



ODISHA POLICE
STATE HEADQUARTERS
CUTTACK.

OFFICE ORDER No. 907 /Min

Date: 21. 08.2021.

Sri Dibakar Sahoo, Sr.Gr.Stenographer of Mayurbhanj district has filed WP(c) No.15745 of 2019 before the Hon'ble High Court claiming his retrospective promotion to the rank of Senior Gr. Stenographer w.e.f. 8.1.1999 i.e. from the date his junior Sri Khageswar Das was allowed promotion. The Hon'ble High Court, while disposing the above writ petition vide order No.4, dtd.28.11.2019 have directed the Opposite party No.-2, i.e. Director General of Police to look into the request of the petitioner vide Annexure-10 and 11 and pass appropriate orders on the same, if necessary giving opportunity of hearing to the petitioner and taking into the grounds raised in the writ petition.

In order to comply the above order of the Hon'ble High Court for considering the retrospective promotion in the rank of Senior Gr. Stenographer of the applicant w.e.f. 8.1.1999 i.e. from the date his junior Sri Khageswar Das was allowed promotion, the matter was placed before the Special Departmental Promotion Committee held on 09.08.2021 to adjudge his suitability for retrospective promotion.

That Sri Dibakar Sahoo and Khageswar Das were appointed in the rank of Jr. Gr. Stenographers temporarily vide O.O. No.1714/Admn., dtd.31.7.1995. They were placed vide Sl. No. 36 & 41 respectively in the merit-cum seniority list of candidates appointed in the year-1995(27th /28 July 1995) for the post of Jr. Gr. Stenographers prepared by the Govt., communicated vide Home Deptt. Letter No.309/SH, dtd. 28.2.2003.

Some unsuccessful candidates those who could not come out successful in the recruitment test held on 27/28 July 1995 for the post of Jr. Gr. Stenographer had filed several OAs vide Nos.1462(c)/1995, No.1438(c)/1995, No.1602(c)/1995, No.2429(c)/1995, No.2119(c)/1996, 2259(c)/1996 and OA No.2456(c)/1996 before the Hon'ble OAT Cuttack Bench, Cuttack challenging the selection process of the recruitment made for the post of Junior Grade Stenographer.

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In pursuance to the orders passed by the Hon'ble OAT passed in OA No.1602(c)/1995 filed by Sri Niranjan Pradhan & 4 others, Junior Gr. Stenographer Dibakar Sahoo of O/o the DIGP, WR, Rourkela and 8 others were discharged from service vide S.P., Hdqrs., O.O. No.2784/Admn., dtd.1.5.1997, which was subsequently challenged before the Hon'ble High Court in writ petition No.10044/1997 filed by Sri Bhagaban Mishra & 2 others. But at that time Shri Khageswar Das junior to the applicant was continued in service as usual.

While the matter stood thus, a fresh recruitment for the post of Jr. Gr. Stenographer was conducted by S.P., Hdqrs. in the year-1997 where Sri Sahoo got through as a fresh candidate and appointed as a fresh Jr. Gr. Stenographer vide O.O. No.5561/Admn., dtd.29.10.1997. Accordingly, he joined in service as Jr. Gr. Stenographer on dt.05.11.1997. The said appointment was conditional subject to outcome of the writ petition No.9304/97, 10330/97 and 10044/97 filed by the discharged Stenographers.

While disposing the OJC No.9304/ 1997 & 10044/1997 the Hon'ble High Court in an common order dated. 20.06.2000 quashed the petitioners discharged order issued vide State Police Headquarters Office Order No. 2784/ Admn. dated. 01.05.1997 with a direction to the State respondent to reinstate the petitioners in service. Accordingly, 08 petitioners (Jr. Gr. Stenographers) were reinstated in service vide S.P., Hdqrs. O.O. No.5355/Min., dtd.18.08.2000. Since Sri Dibakar Sahoo, Jr. Gr. Stenographer was not the petitioner in the above noted cases, his case was not considered at that time.

Latter considering the prayer of Sri Sahoo, DGP was pleased to regularize his past service period by allowing him all service and financial benefits i.e. from the date of discharge dt.1.5.1997 to till the joining in service afresh i.e. 5.11.1997 vide State Police Headquarters, Cuttack O.O. No.1017/Min., dtd.4.3.2002.

Sri Dibakar Sahoo (applicant) got normal promotion to the rank of Sr. Gr. Stenographer in the year 2016 vide S.P. Hdqrs. O.O. No.874/Min., dtd.27.8.2016 in the


DPC held on 10.8.2016. But, Sri Khageswar Das Junior to Sri Dibakar Sahoo (applicant) was promoted normally to the rank of Sr. Stenographer in the DPC held in the year-1999 vide S.P., Hdqrs., O.O. No.453/Admn., dtd.08.01.1999 as per seniority list maintained by SP, Hdqrs. at that time.

Considering the above facts, the Special Departmental Promotion Committee held on 09.08.2021, have allowed Sri Dibakar Sahoo, Ex.Jr. Gr. Stenographer (now Sr. Gr. Stenographer of Mayurbhanj district) retrospective promotion to the rank of Sr. Gr. Stenographer w.e.f. 08.01.1999 notionally and his inter-se-seniority in the rank of Sr. Gr. Stenographer is fixed above Sri Khageswar Das, Ex-Jr.Gr.Stenographer got promotion to the rank of Sr. Gr. Stenographer as per recommendation of the DPC for the year -1999, which was held on dtd. 04.01.1999.

The pay of Sri Dibakar Sahoo, Sr.Gr. Stenographer will be fixed notionally in time scale of pay of Sr. Gr. Stenographer w.e.f 08.01.1999 i.e from the date from which his junior Sri Khageswar Das was promoted. He will not be entitled to get any financial benefits for the period he was not actually worked in higher grade/post

This has the approval of DGP.

(D-05-2021)



21/8/21
I.G. of Police, (Personnel)
Odisha, Cuttack.

Memo No.

/Min.

Dt. 08.2021.

Copy forwarded to the I.G of Police, ER, Balasore / Supdt. of Police, Mayurbhanj for information and necessary action.


21/8/21
I.G. of Police, (Personnel)
Odisha, Cuttack.

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Copy to Establishment Officer, ACR Cell / Section Officer, Service Section / Inspr. IT Cell for information & necessary action.

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