

No. A-12011/1/2014/Pers-III
Ministry of Home Affairs
Police-II Division

North Block, New Delhi-I
Dated, the 11th July, 2014

To

Shri Satya Dev Yadav
F-407, Pragati Vihar Hostel,
Lodhi Road,
New Delhi- 110003

Sub : Application under Right to Information Act, 2005.

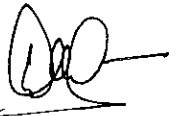
Sir,

This has reference to the application under RTI Act filed by Shri Satya Dev Yadav, vide his application dated 30.05.2014, which has been transferred to the undersigned by Shri S. Samanta, Under Secretary, MHA vide O.M. dated 04.7.2014 which was received on 10.07.2014.

2. The information sought by you is not available with the Police-II Division and may be available with BSF. As such, your application is being transferred under Section 6(3) of the Right to Information Act, 2005 to the CPIO of the BSF for disposal under RTI Act.

3. The appellate authority is Dr. N S Kalsi, Joint Secretary (Police-II) & Appellate Authority, Ministry of Home Affairs, North Block, New Delhi-110 001.

Yours faithfully,



(Shantanu)
Director (Personnel) & CPIO
☎ 2309 2933

Copy to:-

1. CPIO, BSF, CGO Complex, New Delhi, alongwith a copy of RTI application.
2. Shri S. Samanta, Under Secretary, MHA
3. IT Cell, MHA alongwith a copy of RTI application.

कार्मिक, लोकशिकायत एवं पेंशन मंत्रालय
MINISTRY OF PERSONNEL P.G. & PENSIONS
(कार्मिक एवं प्रशिक्षण विभाग)
(DEPARTMENT OF PERSONNEL & TRAINING)
Website : <http://persmin.gov.in>

रसीद / RECEIPT

सं०/No. 26412

दिनांक/Dated. 4/6/14

Received from Satya Dev Yadav, F-407, Pragati Vihar
से प्राप्त Heter, Gathi Road, H.D-110003.

पत्र सं०/संदर्भ संख्या/Letter No./Reference No. दिनांक/Dated. /20

नगद/बैंकर्स चेक/ ड्राफ्ट/भा० पो० ऑ० सं०

in cash / by cheque / by Bank Draft on Ten only.

सूचना के अधिकार अधिनियम, 2005 के शुल्क हेतु प्राप्त की।

account of fee under Right to information Act. 2005

रुपये/Rs. 10/-

23F-433081

आवहस्ताक्षर/Initials

पदनाम/Designation

To,

Shri Jitendra R. Gaikwad
Under Secretary (RR) /CPIO
Department of Personnel and Training,
North Block, New Delhi.

03556/RTI/14
23/6/14

23/6/14
① MHA
1008426/2014/RTI
24/6/14
② J. G. Mudhankar
US (Below)

Subject:- Application for seeking information under Right to Information Act, 2005.

Dear Sir,

My particulars are given below in part-I (one). Kindly provide the information under RTI Act as asked in part-II (two) in printed form.
A postal order No.433081 dated 21.05.2014 of Rs. 10/- (Rs. Ten only) is attached as fee.

Part-I(One)

Name of the Applicant	:	Satya Dev Yadav
Gender	:	Male
Father's Name	:	Shri Bahadur Singh
Address for Correspondence	:	F-407, Pragati Vihar Hostel, Lodhi Road, New Delhi PIN- 110003 Mb. 9968561612 Email: satyadev28@gmail.com

BRIEF DETAILS:-

The undersigned , a candidate of Assistant Commandant in CPO's Examination, 2001, was selected for appointment for the post of Assistant Commandant in the pay scale of Rs. 8000-275-13500/- . The final result was published in the Employment News dated 18 May'2002. In the month of June 2002, I was informed by Directorate General BSF, Pers Dte (SSB Cell) that on the basis of my performance in examination , I had been selected for appointment to the post of Assistant Commandant in CPO's and was placed at the disposal of BSF for appointment subject to verification of my character and antecedent. After receiving satisfactory report of my character and antecedent verification and preparing for training of the

30/05/14

cont- '2'

selected candidates, the Directorate General BSF (Pers Dte), CGO Complex New Delhi vide their letter dated 22 Nov'2002 offered a post of Asstt Comdt in BSF to me with some terms and conditions and I was advised to report at BSF Academy, Tekanpur on 23 Dec'2002. Later on, the date of reporting was postponed to 29 Dec'2002 and vide telegram dated 12 Dec 02, I was again directed to report BSF Academy Tekanpur, Gwalior (MP) on 29 Dec, 2002 instead of 23 Dec 02.

2. It was clearly mentioned in the offer of appointment that "should you accept the offer of appointment on the terms and conditions indicated in the preceding paragraphs, you are advised to report to the Director, BSF Academy, Tekanpur (Gwalior) on 23 Dec'2002 failing which this offer will automatically cancelled" (**Appx-'A'**).

3. Thereafter, I accepted the offer of appointment on the terms and condition mentioned therein and reported for training at BSF Academy, Tekanpur on 28 Dec'2002 ie one day prior to the date given. Thenceforth, I was at the disposal of Director BSF Academy and his training staff. Further, I was known as undergoing AC(DE) of 28th Batch BSF of STS Wing, BSF Tekanpur (Gwalior). After reporting at BSF Academy Tekanpur on 28 Dec'2002, I was never allowed to leave the premise of BSF Academy and my training commenced as per the schedule fixed. Further, I was directed by the staff of Academy to sign Enrolment Form and Charge Assumption Report by mentioning the date of appointment in the rank of Assistant Commandant as 06 Jan'2003. Accordingly, my date of appointment, date of joining Govt service and date of seniority in the rank of assistant commandant was recorded as 06 Jan'2003 in my official documents and I was given seniority in that rank wef 06 Jan'2003.

4. On reporting at BSF Academy, I was subject to BSF Act and Rules and was governed by BSF General Duty Officers Recruitment Rules, dated 28th June' 2001 (G.S.R.- 351). The relevant seniority rule (**Appx -'B'**) is mentioned hereunder for reference:-

Rule 7 (3) (iv) - Seniority of officers, subject to provisions of clauses (i),(ii)and (iii) shall be determined according to the date of their appointment in the rank;

Provided that in case of direct entrants, the date of appointment shall be the date of commencement of their training course at the Border Security Force Academy.

Seeking information under RTI Act 2005

30/05/14

Cont-3'

Part-II (Two)

It is humbly requested that being the controlling authority of Group 'A' services recruitment rules , following information may kindly be provided at the earliest:-

1. Whether I am entitled to get all service benefits as per Group 'A' general recruitment/service rules wef. 29.12.2002 which was determined for reporting at BSF Academy in offer of appointment? Copy of relevant rules may kindly be provided. ✓
2. Whether date of appointment in Group 'A' cadre for direct entrant is considered the date when he reports at the venue on the direction of concerned department or it is prerogative of administrative department to determine it as per their convenience? Copy of relevant rule may kindly be provided. ✓
3. What are the specific recruitment/service rules for fixing the date of joining/ appointment in a Group 'A' cadre for fresher direct entry candidates? Copy of relevant rule may kindly be provided. ✓

Declaration of the Applicant

I am a bonafide citizen of India and owe allegiance to the sovereignty, unity and integrity of my country and have not voluntarily acquired the citizenship of another country.

Thanking You,

Yours Faithfully

[Signature] 30/05/14

(Satya Dev Yadav)

Applicant

Place: New Delhi

Date: 30th May'2014

Enclosure: (1) copy of offer of appointment
(2) copy of BSF General Duty Officers Recruitment Rules, 2001