation No.9 of the IAS(Appointment by Promotion) Regulations 1955, may be attracted. It would be possible to say that the applicant could be appointed against that vacancy. It appears from the note of the Chief Minister, State of Manipur dated 21-3-95 (Annexure A-5) that proposal for appointment of the applicant was directed to be sent to the Government of India forthwith. However it is not clear as to why the direction of the Chief Minister which was consistent with the law had not been carried out and the DPC for the year

Wex

contd/-

24-5-95 1995 was constituted. May be perhaps the name of the applicant could not be forwarded owing to paucity of time for the concerned officer to take the necessary steps.

Since the 1994 list would be operative till the next Select List is approved by the UPSC, it is still open to the State Government to recommend the appointment of the applicant. This appears to us prima facie to be the position. This however should not be understood as our final view which can be formed only after hearing the respondents.

It is stated in paragraph 3 of the O.A. that list prepared by the committee at its meeting held on 23-3-95 is still lying with the Government of Manipur and as such the Commission(UPSC) has not so far approved the said list.

In the light of the above circumstances pending admission the following ad-interim order is passed:

i) If the list prepared by the committee in its meeting held on 23-3-95 is still lying with the Government of Manipur and has not been forwarded to the UPSC, the respondent No.1 (State of Manipur) is directed not to forward the same to the UPSC until further orders.

ii) It is left open to the respondent No.1 to consider in the meantime to take steps to appoint the applicant in the existing vacancy on the basis of 1994 Select List.

iii) This ad-interim order shall be without prejudice to the rights and contentions of the respondents at the hearing of the O.A. for admission.

iv) The respondents to show cause as to why the O.A. be not admitted and this ad-interim order be not confirmed.

contd/-

hll

24-5-95

Issue notice to the respondents as above. Returnable on 26-6-95.

(v) Liberty to the respondents or any of them to apply for vacating/modifying order in clause (i) above earlier to the returnable date subject to giving 24 hours advance notice to the learned advocate of the applicant.

vi) At this stage Mr. A.K. Choudhury Addl. C.G.S.C. seeks to appear for the respondents. However notices be issued directly to the respondents.

The notices may be issued by speed post or any other mode at the cost of the applicant if so requested for by the learned advocate for the applicant.

Adjourned to 26-6-95 for admission.

Chandhury
Vice-Chairman

Go
Member

lm

Ra 25/5/95

Notices to all Respdt.
issued vide nos. 2361 to
2364 dtd. 31.5.95
Under Speed Post No.
7251 to 7254 dtd. 31.5.95

Am.

Order communicated to
the L/A for both sides
vide nos. 2368, 2369
dtd. 1.6.95

Series Reports are still
awaited.
5/23/6

U
O.A.No.102/95

OFFICE NOTE

DATE


COURT'S ORDER

26.6.95

Mr T. Nanda Kumar Singh for
the applicant.

Mr N. Promod Singh for the
respondent Nos. 1 and 2.

Heard the learned counsel.
Learned counsel for the applicant
desires to consider the impact of the
recent decision of this Tribunal in
O.A.No.176/94 dated 20.6.1995.
Adjourned to tomorrow.


Vice-Chairman


Member

nkm

For
28/6

OFFICE NOTE

DATE

COURT'S ORDER

27-6-95

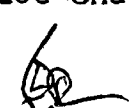
Mr.T.NandaKumar for the applicant. Mr.N. Promode Chandra Singh for respondents 1 & 2.

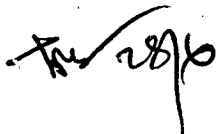
Heard the learned counsel for both the sides. From the show cause reply filed by the respondents 1 & 2, It appears that the Meeting of the Select Committee was held on 24-3-95. The learned counsel for the respondents 1 & 2 states ^{on} and ^{ions} instructed that the name of the applicant was included in the list of officers ~~to be~~ considered at the said Select Committee Meeting. The reply shows that the list ~~of selected candidates~~ has been forwarded to the Union Public Service Commission on 24-4-95. The outcome ^{of} recommendation ^{of} the Select Committee is awaited.

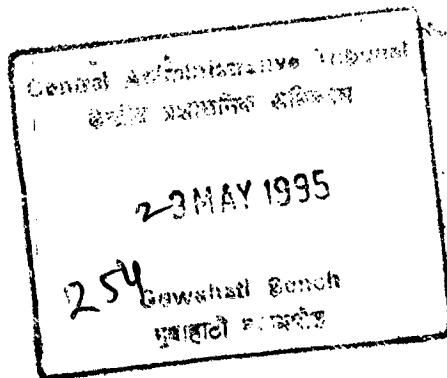
Since claim of the applicant is relating to vacancy ^{that} arose during the currency of the earlier i.e. 1994 list, That question is covered by the latest decision of this Bench (Hon'ble Chairman, S.C.Mathur and G.L.Sanglyine, Member (A) in O.A. No. 176/94 dated 20-6-95. The applicant can ^{hope to} pursue his remedy only after the decision on selection is finally taken by the Government. In that view ~~the~~ ^{with} of the matter the liberty to the applicant ^{to} seeks his remedy in accordance with the ^{law} including Tribunal ^{approaching} in the event of ^{he} being eventually ~~is~~ not selected ^{at} the selection made by the Select Committee in 1995, The application is disposed of with not further order thereon. We give liberty to the applicant to agitate the contentions that have been urged in support of the present application in the fresh application ^{would} is if occasion arise. No order as to costs.

The Ad-interim order dated 24-5-95 does not survive and is hereby vacated. Copy of this minutes to be supplied to both the counsel.


Vice-Chairman


Member





Filed by
8
2. J. Lal Singh
(I. MANILAL SINGH)
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH, GUWAHATI.

O.A. NO. 102/ OF 1995.

BETWEEN :

Shri B. Badrinarayan Sharma,
aged about 38 years,
S/O Late B. Bidyasunder Sharma,
M.C.S. Grade-I, at present
working as Administrative Officer
in the Power Department,
Government of Manipur.

... APPLICANT.

- VERSUS -

1. The State of Manipur represented
by the Chief Secretary to the
Government of Manipur, Imphal,
Manipur and another.

... RESPONDENTS.

3. The Union of India represented
by the Secretary to the
Government of India, Department
of Personnel and Administrative
Reforms (Personnel Division),
New Delhi and another.

... PROFORMA-RESPONDENTS. . . .

I undertake to
have a copy of this
application to
S.M.C.B.C.E.
J. Lal Singh
(I. MANILAL SINGH)
23.5.95

Contd. . . P/ii.

