

MOST IMMEDIATE
RTI MATTER

No.A-42012/50/2014-Ad.II
Government of India / Bharat Sarkar
Ministry of Home Affairs / Grih Mantralaya

New Delhi, dated the 30th June, 2014.

To

Shri Senthil Avoodai Krishna Raj S, IPS
House No.2, Type-V
Police Officers Colony
Krisanpur
DEHRADUN-248 009

Subject:- Information sought by Shri Senthil Avoodai Krishna Raj S, IPS, R/o
Kishanpur, Dehradun under Right to Information Act, 2005 – reg.

Sir,

I am directed to refer to your application dated 26/04/2014 received in this Division on 19/05/2014 through RTI Section vide their OM No.A-43020/01/2014-RTI dated 08/05/2014 and to say that Ad.II Section is dealing with Group B & C (Non-Gazetted) employees of the Ministry of Home Affairs and as such the information sought by you may please be treated as NIL.

2. The appellate authority in respect of this matter under the RTI Act is Shri Satpal Chouhan, Joint Secretary (Admn. & CVO), Ministry of Home Affairs, Room No.194, North Block, New Delhi-110001, (Tel.No.23093178), and the appeal, if any, can be made within 30 days of the issue of this reply.

Yours faithfully,


[V.K.RAJAN]

Deputy Secretary (E) & CPIO
Tel.No.2309 4376

Encl: As above.

Copy to :-

- (i) RTI Section – w.r.t. their MIS No. cited above.
- ✓ (ii) SO (IT) – along with a copy of the RTI Application for uploading in MHA Website under RTI Act, 2005.

34/RTI/Ad. II
19/5/2014

S/- No. 1 (R)

RTI MATTER/TIME BOUND

①

No. A- 43020/ 01 /2014-RTI
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

278481
19/5/2014

New Delhi, Dated the 8th May, 2014.

OFFICE MEMORANDUM

Subject: Information sought by Shri S.A. Krishna Raj. S under the Right to Information Act, 2005.

This Ministry has received an application dated 26/04/2014 under the RTI Act, 2005 from Shri S.A. Krishna Raj (received on 28/04/2014) wherein the applicant has sought information about the "Candidates selected through Civil Services Examination, appointment order issued by MHA, pay protection, Rules governing candidates employed in Central Government, PSUs, State Govts., Other bodies etc. "

2. Since the subject matter viz. "Selection and Posting of All India Service at various places comes under the purview of the Union Public Service Commission and Department of Personnel & Training respectively, the application is being transferred under Section 6 (3) of the RTI Act, 2005 to these public authorities. The application is also being forwarded to the designated CPIOs of this Ministry for furnishing available information. In case the requested information also relates to any other public authority, it is requested that the application may further be transferred to that authority under intimation to the applicant.

3. The application fee of Rs.10/- has been received in this Ministry vide Receipt No. 29591 dated 29/04/2014, copy of which is enclosed.

Encl: As above.

(V.K. Rajan)

Deputy Secretary (E) & CPIO

To

1. The Under Secretary (Admn), Department of Personnel & Training, North Block, New Delhi.
2. The Central Public Information Officer, Union Public Service Commission, Shahjahan Road, New Delhi.

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Copy for similar action to:

1. Director (Police), Ministry of Home Affairs, North Block, New Delhi.
2. Director (Services), Ministry of Home Affairs, North Block, New Delhi.
3. Deputy Secretary (A), Ministry of Home Affairs, North Block, New Delhi for Ad.I Section.
- ✓ 4. Deputy Secretary (E), Ministry of Home Affairs, North Block, New Delhi for Ad.II Section.

Copy for information to:

Shri Senthil Avvodai Krishna Raj. S,
No. 2, Type-V
Police Officers Colony, Kishanpur
Distt. Dehradun – 248 009
UTTARAKHAND.

(He is requested to contact the above-stated CPIOs/Public Authorities for further information).

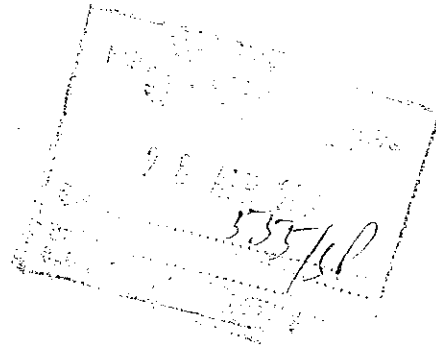
5099/KTI/HHK/2014

6/5/14.

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From

Senthil Awoodai Krishna Raj S IPS
House No.2, Type -V
Police Officers Colony
Kishanpur
Dehradun-248009.



To
The Public Information Officer.
Ministry of Home Affairs
North Block
New Delhi-110 001.

Dear Sir,

Sub : Requisition for Information under RTI.

I request you to kindly furnish me the following information under the Right to Information Act.

Q.1. How many candidates selected through Civil Services Exam and other open competitive exam, who were issued appointment order by MHA from 1989 to 1998 were from

- a. Central PSUs,
- b. State PSUs,
- c. Universities,
- d. Semi-Government Institutions,
- e. Autonomous Bodies and
- f. State Government ?

Q.2. How many of them mentioned in Q.1. were offered Pay Protection under the OM 12/1/88-Est(Pay-I), Department of Personnel and Training, Ministry of Personnel, Government of India, dated 7/8/1989.?. Please mention Category wise.

Q.3. How many candidates selected through Civil Services Exam and other open competitive exam, who were issued appointment order by MHA from 1999 to 2012 were from

- a. Central PSUs,
- b. State PSUs,
- c. Universities,
- d. Semi-Government Institutions,
- e. Autonomous Bodies and
- f. State Government ?

