

F. No. 17-7/2005-E.II <sup>1762</sup>  
**National Council of Educational Research & Training**  
**Sri Aurobindo Marg, New Delhi-110016**

Dated: 23.09.2015

**OFFICE MEMORANDUM**

A Tentative Seniority list of Section Officer in the Council, Hqrs. (including RIEs/PSSCIVE) as on 31.07.2014 was circulated on 26.08.2014 inviting objections, if any from all concerned. Following objections have been received from the following employees of the Council.

Sl. No.	Name of the person	Objection	Remarks
1.	Shri T.D. Bisht, Section Officer	<p><b><u>Dated Nil (received on 12/09/2014)</u></b></p> <p>a) The Officer appointed / promoted to the post of Section Officer on regular basis should be placed before the Officer promoted provisionally/ad-hoc basis according to their date of regular appointment or so and thereafter the name of officer who are promoted provisionally /ad-hoc basis on the basis of inter-se-seniority as in the feeder grade of Assistant or so, if necessary.</p> <p>b) The condition "SUBJECT TO THE OUTCOME OF HON'BLE HIGH COURT OF DELHI WP(C) No. 5789 of 2003" may only be shown against the name of person who will junior to the applicant, (in case verdict goes in the favour of applicants) and promoted provisionally.</p> <p>c) To avoid any legal complications and in the interest of the Council, notional benefit of promotion and benefit of seniority granted notionally, may</p>	<p>1) Reply in this regard was already given to Sh. T.D. Bisht vide Council letter No. 17-7/2005-E.II/1320 dated 02.07.2015, wherein it was mentioned that Hon'ble court had given judgement in the matter of Nepal Singh &amp; Ors. Vs. NCERT &amp; Ors. in favour of the NCERT.</p> <p>2) Promotion to nine Assistant on the post of Section Officer was given notionally, as the same was not given in time to them due to pending court case No. 12130-39/2004 in Hon'ble Delhi High Court. Accordingly, necessary amendments are also incorporated in the Seniority list as per rules and their positions in the Seniority list of the Assistant and as per Judgement of the Hon'ble Apex Court in the matter of Union of India and ors. Vs.</p>

		<p>be reviewed/avoided.</p>	<p>K. B. Rajoria delivered on 28.03.2000.</p>
		<p><b>Dated 06/07/2015</b></p> <p>1. The guidelines stipulated in DoPT OM dated 14.09.92 (after giving honour the judgment of Hon'ble Supreme Court dated 27.08.1991) are for the matter of promotion of Government servants against who disciplinary/court proceedings are pending and equally applicable in case of disciplinary/criminal prosecution. A copy of the same is enclosed for kind reference. These guidelines have also been cognized vide DoPT OM dated 28.04.2014.</p>	<p>1) Reply in this regard was already given to Sh. T.D. Bisht vide Council letter No. 17-7/2005-E.II/1320 dated 02.07.2015, wherein it was mentioned that Hon'ble court had given judgement in the matter of Nepal Singh &amp; Ors. Vs. NCERT &amp; Ors. in favour of the NCERT.</p>
		<p>2. In regard case of Shri Nepal Singh &amp; others Vs. NCERT, it is understood that the same is pending before Hon'ble Supreme Court for review and in case the verdict of Hon'ble Supreme Court goes in favour of applicant, after making a precedence of present case of notional appointment they may also raise similar request as Shri AC Tembre etc. shall be junior to them on the basis of para 2.1 of DoPT OM dated 03.07.86 i.e. "person appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection"</p> <p>If the said</p>	<p>2. Judgement of Nepal Singh &amp; Others Vs. NCERT &amp; Ors. was already given in the favour of NCERT. As per record available in NCERT no appeal was filed by them in the Hon'ble Supreme Court. Accordingly, necessary amendments are incorporated in the Seniority list as per rules and their positions in the Seniority list of the Assistant and as per Judgement of the Hon'ble Apex Court in the matter of Union of India and ors. Vs. K. B. Rajoria.</p>

		<p>case has been settled and verdict has been given in favour of the Council, it is humble requested that after calling a meeting of DPC (As was made in late 2011 in case of US/DS promoted provisionally in 2010-2011) the appointment of Section Officers (75% promotion quota) made provisionally may be regularized, as for the promotion to the post of Under Secretary the SOs/APCs must have 7 years regular service in feeder grade. And his other suggestions made for correction in Seniority list of Section Officers dated 12.09.2014 have been accepted by the Council</p>	
2.	Shri Phool Chand Meena, Section Officer	<p>नियमानुसार वरिष्ठता सूची में परिवीक्षाधीन (probationers), तदर्थ (Adhoc) अस्थाई (Provisional) आधार पर की नियुक्ति/पदोन्नत अधिकारियों के नामों को शामिल नहीं किया जाना चाहिए।</p>	<p>Hon'ble High Court of Delhi in the matter of Nepal Singh &amp; Ors. Vs. NCERT &amp; Ors. on the subject of appointment to the post of Assistant under Limited Departmental Quota has given its judgment in the favor of NCERT on 13/11/2014. The Seniority list has been accordingly finalized.</p>
3.	Shri Manish Singhal, Section Officer	<p>In the tentative seniority list of Section Officers circulated his name is mentioned at Sl.No. 10 of the list and his promotion date may be reviewed in view of letter No. 3-5/2002-E.II dated 31.08.2005 and his name may be placed below the name of Shri Ashish Jain and above the name of Smt. Kiran Juneja.</p>	<p>Necessary amendments are incorporated in the Seniority list as per his position in the Seniority list of the Assistant.</p>

Consequent upon the expiry of time for submitting objection and consideration of above objection the enclosed seniority list of Section Officers has been treated as final

This issues with the approval of the Competent Authority.

