

No. A-44011/18/2014-Admn.I  
Government of India  
Ministry of Fisheries, Animal Husbandry & Dairying  
[Department of Animal Husbandry and Dairying]

Krishi Bhawan, New Delhi-110001  
25<sup>th</sup> November, 2019

OFFICE MEMORANDUM

Subject: Issue of final Seniority List of Assistant Commissioner (Animal Husbandry) in the D/o Animal Husbandry and Dairying as on 01.01.2019 – reg.

The undersigned is directed to refer to the representation dated 04.11.2019 submitted by Shri Bhanu Pratap Nagar, Assistant Commissioner (AH) raising objection with respect to the date of his appointment as Assistant Commissioner (AH) as mentioned in the provisional seniority list as on 01.01.2019 issued by this Department on 15.10.2019. He has requested to indicate date of his seniority and promotion as AC (AH) w.e.f. 15.12.2003 instead of 07.07.2008, since he was promoted to the post of AC (AH) w.e.f. 15.12.2003 and release him full pay and allowance since that date.

2. The representation of Shri B.P. Nagar has been examined in the department and it is observed that

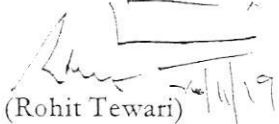
(i) Shri B.P.Nagar, AC (AH) was promoted to the post of AC(AH) w.e.f. 15.12.2003 purely on ad hoc basis and subsequently reverted w.e.f. 14.06.2006. As per DOP&T's instructions, ad hoc appointment is not reckoned as regular appointment and hence no benefit of seniority may be granted.

(ii) He has been promoted to the post of AC(AH) w.e.f. 07.07.2008 on notional basis (from the date of vacancy against which his immediate junior was to be considered for promotion) and w.e.f. 09.02.2018 on actual basis on the recommendations of the UPSC in pursuance of CAT's Order dated 22.09.2014 in O.A. No.1616/2013.

(iii) M.A. No.1750/2019 filed by him in the above OA for grant of actual promotion from 17.07.2007/ 07.07.2008 has been dismissed by the Hon'ble CAT, New Delhi.

(iv) The provisional Seniority List of AC (AH) as on 01.04.2018 issued last time vide OM dated 05.02.2019 also had the same position of Shri B.P. Nagar, but he did not raise any objection at that time.

3. In the circumstances explained above, the request of Shri Bhanu Pratap Nagar to fix his seniority and promote him w.e.f. 15.12.2003 cannot be acceded to, as he was promoted as AC (AH) w.e.f. 15.12.2003 purely on ad hoc basis, which is not reckoned as regular appointment and having no benefit of seniority. As such, the draft seniority list issued vide this Department's O.M. of even number dated 15.10.2019 stands final.

  
(Rohit Tewari)

Under Secretary to the Government of India  
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Distribution:-

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✓ 2 ACs of the Seniority List.