① DoPT
② Dir (Police)
③ Dir (Services)
④ UPSC
⑤ DCS(A) for Ad II
⑥ DSE for Ad II

(4)

Q.4. How many of them mentioned in Q.3. were offered Pay Protection under the OM 12/1/88-Estt(Pay-I), Department of Personnel and Training, Ministry of Personnel, Government of India, dated 7/8/1989? Please mention category wise.

Q.5. Has the Judgment and order dated 20/04/2007 in WP No.5518/2004 of Honorable High Court of Delhi (Sanjog Kapoor Vs. UOI & Ors.) has been implemented for any of the candidate who was offered appointment order from MHA, or not? Please let me know the present status of the judgment.

Q.6. What are the various OMs, Rules and judgments that govern the pay protection for the candidates who were employed in the

- a. Central Government
- b. Central PSUs
- c. State Government
- d. State Government PSUs.
- e. Universities
- f. Semi-Government Bodies
- h. Autonomous Bodies.

and subsequently got selected through Civil Service Exam and other open competitive exam for a post in All India Services or Central Services. Please mention and issue a copy of the same.

Q.7. Please let me know who will be the competent authority in case of offering Pay Protection for AIS officers, when

- a. The Officer is serving with the affairs of the state
- bathe Officer is serving with the affairs of the Union.

Please find enclosed the Postal Order No.4OH 852494 dated 26/04/2014 for Rs.100/-, the amount in excess of the fee may please be adjusted towards providing the copy of the various documents requested for.

Thank you

Yours truly


26/4/14.

Senthil Avoodai Krishna Raj S IPS

No. 2/1/88-Estt.(Pay-I) Dated the 7th August, 1989

No. 12/1/88-Estt.(Pay-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 7 Aug., 1989

OFFICE MEMORANDUM

Subject:-Guidelines for fixing pay of candidates working in Public Sector Undertakings, etc. recommended for appointment by the Commission by the method of recruitment by selection - regarding -

The undersigned is directed to say that as per extant rules/orders on the subject, pay protection is granted to candidates who are appointed by the method of recruitment by selection through the U.P.S.C. if such candidates are in Government service. No such pay protection is granted to candidates working in Public Sector Undertakings, Universities, Semi-Government Institutions or Autonomous Bodies, when they are so appointed in Government. As a result of this, it has not been possible for Government to draw from the talent that is available in non-Government organisations.

2. The question as to how pay protection can be given in the case of candidates recruited from Public Sector Undertakings, etc. has been awaiting the attention of the Government for sometime. The matter has been carefully considered and the President is pleased to decide that in respect of candidates working in Public Sector Undertakings, Universities, Semi-Government Institutions or Autonomous Bodies, who are appointed as direct recruits on selected vacancies in a properly constituted agency including departmental institutions under recruitment directly, their initial pay may be fixed at a stage on the scale of pay attached to the post so that the pay of such candidates in the Government will protect the pay + U.G. already being drawn by them in their parent organisations. In the event of such a stage not being available in the post to which they have been recruited, their pay may be fixed at a stage just below in the scale of the post to which they have been recruited, so as to ensure a minimum loss to the candidates.

The pay fixation is to be made by the employing Ministries/Departments after verification of all the relevant documents to be produced by the candidates who were employed in such organisations.

3. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued with the concurrence of the Comptroller and Auditor General of India.

4. These orders take effect from the first of the month in which this O.M. is issued.

(C. K. Sankaran)

Under Secretary to the Government of India

All Ministries/Departments of the Govt. of India, etc.
The Secretary, U.P.S.C., Chakour House, Shaheedan Road,
New Delhi and, to their letter No. F.6/2/1/88-2(22)
dated 11.8.1989.

ILLUSTRATION-I ANNEEXURE

An Officer in a Public Sector Undertaking in the scale of Rs.2457-100-2730 with a basic pay of Rs.2550/- and D.A. of Rs.1015.55 to be appointed in Government in the scale of pay of Rs.3000-100-3300 :

Basic pay in P.S.U.	..	Rs.2550-00
D.A.	..	Rs.1015.55
Ad-hoc Relief	..	Rs. 840.00
		<u>Rs.4405.55</u>

Pay in the Government will be fixed as under :

	I	II	III
Basic pay:	Rs.3000	Rs.3000	Rs.3000
D.A. 23%	Rs. 690 <u>Rs.3690</u>	Rs. 885 <u>Rs.4885</u>	Rs. 805 <u>Rs.3805</u>

So pay will be fixed at Rs.3,500/- on his appointment in Central Government.

ILLUSTRATION II

Another officer in a Public Sector Undertaking in the scale of Rs.3000-100-3300 with a basic pay of Rs.3,100/- and D.A. of Rs.1,015.55 to be appointed in the Govt. in the scale of Rs.4000-120-4500-150-5000 :

Basic pay in P.S.U :	...	Rs.3100.00
D.A.	Rs.1015.55
Ad-hoc relief	Rs.1000.00
	Total=	<u>Rs.5115.55</u>

Pay in the Government will be fixed as under:

	I	II	III
Basic pay:	Rs.4000.00	Rs.4000.00	Rs.4000.00
D.A. 17%	Rs. 697.00	Rs. 730.50	Rs. 700.00
Ad-hoc	Rs.4700.00	Rs.4700.00	Rs.4700.00

so pay will be fixed at Rs.4850/- on appointment in Government.