

No. 28/73-IH(7)-2023/ 1243  
Chandigarh Administration  
Department of Personnel

Chandigarh, dated the 30/01/2023

To

All the Administrative Secretaries/  
Head of Departments/Offices/Institutions,  
Chandigarh Administration.

**Subject: Proposal for creation/conversion/revival/court cases in Chandigarh Administration.**

\*\*\*\*\*

Sir/Madam

I am directed to address you on the subject noted above and to forward herewith letter No.2951108/E.Coord.I/2022 dated 09.01.2023 issued by the Department of Expenditure, Ministry of Finance, Government of India with regard to proposals for creation/conversion/revival/court cases in Chandigarh Administration, for information and strict compliance.

Yours faithfully

*Jaspreet Kumari*  
Superintendent Personnel  
for Adviser to the Administrator  
Union Territory, Chandigarh

Endst No. 28/73-IH(7)-2023/ 1244

Dated: 30/01/2023

A copy is forwarded to the Finance Secretary, Chandigarh Administration for information and necessary action.

*Jaspreet Kumari*  
Superintendent Personnel  
for Adviser to the Administrator  
Union Territory, Chandigarh

✓ Endst No. 28/73-IH(7)-2023/ 1245

Dated: 30/01/2023

A copy is forwarded to the Director Information Technology, U.T., Chandigarh for information and necessary action. It is requested to upload the said instructions on the website of the Chandigarh Administration.

*Jaspreet Kumari*  
Superintendent Personnel  
for Adviser to the Administrator  
Union Territory, Chandigarh



Y. (Per) 777334 F.No.2951108/E.Coord.1/2022  
 Dated 18-01-2023 Government of India  
 Ministry of Finance  
 Department of Expenditure  
 E.Coord.1 Branch

Advisor to the Administrator  
 No. 777334 PA/AA  
 Dated 18-01-2023

North Block, New Delhi  
 Dated 9<sup>th</sup> January, 2023

To

The Administrator  
 Chandigarh Administration  
 UT of Chandigarh  
 Chandigarh

PA/AG (Personnel)/ 777334  
 Dated 19/01/23

777334/06 (nos)  
 19/1/23

Sub: Proposal for creation/conversion/revival/court cases in Chandigarh Administration

Sir,

I am directed to return herewith the following proposals which is directly received in this Department for examination/consideration:

S.No.	Subject
1.	O.A No. 60/1199/2021 titled as Anita Luthra &ors Vs UT of Chandigarh &ors in Hon'ble CAT, Chandigarh Bench, Chandigarh-reg.
2.	Conversion of 76 temporary posts of the Estate office, U.T., Chandigarh into permanent ones
3.	Creation of Posts in Department of Information Technology, Chandigarh Administration
4.	Revival of one post of Assistant Food & Supplies Officer
5.	Revival of 01 post of Senior Assistant in respect of Sports Department, U.T. Chandigarh

2. In this regard, it has been observed for a long time that Chandigarh Administration are forwarding their proposals relating to creation/revival/conversion of posts/court cases directly to this Department without due examination by IFD and their Administrative Ministry, which is contrary of DoE's guidelines dated 12.04.2017 as far as creation of post is concerned and in the matter of court cases DoPT's O.M. dated 16<sup>th</sup> March, 2016, DoE's O.M. dated 16.05.2012 and Cabinet Secretariat's D.O. letter dated 25.02.1994 which state that all court cases filed in the Hon'ble CAT/Court have to be defended by the Administrative Ministry/Department/Organization where the Government servant is serving or has last served and in case other Ministries/Departments have been arrayed as respondents, they are to be treated merely as proforma parties and the matter has to be dealt with by the Administrative Ministry itself on behalf of all the other Ministries/Departments involved.

3. In this regard a meeting was held with AS & FA of MHA. He informed that with regard to financial proposals including creation / upgradation of posts etc. of UTs which are sent to MHA by UT Administration are re-forwarded by MHA to subject matter Ministry for taking necessary action which only results in delay in processing in proposals. Thus, vide their OM dated 24.10.2017 and dated 16.08.2022 MHA has advised all UT Administrations to forward their proposals to concerned subject matter Ministry under endorsement to UT Administration of MHA. The proposals would be examined by



subject matter Ministry and they shall seek necessary approval of DoE. Therefore, all UTs are to process their proposal through subject matter Ministry as per MHA's O.M dated 24.10.2017 and 16.08.2022.