-: (ii) :-

I N D E X

Sl. No.	PARTICULARS.	PAGE NO.
1.	Application of the present Applicant.	1 - 18
2A.	Affidavit sworn by the present Applicant.	18A
2.	Final Seniority list of the M.C.S. Officers including the Applicant vide orders of the Governor of Manipur being No.22/ 1/88-MCS/DP dated 8.1.1992 (<u>ANNEXURE-A/1</u>).	19 - 21
3.	Orders of the Governor of Manipur being No.3/9/90-MCS/DP(I) dated 9/9/1993 for appointing the Applicant and others as M.C.S. Grade-I on promotion. (<u>ANNEXURE-A/2</u>).	22 - 23
4.	Notification being No.F.14015/3/ 94-AIS(I) dated 15/9/1994 for appointing 2(two) M.C.S. Officers to the Indian Administrative Service by the President of India. (<u>ANNEXURE-A/3</u>).	24 - 25

Contd. . . P/iii.

- (iii) :-

Sl. No.	PARTICULARS.	PAGE NO.
------------	--------------	----------

5. Notification being No.F.14015/3/
94-AIS(I) dated 16/2/1995 for
appointing Y. Jugindro Singh,
M.C.S. Officer to the Indian
Administrative Service by the
President of India.
(ANNEXURE-A/4).

(26) + 27

6. A copy of the U.O. being No.1/8/
94-QM dated March 21,1995 issued
by the Hon'ble Chief Minister,
Manipur for appointment of the
Applicant to the I.A.S. to the
Chief Secretary, Govt of Manipur
~~Central Government.~~
(ANNEXURE-A/5).

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH, GUWAHATI.

O.A. NO. OF 1995.

Between

Shri B. Badrinarayan Sharma,
aged about 38 years,
S/O Late B. Bidyasunder Sharma,
M.C.S. Grade-I, at present
working as Administrative Officer
in the Power Department,
Government of Manipur.

- APPLICANT.

- VERSUS -

1. The State of Manipur represented
by the Chief Secretary to the
Government of Manipur, Imphal,
Manipur.
2. The Secretary (D.P), DEPARTMENT OF PERSONNEL
Government of Manipur.

IMPHAL

- RESPONDENTS.

Contd. . . P/2.

12

-: (2) :-

3. The Union of India represented
by the Secretary to the
Government of India, Department
of Personnel and Administrative
Reforms (Personnel Division),
New Delhi.

4. The Union Public Service Commission
represented by its Secretary, DHOLPUR HOUSE
SAHJAHAN ROAD,
New Delhi.

... PROFORMA-RESPONDENTS.

IN THE MATTER OF

The Humble Application of the
Applicant abovesaid under
Section 19 of the Administrative
Tribunals Act, 1985.

Most Respectfully Sheweth :

1. That, the applicant declares that the
subject matter of the present application is the
matter concerning with the appointment to the
Indian Administrative Service by promotion and
as such the Central Administrative Tribunals has
jurisdiction to take up the present application
and also that Applicant is the Manipur Civil
Service Officer, Grade-I in the Government of Manipur

19

-: (3) :-

seeking for redressal for appointment to the I.A.S. by promotion, and therefore the present application can be taken up by the Central Administrative Tribunal, Gauhati Bench, Guwahati.

2. That, the applicant further declares that the present application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985 inasmuch as the cause of action of the present application arose on 15.3.95 on which one vacancy in the promotion quota in the I.A.S. (Joint Cadre of Manipur and Tripura) arose due to sudden demise of one Shri A. Dwijamani Singh, I.A.S. or/on 23.3.95 on which Selection Committee constituted under Rule 3 of the Indian Administrative Service (Appointment by promotion) Regulations 1955 held its meeting for preparation of a new select list.

3. That, the succinct facts of the Applicant's case are tersely put up hereunder :

(A) That, the Applicant was appointed by direct recruitment to the Manipur Civil Service Grade-II vide orders of the Governor of Manipur dated 12.5.83. In pursuance of the said appointment order dated 12.5.83, the Applicant joined his service as M.C.S. Officer and discharged his duties very sincerely,

Contd. . . P/4.



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-: (4) :-

honestly, diligently and efficiently to the entire satisfactions of his senior officers, fellow colleagues and his subordinates. The Governor of Manipur in exercise of power under rule 28 of the Manipur Civil Services Rules 1965 and in consultation with the Manipur Public Service Commission fixed the seniority of the M.C.S. Officers vide orders of the Governor of Manipur being No.22/1/88-MCS/DP Imphal, the 8th January, 1992.

A true copy of the said final seniority list of the M.C.S. Officer dated 8.1.1992 is enclosed herewith and marked as Annexure-A/1.

- (B) That, after serving more than 10(ten) years as M.C.S. Officer Grade-II, the applicant was considered by Selection Committee constituted under Rule 30 of the M.C.S. Rules 1965 read rule 5(1) of the M.C.S. (Amendment) Rules 1991 for promotion to M.C.S. Grade-I. On the recommendation of the said selection Committee, the Governor of Manipur was pleased to appoint the Applicant and 19(nineteen) other M.C.S. Grade-II Officers on promotion to M.C.S. Grade-I with immediate effect vide

J22

Contd. . . P/5

OFFICE OF THE SECRETARY
MANIPUR CIVIL SERVICES

✓

-: (5) :-

orders of the Governor of Manipur being
No.3/9/90-MCS/DP(1) Imphal dated the 9th
September,1993.

A true copy of the said order
dated 9.9.1993 is enclosed here-
with and marked as Annexure-A/2.

(C) That, it may here be mentioned that under
Rule 4 of the Indian Administrative Service
(Recruitment) Rules 1954, methods of recruit-
ment to the Indian Administrative Service
are

(a) by a competitive examination ;

(aa) by selection of persons from among
the Emergency Commissioned Officers
and Short Service Commissioned Officers
of the Armed Forces of the Union who
were commissioned on or after the 1st
November, 1962 but before the 10th
January 1968 or who had joined any
pre-commission training before the
later date but who were commissioned
on or after that date ;

(b) by promotion of substantive member of
a State Civil Service ;

(c) by Selection, in special cases from
among persons who hold in a substantive
capacity gazetted posts in connection
with the affairs of a State and who are

Contd. . . P/6

JDP

SECRETARY, MANIPUR GOVT.

16

-: (6) :-

not members of a State Civil Service.

Under Rule 8 of the Indian Administrative Service(Recruitment) Rules 1954, the Central Government may on the recommendation of the State Government concerned and in consultation with the commission and in accordance with such regulations as the Central Government may, after consultation with the State Government and the Commission, from time to time, make, recruit to the service persons by promotion from amongst the substantive members of a State Civil Service ;

- (D) That, in pursuance of Sub-rule(1) of rule 8 of the Indian Administrative service (Recruitment) Rules 1954, the Central Government, in consultation with the State Government and the Union Public Service Commission makes the regulations called the Indian Administrative Service (Appointment by promotion) Regulations 1955. Under Regulation 3 of the I.A.S. (Appointment by Promotion) Regulations 1955, a Committee to make selection of the Officers for appointment to the I.A.S. by promotion shall be constituted for a State cadre or a joint Cadre.

