Government of Jammu and Kashmir  
Home Department

Subject: - Placement of Mr. Kashturi Lal Bhagat, IPS (retired) –in the Junior Administrative Grade of Rs.12000-375-16500 (Pre-revised).

Government Order No. 332 –Home of 2015  
Dated. 10.08.2015.

Whereas, Mr. Kashturi Lal Bhagat, IPS, a State Police Service officer was appointed to IPS from the select list of 2002, vide Government of India Notification No. I-14011/9/2002-IPS dated 29th August, 2002 and assigned 1997 as the year of allotment in IPS. Based on his year of allotment in IPS, the officer has been placed in the Junior Administrative Grade of IPS w.e.f 01.01.2006 vide Government Order No. Home-14 (P) of 2006 dated 20.01.2006 and promoted to the Super Time Scale DIG w.e.f 01.01.2011 vide Government Order No. Home-1473 (P) of 2010 dated 21.12.2010; and

Whereas, Mr. Kashturi Lal Bhagat, IPS filed an application (O.A. No.1251/JK/2003 titled Kasturi Lal Bhagat Vs Union of India) before the Hon’ble Central Administrative Tribunal, Chandigarh seeking induction from the select list of 1998 and consequent assignment of 1994 as the year of allotment in IPS. The Hon’ble Central Administrative Tribunal dismissed his application vide order dated August 10, 2007; and

Whereas, Mr. Kashturi Lal Bhagat, IPS challenged the aforementioned order of the Hon’ble Central Administrative Tribunal before the Division Bench of the Hon’ble High Court of J&K through the medium of SWP No.733/08 titled Kasturi Lal Bhagat Vs Union of India and others, seeking relief of constitution of Review DPC for his selection and induction in IPS from 1998 and consequently allotting to him 1994 as the year of allotment in IPS; and

Whereas, the Hon’ble Division Bench of the J&K High Court disposed off SWP No.733/2008 CMA Nos.494/2014 and 3597/2011 titled
Whereas, the Government of India, Ministry of Home Affairs vide Order No.I-14013/49/2012-IPS-I dated 2nd June, 2015, have assigned Mr. Kasturi Lal Bhagat seniority position in the IPS of J&K Cadre. He has been placed below Mr. Sham Lal Sharma, IPS (JK:96) and above Mr. Jagjit Kumar, IPS (JK:96). Mr. Kasturi Lal Bhagat has been assigned 1996 as the year of allotment in IPS of J&K Cadre; and

Kasturi Lal Bhagat Vs Union of India and others on 08.05.2014 with the following orders:

"..... For the reasons mentioned above, we find merit in the present writ petition. Consequently, the order passed by the Central Administrative Tribunal, Chandigarh Bench, dated 10th August, 2007 is set-aside. The respondents are directed to constitute a Review DPC who shall review the case of the petitioner based upon his upgraded APRs for the years 1997-98, 1998-99, 1999-2000 and make recommendations accordingly. The process shall be concluded within three months from the date of this order. In case, upon such a review, the Committee finds that he makes up the merit, then he be given the benefit of induction with effect from 1998 along with similarly situated officers who were similarly inducted vide notification dated 9th March, 2000.

Disposed of accordingly."

Whereas, pursuant to the above orders of the Division Bench of the Hon’ble High Court, the case of Mr. Kasturi Lal Bhagat was submitted to the UPSC for placement before the Review Selection Committee of UPSC; and

Whereas, the Review Selection Committee in its meeting held on 26th November, 2014, re-considered the name of Mr. Kasturi Lal Bhagat for inclusion in the Select Lists of 1998 onwards. Consequent upon the approval of the UPSC to the recommendations of the Review Selection Committee of UPSC dated 26th November 2014, the Government of India, Ministry of Home Affairs vide notification No. I-14013/49/2012-IPS.I dated 30th April, 2015 have appointed Mr. Kasturi Lal Bhagat to IPS from the select list of 2001 with all consequential benefits. The appointment of Mr. Kasturi Lal Bhagat has been made effective from the date of appointment of his immediate junior, namely, Mr. Jagjit Kumar IPS (JK:96) i.e. 10.01.2010; and

Whereas, the Government of India, Ministry of Home Affairs vide Order No.I-14013/49/2012-IPS-I dated 2nd June, 2015, have assigned Mr. Kasturi Lal Bhagat seniority position in the IPS of J&K Cadre. He has been placed below Mr. Sham Lal Sharma, IPS (JK:96) and above Mr. Jagjit Kumar, IPS (JK:96). Mr. Kasturi Lal Bhagat has been assigned 1996 as the year of allotment in IPS of J&K Cadre; and
Whereas, the officer junior to Mr. Kasturi Lal Bhagat, namely, Mr. Jagjit Kumar, IPS (JK:96) was placed in the Junior Administrative Grade of IPS w.e.f 01.01.2005 vide Government Order NO.Home-27 (P) of 2005 dated 02.02.2005. He was promoted to the Super Time Scale - (i) - DIG vide Government Order No.Home-617 (P) of 2010 dated 31.05.2010 w.e.f 01.01.2010 and to the Super Time Scale - (ii) - IGP vide Government Order NO.Home-105 of 2014 dated 24.02.2014 w.e.f. 01.01.2014. As a corollary to this, Mr. Kasturi Lal Bhagat will be entitled to all the consequential benefits viz-a-viz placement in Junior Administrative Grade, promotion to the Super Time Scale (i) and Super Time Scale (ii) from the date it has been granted to Mr. Jagjit kumar.

Now, therefore, sanction is hereby accorded to the placement of Mr. Kasturi Lal Bhagat, IPS (JK:1996) in the Junior Administrative Grade of IPS 12000-375-16500 w.e.f 01.01.2005 instead of 01.01.2006. Government Order NO.Home-14 (P) of 2006 dated 20.01.2006 shall stand superseded to the extent it relates to Mr. K.L Bhagat. Further entitlements of the retired officer are being determined separately.


Sd/-
(R.K Goyal) IAS
Principal Secretary to Government
Home Department

No:Home/PB-I/WP/09/2001 Dated. 10.08.2015.

Copy to: -
1. Secretary, Government of India, Ministry of Home Affairs, North Block, New Delhi.
2. Principal Secretary to Hon’ble Chief Minister.
3. Director General of Police, J&K, Srinagar
5. OSD to Hon’ble Deputy Chief Minister
6. Principal Private Secretary to the Chief Secretary
7. Private Secretary to the Principal Secretary to Government, Home Department.
8. I/C Website, Home Department.

(Mohammad Yaqoob Malik)
Under Secretary to the Government
Home Department
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10.08.2015