4.. Therefore, Chandigarh Administration is requested to kindly ensure that all such proposals may be routed through their subject matter Ministry as per MHA's directions contained in O.M dated 24.10.2017 and 16.08.2022 and forwarded to this Department in terms of this Department instructions dated 12.04.2017 with the approval of competent Authority. No proposal received directly shall be considered in this Department.

5. This issues with the approval of competent authority.



(Sobeer Singh)

Under Secretary to the Govt. of India  
Tele:23095686

Encl: As above.

Copy to: AS& FA(H), Ministry of Home Affairs.



No.U-13028/23/2020-CPD(CHD)  
Government of India/ Bharat Sarkar  
Ministry of Home Affairs/ Grih Mantralaya  
\*\*\*\*\*

179A

Adviser to the Administrator

No. 645238 PS/AA

Dated 23-08-2022

PA/AS (Personnel)/ 645238  
Dated 24/8/22

North Block, New Delhi  
Dated the 16<sup>th</sup> August, 2022

The Adviser to the Administrator,  
Chandigarh Administration,  
Chandigarh.

PA/AS (Per) 645238

Dated 23/8/2022

Subject: Revival/Creation of Posts under various Departments of Chandigarh Administration- reg.

Sir,

I am directed to refer to Chandigarh Administrations letter Nos 28/73-IH(7)-2022/7705 and 7706 dated 20.05.2022 on the above mentioned subject.

2. In this regard, it is observed that various proposals for revival/creation are indicated by Chandigarh Administration to be pending with various Ministries of Government of India.
3. Reference is invited to instructions contained in Finance Division, MHA's O.M.No.19011/1/90-Finance.II dated 27.03.1990 (copy enclosed) and Planning Cell, UT Division's O.M.No.15039/20/2012-Pg.Cell dated 24.10.2017 wherein UT Administrations are required to refer their expenditure proposals including creation of posts, upgradation of posts/revision of pay, matters relating to ACP/MACP, pension cases etc. to the concerned subject matter Ministries and it is for that Ministry to consider the proposal and to convey the approval of Government of India. UT Administrations are only required to endorse a copy of their proposal to this Ministry.
4. In view of the above instructions, Chandigarh Administration is requested to furnish the details of the references made by them in this regard to various Ministries of Government of India, where the proposals are stated to be pending, to enable to this Ministry to take up the matter of revival/creation of posts with the concerned subject matter Ministry.

Encl.: As above

Yours faithfully,

Prabhat Nigam  
(Prabhat Nigam)

Under Secretary to the Government of India  
Tel. No.: 011-23094103

Copy, for information, to :

M/o. Finance, Deptt of Expenditure (Shri Sobeer Singh, US), North Block, New Delhi, w.r.t Chandigarh Administration's letter No.41/8/514 UTF(5)-2022/11250 dated 29.07.2022 (copy enclosed).



Dated 24-October, 2017

OFFICE MEMORANDUMSubject:- Financial proposal relating to Union Territory Administration.

The undersigned is directed to invite kind attention to this Ministry's OM No. 19011/1/90-Finance.-II dated 27/3/1990 (copy enclosed) and OM No. 13034/24/2013-ANL dated 14<sup>th</sup> August, 2013 (copy enclosed) which relates to submission of proposals of UTs having financial implications. Despite the above mentioned guidelines, instances have come to the notice of this Ministry that financial proposal including creation/upgradation of post etc. of UTs are sent to MHA by UT Administration or by the Administrative Ministries dealing with the subject matter. The Ministry of Home Affairs transfers/forwards the proposals to the subject matter Ministries for taking necessary action which only results in delay in processing of the proposal.

2. In view of the above it is reiterated that the UT Administrations are required to refer their expenditure proposals including creation of posts, upgradation of posts/revision of pay, matters relating to ACP/MACP, pension cases etc. to the concerned subject matter Ministries and it is for that Ministry to consider the proposal and to convey the approval of the Government of India. The UT Administrations may endorse a copy of their proposal to Ministry of Home Affairs.

3. The Financial Advisors are requested to bring the aforesaid position to the notice of all officers/Sections concerned with the UT Administrations for information/compliance.

Encl:-As above.

(Sudhir Kr. Rai)  
Director  
Tel.: 23094387

To,

- (i) The Financial Advisors of all Ministries/ Department of Govt. of India.
- (ii) All UT Administrations

Copy for information to:-

- (iii) PS to HM.
- (iv) PPS to HS.
- (v) PPS to AS & FA (H).
- (vi) PPS to AS (UT).
- (vii) All Officers in UT Division.

11/10/2017  
12/10/2017  
13/10/2017

20/10/17

20/10/17  
20/10/17  
20/10/17

20/10/17  
20/10/17  
20/10/17