According to Regulation 5 of the I.A.S. (Appointment by promotion) Regulations 1955, Committee constituted under Regulation 3 shall ordinarily meet at intervals not exceeding .

Contd. . . P/7.

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-: (7) :-

one year and prepare a list of such members of the State Civil Service as are held by them to be suitable for promotion to the service and the number of members of the State Civil Service included in the list shall not be more than twice the number of Substantive Vacancies anticipated in course of the period of twelve months commencing from the date of preparation of the list, in the posts available for them under rule 9 of the Recruitment Rules or 5 per cent of the senior posts shown against items 1 and 2 of the cadre schedule of each State or group of State whichever i.e. grater.

The list prepared in accordance with regulation 5 shall be forwarded to the Commission (U.P.S.C.) by the State Government in compliance with Regulation 6 of the I.A.S. (Appointment by promotion) Regulation 1955 ;

- (E) That, according to Sub-regulation(1) of the Regulation 7 of the I.A.S. (Appointment by Promotion) Regulation 1955, the Commission (U.P.S.C.) shall consider the list prepared by the Committee along with the other documents received from the State Government and unless it considers any change necessary, approve the list.

Contd. . . P/8.

18

→ (8) :-

Sub-regulation (4) of the regulation 7 of the I.A.S. (Appointment by Promotion) Regulations 1955, is reproduced below for easy reference :-

"(4), The select list shall ordinarily be in force until its review and revision, effected under Sub-regulation(4) of regulation 5, is approved under Sub-regulation(1) or as the case may be, finally approved under Sub-regulation(2)";

(F) That, it may here also be mentioned that according to Regulation 9 of the I.A.S. (appointment by promotion) Regulations 1955, the Central Government shall appoint the members of the State Civil Service to the I.A.S. on the recommendation of the State Government in the order in which the names of the members of the State Civil Service appear in the select list for the time being in force.

Again Regulation 9 of the I.A.S. (Appointment by promotion) Regulation 1955 is reproduced below :-

"9. Appointment to the service from the select list.

(1) Appointment of members of the State Civil Service to the service shall be made by the Central Government on the recommen-

Contd. . . P/9.

9

-: (9) :-

dition of the State Government in the order in which the names of members of the State Civil Service appear in the select list for the time being in force.

provided that the appointment of members of the State Civil Service shall be made in accordance with the agreement arrived at under clause(b) of sub-rule(3) or rule 8 of the Recruitment Rules in the order in which the names of the members of the State Civil Service occur in the relevant part of the select list for the time being in force.

- (2) It shall not ordinarily be necessary to consult the Commission before such appointments are made, unless during the period intervening between the inclusion of the name of a member of the State Civil Service in the select list and the date of the proposed appointment there occurs any deterioration in the work of the member of the State Civil Service which in the opinion of the State Government, is such as to render him unsuitable for appointment to the service.

- (G) That, on 27.3.94 the Committee constituted under Regulation 3 of the I.A.S. (appointment by Promotion) Regulations 1955, held its

Contd. . . P/10.



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- (10) :-

meeting for preparation of the select list of the M.C.S. Officers for 3(three) Substantive vacancies anticipated in the I.A.S. in the course of the period of 12(twelve) months commencing from the date of preparation of the list. In the select list prepared by the Committee in its meeting held on 27.3.94, name of the Applicant appeared at serial No.4 in order of merits and the names of the M.C.S officers appeared at serial Nos.1 to 3 in the said select list are

- (1) Shri H. Imocha Singh.
- (2) Dr. R.K. Nimai Singh.
- (3) Shri Y. Jugindro Singh.

The Commission(U.P.S.C.) approved the said select list prepared by Committee in its meeting held on 27.3.94 finally after due consideration in the month of August, 1994 i.e. on 10.8.94.

(H) That, the M.C.S. Officers whose names appeared at serial No.1 to 3 in the said select list prepared by the Committee in its meeting held on 27.3.94, had been appointed to the Indian Administrative Service by the President of India vide notification No.F.14015/3/94.A.I.S.(1) New Delhi the 15th September 1994 and notification No.14015/3/-94-A.I.S(1) New Delhi the 16th February,1995 respectively.

Contd. . . P/11. .


[Illegible text]

21

- (11) :-

True copies of the said notifications dated 15.9.94 and 16.2.95 are enclosed herewith and marked as Annexures-A/3 and A/4 respectively.

- (I) That, while the said select list in which name of the Applicant appeared at serial No.4 is force, one substantive vacancy in the Indian Administrative Service (Promotion quota in the joint cadre of Manipur and Tripura) arose on 15.3.95 due to sudden demise of one Shri A. Dwijamani Singh, I.A.S. (Promotee) of the Manipur and Tripura cadre. The State Government is to recommend the applicant for appointment to the said Substantive Vacancy in the post of I.A.S. to the Central Government and the Central Government shall appoint the applicant whose name appeared in the said select list for the time being in force to the Indian Administrative services. But for the reasons best known to the present incumbent of the post of Chief Secretary, Government of Manipur did not take up any action for recommendation of the applicant for appointment to the said substantive vacancy in the I.A.S. to the Central Government ;

Contd. . . P/12.

[Signature]
SECRETARY TO GOVERNMENT
MANIPUR

-(12) :-

(J) That, Hon'ble Chief Minister, Manipur issued an U.O. being No.1/8/94-QM Imphal, March 21, 1995 to the Chief Secretary to the Government of Manipur to send proposal/recommendation for appointment of the applicant to the I.A.S. to the Central Government. But the present Chief Secretary who is bias and malafide against the applicant for the reasons best known to him (Chief Secretary) did not take up action for sending the recommendation/ proposal of the Government of Manipur for appointment of the Applicant to the I.A.S.

A copy of the said U.O. No.1/8/94 C.M. dated 21.3.95 is enclosed herewith and marked as Annexure-A/5.

(K) That, the applicant also approached the Chief Secretary, Government of Manipur by filing representation for taking up necessary action for appointment to the I.A.S. by promotion ;

(L) That, the present Chief Secretary, Government of Manipur instead of recommending the applicant whose name appeared at serial No.4 of the said select which is for time being in force took up steps very hastily for holding meeting of the Committee for preparation of the new select list of

-: (13) :-

M.C.S. Officers. On 23.3.95 the Committee (Committee constituted under Regulation 3 of the I.A.S.(appointment by promotion) Regulations 1955) held its meeting for preparation of the new select list of M.C.S. Officers for appointment to the I.A.S. by promotion. The list prepared by the Committee in its meeting held on 23.3.95 is still lying with the Government of Manipur and as such the Commission (U.P.S.C.) has not approved the said list.

