



No.28/9/94-IH(7)-2018/13579
Chandigarh Administration
Department of Personnel

Chandigarh, dated the 26/6/18

All the Administrative Secretaries/
Heads of Departments/Offices/Institutions
Boards/Corporations
Chandigarh Administration

Subject: Implementation of interim Orders/ directions in Special Leave to Appeal (C) No. 30621/2011 arising out of final judgment and order dated 15.07.2011 in CWP No. 13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and Special Leave to Appeal (C) No. 31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and other related court cases – regarding

Sir/Madam

I am directed to address you on the subject noted above and to enclose herewith a copy of O.M. No. 36012/11/2016-Estt.(Res-I){Pt-II} dated 15.06.2018 received from the Deputy Secretary, Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, New Delhi, which is self-explanatory for information/ compliance.

Yours faithfully,

[Signature]
Superintendent Personnel
for Adviser to the Administrator
Union Territory, Chandigarh
Dated: 26/6/18

Endst. No. 28/9/94-IH(7)-2018/13580

A copy is forwarded to all the Administrative Branches, Chandigarh Administration Secretariat for similar action.

[Signature]
Superintendent Personnel
for Adviser to the Administrator
Union Territory, Chandigarh
Dated: 26/6/18

Endst. No. 28/9/94-IH(7)-2018/13581

A copy is forwarded to the Director Information Technology, Union Territory, Chandigarh for information and necessary action.

He is requested to upload the above instructions on the official website of Chandigarh Administration.

[Signature]
Superintendent Personnel
for Adviser to the Administrator
Union Territory, Chandigarh

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for nee persons Action
[Signature]

(7)

S43
19/6/2018

PG/SSP 379
Dated 19/6/18

F. No. 36012/11/2016- Estt.(Res-I) {Pt-II}
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (Reservation-I) Section

North Block, New Delhi
Dated June 15, 2018

SSP

OFFICE MEMORANDUM

Subject: Implementation of interim Orders/ directions in Special Leave to Appeal (C) No. 30621/2011 arising out of final judgment and order dated 15.07.2011 in CWP No. 13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and Special Leave to Appeal (C) No. 31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and other related court cases – regarding

The Hon'ble Supreme Court vide its order dated 15.11.2017 in SLP(C) No. 28306/2017 has decided to refer to a Constitution Bench to examine whether its earlier decision in *M. Nagraj and others vs. Union of India and others* requires reconsideration or not, inter alia, on the issue as to whether test of backwardness would, at all, apply in case of SC and ST.

2. The Hon'ble Supreme Court in SLP (C) No. 30621/2011 has passed the following Order on 17.05.2018:

"It is directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from 'reserved to reserved' and 'unreserved to unreserved' and also in the matter of promotion on merits."

3. Further, in the matter related to SLP(C) No. 31288/2017, connected to Special Leave to Appeal (C) No. 28306/2017, the Hon'ble Supreme Court held as under on 05.06.2018:

"Heard learned counsel for the parties. Learned ASG has referred to order dated 17.05.2018 in SLP (C) No.30621/2011. It is made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter. Tag to SLP(C) No.30621 of 2011."

G. Srinivasan

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Hand
18/6/18

S.P.

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RKS

Jank
10/6/18