

Government of Himachal Pradesh
Jal Shakti Vibhag

No.JSV-A-E(3)41/2023

Dated: Shimla-171002,

13th September, 2023

ORDER

WHEREAS, Shri Jitender Singh, Executive Engineer was transferred from P&I Unit-II O/o Engineer-in-Chief JSV HQ, Shimla to Jal Shakti Division, Paonta Sahib, District Sirmour vice Mohd. Arshad Rehman, Executive Engineer and vice-versa vide this Department's Notification No.JSV-A-(B)6-3/2023 dated 31stJuly, 2023.

AND WHEREAS, in compliance to the above orders, Shri Jitender Singh, Executive Engineer has joined his duties at Jal Shakti Division, Paonta Sahib , District Sirmour on 31.07.2023.

AND WHEREAS, feeling aggrieved by the above transfer orders, Mohd. Arshad Rehman, Executive Engineer has filed a Civil Writ Petition bearing No. 5028/2023 before the Hon'ble High Court of Himachal Pradesh.

AND WHEREAS, the Hon'ble High Court of HP vide its judgment dated 08.09.2023 passed in CWP No.5028/2023 titled as Mohd. Arshad Rehman Vs State of HP has disposed off the petition and passed the following directions (operative part):-

'5. What comes from the record and what is disturbing is that both the employees are Class-1 officers & belong to State Cadre. Both of them should have served in different areas of State but the incumbency position reflects very sorry state of affairs. Petitioner & respondent No.2 have more or less served only in District Sirmour.

6. Looking into facts of the case, ideally none of them deserves to remain posted in District Sirmour. This is despite the fact that the petitioner is left with 11 months to superannuate. As it is, such like consideration of impending retirement are not ipso-facto applicable to the holders of Class-1 posts. In the given facts and circumstances and in view of above observations, respondent No.1 is directed to take a fresh call in the matter of posting of petitioner and respondent No.2 in accordance with applicable transfer policy and as per law. Fresh call for transferring both these Executive Engineers be taken within a period of one week from today.

Till such time, the existing arrangement shall be maintained. The order so passed be communicated to

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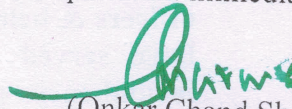
the petitioner and respondent No.2. List for compliance on 21.09.2023.

AND WHEREAS, on perusal of the judgment dated 08.09.2023 passed by the Hon'ble High Court of H.P. it has been observed that both the officers i.e. Petitioner and Respondent No.2 are to be shifted from District Sirmour.

NOW THEREFORE, in pursuance to the orders passed by the Hon'ble High Court of H.P., the transfer and posting orders of the Petitioner and Respondent No. 2 are hereby ordered in the following manner:-

1. Mohd. Arshad Rehman, Executive Engineer who is under orders of transfers from Jal Shakti Division, Paonta, District Sirmour to P&I-II Unit O/o ENC, JSV Shimla vide Notification No.JSV-A-(B)6-3/2023 dated 31-08-2023 shall continue at P&I-II Unit O/o ENC, JSV Shimla against vacant post.
2. Shri Jitender Singh, Executive Engineer, from Jal Shakti Division, Paonta Sahib, District Sirmour to Jal Shakti Circle, Kasumpti, Shimla-9 against vacant post.

The above officers shall submit their charge reports of relinquishment and assumption to this Department immediately.


(Onkar Chand Sharma)
Principal Secretary(Jal Shakti) to the
Government of Himachal Pradesh

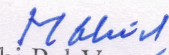
Regd.

1. Mohd. Arshad Rehman
Executive Engineer
C/O ENC, Shimla -171005
2. Shri Jitender Singh,
Executive Engineer
C/O ENC, Shimla-171005.

Endst. No. No.JSV-A-E(3)41/2023 Dated: Shimla-171002, 13th Sept., 2023

Copy forwarded to the following for information and further action:-

1. The Addl. Advocate General, Himachal Pradesh, Shimla-171001.
2. The Engineer-in-Chief, Jal Shakti Vibhag, Shimla-171005. He is requested to ensure the delivery of the above order to both the officers immediately.
3. The Chief Engineer, Jal Shakti Zone, Shimla.
4. The Superintending Engineer, Jal Shakti Circle, Nahan, District Sirmour.
5. Guard file/spare copies.


(Mahi Pal Verma)
Deputy Secretary (Jal Shakti) to the
Government of Himachal Pradesh
Phone No.0177-2880484