4. That, in the facts and circumstances of the present case, there is no remedy available to him except the present application for the reliefs sought for hereunder. Over and above because of the very emergent situations in the present case, there cannot be delay in approaching the Central administrative Tribunal by filing the present application and delay in filing the present application shall be very fatal to the applicant inasmuch as the present application shall be infructuous as soon as the said new select is approved by the Commission (U.P.S.C.)

5. That, in view of the facts mentioned in the para No.3 above, the applicant files the present applications for the reliefs mentioned hereunder on the following grounds :-

(a) For that the applicant whose name appeared in the said select which is for the time being in force shall

25

- (15) :-

- (f) For that the applicant shall not suffer because of the administrative lapses of the Respondents No.1 and 2 ;
- (g) For that the rights of the Applicant under Articles 14 and 16 of the Constitution of India had been denied by the Respondents ;
- (h) For that there are other sufficient grounds for allowing the represent Application.

In the view of the above facts, the Applicant prays that Your Lordship be pleased :-

- (a) to admit the present application ;
- (b) to call for the records ;
- (c) to issue notice to the Respondents and Proforma-Respondents to show cause as to why direction should not be made to appoint the Applicant to the said Substantive Vacancy in the I.A.S. by promotion ;
- (d) upon hearing the parties to make the rule absolute ;
- (e) to pass any other orders or/directions appropriate in the facts and circumstances of the present case ;

- A N D -

Contd. . . P/16.

[Signature]
[Stamp]

26

-: (16) :-

Pending disposal of the present application
Your Lordship may be pleased to restrain ^{the Respondent}
~~from~~ filling up the said vacancy in the I.A.S.
by approving the said newly prepared select
list or/pass any other appropriate interim
order.

Your Lordship's humble Applicant as in duty bound
shall ever pray.

Signature of the Applicant :

B. Badrinarayan Sharma

Particulars of the postal order in
respect of the application fee :-

Indian Postal Order being No.B 09 312695
in favour of the Registrar, Central
Administrative Tribunal, Gauhati Bench,
Guwahati for Rs.50/-.

24

- (17) :-

List of Enclosures :

- (1) Final Seniority list of the
M.C.S. Officers dated 8.1.1992
vide orders of the Governor of
Manipur being No.22/1/88-MCS/DP.
(ANNEXURE-A/1).
- (2) Orders of the Governor of Manipur
being No.3/9/90-MCS/DP(I) dated
9/9/1993.
(ANNEXURE-A/2)
- (3) Notification being No.F.14015/3/
94-AIS(I) dated 15/9/1994 for
appointing the M.C.S. Officers
to the Indian Administrative Service
by the President of India.
(ANNEXURE-A/3)
- (4) Notification being No.F.14015/3/94-
AIS(I) dated 16/2/1995 for appointing
Y. Jugindro Singh, M.C.S. Officer
to the Indian Administrative Service
by the President of India.
(ANNEXURE-A/4)
- (5) A copy of the U.O. being No.1/8/94-QM
dated March 21, 1995 issued by the
Hon'ble Chief Minister, Manipur for
appointment of the Applicant to the I.A.S.
to the Central Government.
(ANNEXURE-A/5).

Contd. . . P/18.


GOVERNMENT OF MANIPUR
SECRETARY, MANIPUR DEPT.

28

- (18) :-

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

I, B. Badrinarayan Sharma, aged about 38 years,
S/O, Late B. Bidyasunder Sharma, working as
Administrative Officer in the Power Department,
Government of Manipur, resident of Bishenpur
Bazar, Manipur, P.O. and P.S. Bishenpur,
do hereby verify that the contents No.1 and para
3(A), 3(B), 3(G), 3(H), 3(I), 3(J), 3(K) and 3(L),
4 and last part of the para No.5 are true to my
personal knowledge and para Nos. 2 and first part
of the para No.5 believed to be true on legal
advice and I have not suppressed any material facts.

Signature of the Applicant :

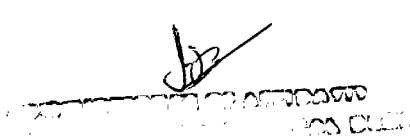
Dated : 20.5.95

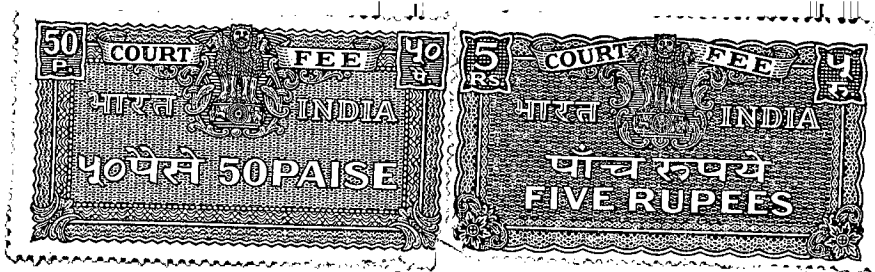
B. Badrinarayan Sharma

Place : Imphal.

To

The Registrar,
Central Administrative Tribunal,
Gauhati Bench, Guwahati.





29

-(18A) :-

A F F I D A V I T

I, B. Badrinarayan Sharma, aged about 38 years, S/O Late B. Bidyasunder Sharma working as Administrative Officer in the Power Department, Government of Manipur, resident of Bishenpur Bazar, Manipur, P.O. & P.S. Bishenpur, do hereby make oath and say as follows :-

1. That, I am the Applicant in the accompanying Application and as such I am fully well acquainted with the facts and circumstances of the case. I have understood the contents of the said Application. I am giving my affidavit in support of the said Application. This is true to my knowledge.
2. That, the contents made in the above para No.1 and para 3(A), 3(B), 3(G), 3(H), 3(I), 3(J), 3(K) and 3(L), 4 and last part of the para No.5 are true to my personal knowledge and para Nos.2 and first part of the para No.5 believed to be true on legal advice and I have not suppressed any material facts.
3. That, the Annexures-A/1 to A/5 annexed hereto are true copies of the original ones. This is true to my knowledge.

Dated : 20.5.95

B. Badrinarayan Sharma
Signature of the Deponent :

By :- Hem Chandra Singh

Advocate.

Solemnly affirmed before me this the 20th
at 10-30 P.M.
day of May, 1945. The declarant is
Hem Chandra Singh
/pers.

and over and explained
the contents of the declaration and that the
declarant seemed perfectly to understand
them.