*Abha Munzhi*  
(Abha Munzhi)  
Under Secretary  
UNDER SECRETARY  
SECRETARY

**Copy to :-**

1. Shri T.D. Bisht, Section Officer, S & S Section.
2. Shri Phool Chand Meena, Section Officer, PMD.
3. Shri Manish Singhal, Section Officer, R-II.
4. All Official concerned.
5. Section Officer, CR Cell.
6. Guard file

**NATIONAL COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING**  
Sri Aurobindo Marg, New Delhi-110016.

**FINALIZED COMBINED SENIORITY LIST OF SECTION OFFICER AS ON 31.07.2014**

IN THE PB-II OF Rs. 9300-34800 WITH GP RS. 4600/-

Sl. No.	NAME OF THE OFFICER	DATE OF SELECTION	DATE OF APPOINTMENT	DATE OF BIRTH	WHETHER ANY POST HELD SUBSTANTIVE	WHETHER BELONGS TO SC/ST/OBC COMMUNITY	REMARKS
1.	Sh. S. Nanjunda Swamy	26.07.04	03.08.04	03.04.55	Yes	SC	Retired on 31.04.2015
2.	Sh. Ishwar Lal, Ajmer	05.10.05	14.10.05	01.12.56	Yes		
3.	Smt. Tulika Verma	05.06.09	13.10.05*	15.12.74	Yes		
4.	Sh. Ashish Jain	30.06.10	27.10.05*	04.03.74	Yes		
5.	Sh. Manish Singhal	30.06.10	13.10.05***	09.05.74	Yes		
6.	Smt. Kiran Juneja	05.06.09	25.05.06*	07.06.67	Yes		
7.	Sh. M.S. Yadav	05.06.09	25.05.06*	19.05.72	Yes	OBC	
8.	Sh. Rajesh Kumar	05.06.09	25.05.06*	19.12.70	Yes	SC	
9.	Sh. Krishan Kumar	05.06.09	25.05.06*	30.01.70	Yes	SC	
10.	Sh. Sushil Kumar	05.06.09	25.05.06**	19.02.73	Yes	SC	
11.	Sh. Devender Kumar	30.06.10	08.08.06***	04.12.68	Yes	OBC	
12.	Smt. Narmada Gharu	17.07.07	12.10.07	06.06.63	Yes		
13.	Sh. T.D. Bisht (T)	06.06.08	23.06.08	24.01.64	Yes		
14.	Sh. H.Y. Kappanna	11.11.09	27.11.09	01.07.57	Yes	OBC	
15.	Smt. Tulsi Kumari	11.11.09	31.03.10	03.06.55	Yes	SC	
16.	Smt. Rajni Srivastava	30.06.10	15.12.10	26.10.58	Yes		
17.	Sh. Mahesh Assudani (T)	11.02.11	14.02.11	14.09.74	Yes		
18.	Sh. Kanta Prasad	10.03.11	01.04.11	12.04.61	Yes	SC	
19.	Sh. Krishan Lal	10.03.11	30.03.11	03.12.59	Yes	SC	

*Handwritten signature*  
UNDER SECRETARY  
N.C.E.R.T., New Delhi-110016

20.	Smt. Victoria Minz	10.03.11	30.03.11	15.08.59	Yes	ST	
21.	Smt. Usha (T)	20.05.13	20.05.13	09.08.78	Yes	OBC	
22.	Sh. M.P. Ram	21.09.01	12.07.13	31.3.64	Yes	SC	At his own request he sought reversion to the post of Section Officer w.e.f. 12.07.13.
23.	Sh. Pradeep Kumar Rai (T)	16.12.13	24.12.13	08.06.71	Yes		
24.	Sh. Mahesh Chand (T)	16.12.13	19.12.13	10.08.75	Yes	SC	
25.	Sh. P.C. Meena (T)	19.12.2013	19.12.13	01.07.73	Yes	ST	
26.	Sh. Girdhari Lal	21.09.01	18.03.14	10.11.57	Yes		At his own request he sought reversion to the post of Section Officer w.e.f. 18.03.14.

Note:-

T - stand for Limited Departmental Examination Quota.

\* As per recommendation of review DPC held on 13.06.2013.

\*\* As per recommendation of review DPC held on 13.06.2013 and 11.07.2013.

\*\*\* As per recommendation of review DPC held on 16.04.2015.

Copy to:-

1. All Official concerned.
2. All RIEs/PSSCIVE
3. Section Officer, CR Cell

*Abha Munzni*  
 (Abha Munzni)  
 Under Secretary  
 UNDER SECRETARY  
 SECRET, New Delhi-110016