20/5/45

NOTARIAL OFFICE OF AFFIDAVIT
NOTARIAL DEPARTMENT, NAGALAND

ANNEXURE-A/1.

GOVERNMENT OF MANIPUR
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(PERSONNEL DIVISION)

ORDERS BY THE GOVERNOR, MANIPUR

Imphal, the 8th January, 1992.

No.22/1/88-MCS/DP : Under rule 28 of the MCS Rules, 1965
(as amended from time to time) and in consultation with
the Manipur Public Service Commission, the Governor of
Manipur is pleased to fix the seniority of the MCS Officers
as below :-

Sl. No.	Name of Officers.	Dt. of birth.	Date of apptt. to MCS.	Method of recruitment.
(1)	(2)	(3)	(4)	(5)
	S/Shri			
1.	Raghunath Prasad	12-11-45	10-3-69	Direct.
2.	K. K. Hugh	16-12-35	20-5-75	Promotee.
3.	S.Ningthemjao Singh.	1-4-36	20-5-75	Promotee.
4.	A.Ibocha Singh	1-3-50	6-3-75	Direct.
5.	L.M. Haokip	1-11-43	6-3-75	Direct.
6.	T.L. Singson	1-3-43	6-3-75	Direct.
7.	S. Jerol	1-1-45	6-3-75	Direct.
8.	N.Tombi Singh	1-5-37	20-5-75	Promotee.
9.	Smt. C.Kipgen	1-2-49	6-3-75	Direct.
10.	A.Dwijamani Singh	1-6-37	20-5-75	Promotee.
11.	Kh. Dinamani Singh	1-3-47	6-3-75	Direct.
12.	S.Kritibash Sharma	1-3-44	7-8-75	Promotee.
13.	N.Ibotombi Singh	1-8-38	7-8-75	Promotee.

Seniority of the above 13 Officers has already been fixed
vide Order No.23/10/78-DP dated 31-1-1982)

14.	S.R.Bhattacharjee		21-11-81	Promotee.
15.	K.K. Chhetry	4-3-53	12-5-83	Direct.

True Copy
H. Chandrasekhar Singh
Advocate.

-: (2) :-

1.	2.	3.	4.	5.
16.	H. Imocha Singh	1-9-54	12-5-83	Direct.
17.	Dr.R.K.Nimai Singh	13-8-54	12-5-83	Direct.
18.	Y.Jugindro Singh	1-2-55	12-5-83	Direct.
19.	B.Badrinarayan Sharma	14-3-57	12-5-83	Direct.
20.	S.Sunderlal Singh	1-3-54	12-5-83	Direct.
21.	Y.Thamkishore Singh	1-2-55	12-5-83	Direct.
22.	Norbert Disinang	1-3-56	12-5-83	Direct.
23.	T.Sitlhou	1-1-60	24-9-83	Direct..
24.	Kh. Panmei	1-9-51	24-9-83	Direct.
25.	P.Kipgen	1-10-34	10-5-84	Promo tee.
26.	D.Chakravarty	18-10-36	10-5-84	Promo tee.
27.	L. Ibomcha Singh	1-12-34	10-5-84	Promo tee.
28.	S. Ira Singh	11-2-37	10-5-84	Promo tee.
29.	L.Guneshwor Sharma	1-1-42	10-5-84	Promo tee.
30.	L.Mokundo Singh	1-3-40	10-5-84	Promo tee.
31.	Th.Rohinikumar Singh	1-4-41	10-5-84	Promo tee.
32.	R.H. Nungate	1-2-37	10-5-84	Promo tee.
33.	H. Lakshmikumar Singh.	1-7-59	31-12-85	Direct.
34.	K. Radhakumar Singh.	1-3-58	31-12-85	Direct.
35.	Th.Chittaranjan Singh	1-1-58	31-12-85	Direct.
36.	H. Delaep Singh	16-4-59	31-12-85	Direct.
37.	Jason	1-3-58	31-12-85	Direct.
38.	A. Tombikanta Singh.	1-9-59	11-8-89	Direct.
39.	R.H. Gonmei	1-3-55	22-12-87	Direct.
40.	Th. Gopen Meitei	1-3-60	9-2-88	Direct.
41.	Muivah Athem	17-3-59	9-2-88	Direct..
42.	Luikham Maranchan	14-11-58	9-2-88	Direct.
43.	H.Gyanprakash	29-7-56	9-2-88	Direct.

True Copy
Hem Chandra Singh
Advocate.

Contd. . . P/3.

-(3) :-

1.	2.	3.	4.	5.
44.	M. Harekrishna	3-12-64	9-2-88	Direct.
45.	Th. Sibadutta Singh	1-4-42	1-12-90	Promotee.
46.	Kh. Birachandra Singh	1-1-34	1-12-90	Promotee.
47.	Ch. Budhichandra Singh.	1-6-35	1-12-90	Promotee.
48.	Th. Shampha Singh	1-11-48	1-12-90	Promotee.
49.	B. Achouba Sharma	1-9-40	1-12-90	Promotee.
50.	Th. Bihari Singh	1-5-44	1-12-90	Promotee.
51.	Th. Ramananda Singh	1-9-36	1-12-90	Promotee.
52.	Kh. Amujao Singh	1-3-43	1-12-90	Promotee.
53.	L. Thangtawn	1-1-50	1-12-90	Promotee.
54.	A.S. Shimray	1-3-51	1-12-90	Promotee.
55.	Keishing Somi	25-3-41	1-12-90	Promotee.
56.	Mongjam Joy Singh	1-1-65	23-9-91	Direct.
57.	Motum Yaiskul Meitei	10-4-63	23-9-91	Direct.
58.	Kh. Raghumani Singh	1-2-63	23-9-91	Direct.
59.	T. Ranjit Singh	1-2-64	23-9-91	Direct.
60.	Bobby Waikhom	12-10-64	23-9-91	Direct.
61.	Limneikim Singson	30-6-58	23-9-91	Direct.
62.	Lunminthang Haokip	1-3-58	23-9-91	Direct.
63.	S. Minlianthang Vaiphei	13-7-56	23-9-91	Direct.

By order & in the name of

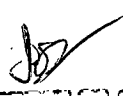
Governor,

Sd/-

(Kh. Tuleshwar Singh)

Under Secretary(DP), Govt. of Manipur.

True Copy
Hem Chandra Singh
Advocate.



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ANNEXURE-A/2.

GOVERNMENT OF MANIPUR
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(PERSONNEL DIVISION)

ORDERS BY THE GOVERNOR OF MANIPUR

Imphal, dated the 9th Sept., 1993.

No.3/9/90-MCS/DP(I) : On the recommendation of the Selection Committee constituted under Rule 30 of the M.C.S. Rules, 1965 read with rule 5(1) of M.C.S. (Amendment) Rules, 1991, the Governor of Manipur is pleased to appoint the following M.C.S. Grade-II Officers on promotion to M.C.S. Grade-I with immediate effect until further orders :

1. Shri S. Ningthemjao Singh.
2. Shri A. Ibocha Singh.
3. Shri Kh. Dinamani Singh.
4. Shri S. Kritibash Sharma.
5. Shri N. Ibotombi Singh.
6. Shri K. K. Chhetri.
7. Shri H. Imocha Singh.
8. Shri R.K. Nimai Singh.
9. Shri Y.Jugindro Singh.
10. Shri B.Badrinarayan Sharma.
11. Shri S.Sunderlal Singh.
12. Shri Y.Thamkishore Singh.
13. Shri Norbert Disinang.
14. Shri T. Sitlhou.
15. Shri Kh. Panmei.
16. Shri D.Chakravorty.
17. Shri S. Ira Singh.
18. Shri L. Guneshwar Sharma.

True Copy
Hem Chandra Singh
Advocate.

Contd. . . P/2.

-(2) :-

19. Shri Mukunda Singh.
20. Shri Th. Rohinikumar Singh.
21. Shri R. H. Nungate.

2. However, the appointments on promotion shall be subject to any direction passed by the Hon'ble Gauhati High Court in the pending cases filed by some of the M.C.S. Officers.

3. Separate orders will be issued regarding their postings.

By order and in the name of Governor,

Sd/- 9/9/93

(Kh. Tuleshwar Singh)
Under Secretary(DP), Govt. of Manipur.

Copy to :-

1. The Secretary to Governor, Manipur,
Raj Bhawan, Imphal.
2. The Secretary to Chief Minister,
Manipur.
3. The P.S. to Deputy C.M., Manipur

P.T.O.

True Copy
Hem Chandra Singh
Advocate.

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ANNEXURE-A/3.

(TO BE PUBLISHED IN PART I SECTION OF THE GAZETTE OF INDIA)

No.F.14015/3/94-AIS(I)

Government of India
Ministry of Personnel, P.G. & Persons
(Department of Personnel & Training)

New Delhi, the 15th September 1994.

NOTIFICATION

In exercise of the powers conferred by sub-rule (1) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954 read with sub-regulation (1) of regulation 9 of the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, the President is pleased to appoint S/Shri H. Imocha Singh and Dr.R.K. Nimai Singh, members of the State Civil Service of Manipur to the Indian Administrative Service on probation with immediate effect and to allocate them to the Joint Cadre of Manipur-Tripura under sub-rule (1) of rule 5 of the Indian Administrative Service (Cadre) Rules, 1954.

Sd/-

(R. VAIDYANATHAN)
DESK OFFICER

To

The Manager,
Government of India Press,
Paridabad (Haryana).

F.No.14015/3/94-AIS(I)

Dated the 15th September, 1994.

Copy forwarded for information to :-

1. The Chief Secretary to the Government of Manipur, Tripura Imphal (with 4 spare copies for onward transmission to the officers concerned etc.).

The officers below the age of 50 years may be advised to exercise their option for membership of C.G.E.I.S. or S.I.S. failing which they will be treated as deemed to have opted for C.G.E.G.I.S.

True Copy
Hem Chandra Singh
Advocate.

Contd. . . P/2.

-(2) :-

2. The Chief Secretary to the Govt. of Tripura, Agartala.
3. Accountant General, Manipur, Imphal.
4. Secretary, UPSC, New Delhi, (Shri G.C.Yadav, S.O.(AIS)).
5. E.O. to the Government of India, New Delhi.

Sd/-

(R. VAIDYANATHAN)
DESK OFFICER

INTERNAL DISTRIBUTION

U.S.(S.III)/RO(QM)/EO(PR)/Training Division.

AVD.I/AIS.III Sections (with one spare copy) for civil List.

10 spare copies.

True Copy
Hem Chandra Singh
Advocate.

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ANNEXURE -A/4.

(TO BE PUBLISHED IN PART I SECTION 2 OF THE GAZETTE OF INDIA)

No.F.14015/3/94-AIS(I)
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

New Delhi, the 16th Feb., 1995.

NOTIFICATION.

In exercise of the powers conferred by sub-rule (1) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954 read with sub-regulation (1) of regulation 9 of the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, the President is pleased to appoint Shri Y. Jugindro Singh, a member of the State Civil Service of Manipur to the Indian Administrative Service on probation with immediate effect and to allocate them to the Joint Cadre of Manipur-Tripura under sub-rule (1) of rule 5 of the Indian Administrative Service (Cadre) Rules, 1954.

Sd/-
(R. VAIDYANATHAN)
DESK OFFICER.

To

The Manager,
Government of India Press,
Faridabad (Haryana).

F.No.14015/3/94-AIS(I)

Dated the 16th Feb., 1995.

Copy forwarded for information to :-

1. The Chief Secretary to the Government of Manipur, Tripura Imphal (with 2 spare copies for onward transmission to the officers concerned etc.). The officers below the age of 50 years may be advised to exercise their option for membership of C.G.E.I.S. or S.I.S. failing which they will be treated as deemed to have opted for C.G.E.G.I.S.

Contd. . . P/2.

True Copy
Hem Chandra Singh
Advocate.

[Signature]
Advocate

27

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-(2) :-

2. The Chief Secretary to the Govt. of Tripura, Agartala.
3. Accountant General, Manipur, Imphal.
4. Secretary, UPSC. New Delhi, (Shri G.C.Yadav, S.O.(AIS)
5. E.O. to the Government of India, New Delhi.

Sd/-

(R. VAIDYANATHAN)
DESK OFFICER

INTERNAL DISTRIBUTION

U.S.(S.III)/RO(OM)/EO(PR)/Training Division.

ADV.I/AIS.III Sections(with one spare copy) for civil List.

10 spare copies.

[Signature]

True Copy
Hemchandra Singh
Advocate.

28

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ANNEXURE-A/5.

Page No.

Subject :-

File No.
Govt. of Manipur.
.....Deptt.

U.O. No.1/8/94-Q1

Imphal, March 21, 1995

I understand that Shri B. Badrinarayan Sharma, Administrative Officer (Power) is the next empanelled M.C.S. Officer to be appointed to the IAS as approved by the UPSC in 1994. The select list drawn up in 1994 is still valid and will remain valid till the next select list (DPC not yet held) is approved by the UPSC as will be attested to by a copy of the judgment delivered by the Jabalpur Branch of the Central Administrative Tribunal on 13.8.1993 (copy enclosed). It will therefore be in the fitness of things if Shri B. Badrinarayan Sharma is proposed for appointment to the I.A.S., immediately.


The proposal be sent to the Government of India forthwith.

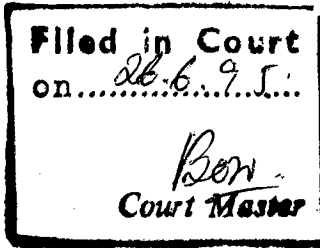
Sd/-

(RISHANG KEISHING)
Chief Minister,
Manipur.
21/3/95

C.S.

True Copy
Hence and no copy
Advocate.


RISHANG KEISHING
Chief Minister
Manipur
21/3/95



PRESENTED BY:-
N.P.C. SINGH
ADVOCATE

Before the Central Administrative Tribunal,
Gauhati Bench, Guwahati.

O.A. No. 102 of 1995.

Sri B. Badrinarayan Sharma.

.... Applicant.

-Vrs-

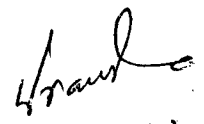
1. The State of Manipur
and 3 ors.

.... Respondents.

INDEX.

Sl. No.	Particulars.	Pages.
1.	Affidavit-in-opposition on behalf of the Respondent No.1 and 2.	1-10
2.	<u>ANNEX.R/1</u> = Fax Message dated 21.3.95.	11
3.	<u>ANNEX.R/2</u> = Govt. letter dated 24.4.95 addressed to U.P.S.C.	12.

Dated, Imphal, the
June, 1995.


(N.P.C. Singh),
Advocate,
Counsel for the Respondents
No.1 and 2.

...

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

O.A. No. 102 of 1995.

IN THE MATTER OF -----

AFFIDAVIT-IN-OPPOSITION on
behalf of the Respondent No.
1 and 2 in reply to the appli-
cation filed in the above-cited
case.

A N D

IN THE MATTER OF -----

Shri B. Badrinarayan Sharma
... APPLICANT.

- Versus -

1. The State of Manipur
represented by the
Chief Secretary, Manipur.
2. The Secretary(D.P.),
Government of Manipur
and 2 others.

... RESPONDENTS.

Contd..2.

TRUE COPY

ADVOCATE

AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE
RESPONDENT NO. 1 AND 2.

I, Binod Kispotta, I.A.S., Joint Secretary to the Government of Manipur, in the Department of Personnel and Administrative Reforms(Personnel Division) do hereby solemnly affirm as under:-

1. That, I am the Joint Secretary(D.P.) to the Government of Manipur. I have perused a copy of the application filed by the Applicant and also the official records/documents pertaining to the present case. I am thus well conversant with the facts of the case. I am competent and authorised to swear this affidavit on behalf of the Respondents No. 1 and 2.

2. That, save and except, those which are specifically admitted by me in this affidavit, I deny all allegations and contentions made by the Applicant in the application under reply.

3. That, as regards paragraph No.1 of the application, I admit that the subject matter of the application concerns with promotion of State Civil Service Officers to I.A.S.

Contd..3..

4. That, as regards paragraph No. 2 of the application, I admit that Shri A. Dwijamani Singh, I.A.S., died on 15.3.1995 and as a result one vacancy was available in the promotion quota of I.A.S. in the Joint Cadre of Manipur and Tripura to be filled by promotion by an Officer from the State Civil Service of Manipur. I, however, hasten to add that before the expiry of Shri A. Dwijamani Singh, I.A.S., the Chief Secretary, Manipur and Chief Secretary, Tripura were already informed by a Fax message from the Under Secretary, Union Public Service Commission, New Delhi that the meeting of the Selection Committee for preparing a fresh select list of State Civil Service Officers for promotion to I.A.S. would be held in the Office of Union Public Service Commission at New Delhi on 22.3.95. and 23.3.95. However, the date was later on shifted to 24.3.95 by another Fax message dated 21.3.1995.

A true copy of the Fax message dated 21.3.95 is annexed hereto and marked ANNEXURE R/1.

Contd..4..

5. That, as regards paragraph No. 3(A) and 3(B) of the application, I deny that, the applicant discharged his duties sincerely, honestly, diligently and efficiently to the satisfaction of his seniors.

I submit that these are matters recorded in his A.C.Rs. confidentially. The rest of the statements in the paragraphs are admitted.

6. That, as regards paragraph No.3(C), 3(D),3(E) and 3(F), I state that the averments therein are nothing but reproductions of the provisions of the Indian Administrative Service (Recruitment) Rules, 1954 and the Indian Administrative Services(Appointment by promotion) Regulations, 1955. Being matters of law/Rules, I crave leave of the Hon'ble Tribunal to make my submissions by referring to the latest position of the Rules and Regulations at the time of hearing.

7. That, as regards paragraph No.3(G),3(H) of the application, I have no reply to offer.

Contd..5..

8. That, as regards paragraph No.3(I), 3(J), 3(K) and 3(L) of the application, I state that the Chief Secretary, Government of Manipur was in receipt of a notice for holding Selection Committee Meeting for preparing a fresh list of Officers for promotion to the I.A.S. even before the expiry of Shri A. Dwijamani Singh, I.A.S., on 15.3.1995. The meeting was first scheduled on 22.3.1995 and 23.3.95 and the same was subsequently shifted to 24.3.95.

I also state that the date was fixed by the Union Public Service Commission and not by the Chief Secretary, Manipur, at his bidding. Even in the absence of the Chief Secretary, Manipur, the Selection Committee Meeting would be held in view of the provisions of sub-regulation(3) of Regulation 3. of the I.A.S.(Appointment by promotion) Regulations, 1955.

I further state that under the first proviso to sub-regulation(4) of Regulation 7 of the I.A.S.(Appointment by promotion) Regulations, 1955, there is a prohibition in

Contd..6..

11/7

-: 6 :-

making appointment to I.A.S. under Regulation 9 after a meeting of a fresh Selection Committee for preparing a fresh Select List is held in terms of Regulation 5. In view of this provision the Select List of 1994 became inoperative w.e.f. 24.3.1995.

I further state that mere inclusion of his name in the Select List does not confer an indefeasible right of appointment to the I.A.S. In view of sub-regulation(2) of Regulation 9 of I.A.S.(Appointment by Promotion) Regulations, 1955, even in the case of an Officer included in the Select List a clearance/certificate to the effect that no deterioration has occurred in his work during the period intervening between the inclusion of his name and date of proposed appointment is necessary.

I also state that in the case of the applicant, it was difficult to certify him under the said sub-regulation(2) of Regulation 9 and also as a vigilance case is going on against him. Even if such a certificate was issued in his favour, the time gap available was too short to process for his appointment as hardly 8 days were left between the occurrence of

Contd..7..

vacancy by the demise of Shri A. Dwijamani Singh, I.A.S., on 15.3.95 and date of Selection Committee Meeting on 24.3.1995.

I, therefore, deny the contention of the applicant that the select list of 1994 would be in force till a fresh select list prepared in the meeting held on 24.3.95 is finally approved. I submit that the applicant has misconstrued the provisions of law in this regard.

I also deny that the Chief Secretary, Manipur has any bias towards the applicant or that he mala fide took any step for holding the Selection Committee Meeting early.

9. That, as regards paragraph No.4 of the application, I deny that the applicant has any legal right to be enforced and protected by this Hon'ble Tribunal. I submit that the application is without any cause of action.

10. That, as regards paragraph No. 5(a) to 5(h) of the application, I vehemently deny that the select list of 1994 is still in force

Contd..8..

or that the applicant has still a subsisting right to be promoted to I.A.S. on the basis of the select list of 1994.

I deny the allegation that the Chief Secretary has any bias against the applicant.

I also submit that the decision of the Central Administrative Tribunal, Jabalpur Bench in O.A. No. 591/89 (Sri Nishi Kant Jadhav vs. Union of India) is not applicable to the case of the applicant as the same relates to the position of law as was prevailing before the year, 1989.

I also deny that any right of the applicant guaranteed under Article 14 and 16 of the Constitution has been violated.

I further submit that the applicant is not at all entitled to the reliefs claimed.

Contd...9..

11. That, I submit that the fresh list prepared by the Selection Committee in its meeting held on 24.3.1995 had already been forwarded to the U.P.S.C. on 24.4.95 by the State Government of Manipur in terms of Regulation 6 and 6A of the I.A.S.(Appointment by Promotion) Regulation.

A true copy of the forwarding letter dated 24.4.95 is annexed hereto and marked ANNEXURE R/2.

In view of the above facts and circumstances the interim direction not to forward the list prepared by the Committee in its meeting held on 24.3.95 may be vacated.

The application on the whole is without substance and the same may be dismissed.

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

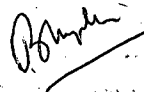
Verified that the statements in paragraph No. 1 to 11 above are true to my knowledge based on official records and also

Contd..10..

25
- : 10 :-

legal information given to me by my
counsel which I verily believe to be
true.

Verified at Imphal on this the
_____ day of June, 1995.


(Binod Kispotta)
Joint Secretary(D.P.),
Government of Manipur,
Imphal.
Deponent.

Drawn by :-

(N.P.C. Singh),
Advocate.

...

ANNEXURE R/1.

CHIEF SECRETARY
GOVERNMENT OF MANIPUR
IMPHAL

CHIEFSEC
GOVERNMENT OF TRIPURA
AGARRALA

REF YOUR FAX 3/17/94-IAS/DP DATED 14-3-95(.) MEETING
OF SELECTION COMMITTEE FOR PROMOTION OF SCS SPS SFS OFFICERS OF
MANIPUR TO IAS IPS IFS SCHEDULED TO BE HELD ON 22-3-95 AND 23.3.95
WILL NOW BE HELD IN THE OFFICE OF UNION PUBLIC SERVICE
COMMISSION NEW DELHI ON 24-3-95 INSTEAD OF 22-3-95 AND 23-3-95
(.) THE DATE AND TIME OF THE MEETINGS SHALL BE AS FOLLOWS :

IAS	24-3-95	AT	10.00 A.M.
IPS	24-3-95	AT	3.00 P.M.
IFS	24-3-95	AT	4.30 P.M.

THE SELECTION COMMITTEE MEETINGS FOR TRIPURA SCHEDULED TO BE
HELD ON 22ND AND 23RD MARCH 1995 IN THE COMMISSION'S OFFICE AT
NEW DELHI SHALL BE HELD AS SCHEDULED(.) KINDLY MAKE IT CONVENIENT
TO ATTEND (.)

UNISERCOM

F.NO.6/12/95-AIS

NOT TO BE TELEGRAPHED
DATED 21-03-95

(N. NAMASIVAYAM)
UNDER SECRETARY, UNION PUBLIC SERVICE
COMMISSION PH.381 406

F.6/12/95-AIS NEW DELHI THE 21ST MARCH, 95.

Copy by speed post in confirmation to :

Chief Secy, Govt. of Manipur, Imphal (Attention):
Shri Rohit Modi, Additional Secy. (DP)

Chief Secretary, Govt. of Tripura, Agarrala,
(Attention: Shri Kh. Tuleshwar Singh, Under Secy.)
Copy also to :-

Resident Commissioner, Government of Manipur, Manipur
Bhavan, 20 S.P. Marg, New Delhi 21, (Attention: Shri Rakesh, Resident
Commissioner)

Sd/-

(N. Namasivayam)
Under Secretary,
Union Public Service Commission.

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ANNEXURE R/2.

BY SPEED POST.

No.3/17/94-IAS/DP
Government of Manipur
Department of Personnel & Administrative Reforms
(Personnel Division)

To Imphal, the 24th April, 1995.

The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road, New Delhi - 110011.

Sub:- Approval of the Commission to the recommendation of IAS Selection Committee for preparation of IAS Select List for Manipur Part of the Joint Manipur-Tripura.

Sir,

I am directed to forward herewith a photostat copy of the recommendation of the IAS Selection Committee (i.e. for the meeting held on 24-3-95 at Delhi) for preparation of IAS Select List of the Manipur Part of the Joint IAS Cadre of Manipur-Tripura and to request you kindly to convey necessary approval of the Commission.

2. The services particulars of all members of the State Civil Service Officers included in the list and also of those who are proposed to be superceeded by the recommendation made in the list are enclosed as Annexure "B/C". The ACRs are not returned so far from UPSC.

The relevant particulars of the State Civil Service Officers recommended by the Selection Committee for inclusion in the select list for promotion to IAS are shown at Annexure 'A'.

3. The Joint Cadre Authority of Tripura has been requested hereunder to convey their concurrence to the recommendation of the IAS Selection Committee direct to the UPSC under intimation to the Government of India and the JCA Manipur.

4. In view of the above, approval of the Commission may kindly be conveyed at an early date.

Yours faithfully,

Copy to:-
Sd/- (Kh. Tuleshwar Singh)
Under Secretary (DP) Govt. of Manipur.
1. The Secretary to the Govt. of India, Department of Personnel & Training, New Delhi, along with copies of aforesaid documents.
2. The Chief Secretary, Govt. of Tripura-Agartala, along with abovementioned documents for kind consideration and conveying concurrence of the JCA Tripura direct to the UPSC under intimation to the Govt. of India and the JCA Manipur at an early date.
