

GOVERNMENT OF HIMACHAL PRAESH  
IRRIGATION & PUBLIC HEALTH DEPARTMENT

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363 No.IPH(A)2(B)5-72/2008

Dated Shimla-171002, the April, 2017

27-4-17

ORDER

28-4-2017

WHEREAS Shri Vivek Katoch, Assistant Engineer, IPH Sub Division, Udaipur filed an OA before the Hon'ble Tribunal (OA No.1001/2017-Vivek Katoch vs State of HP) for transferring him from the tribal area with the plea that he has completed his normal tenure at the tribal area.

WHEREAS the Hon'ble Tribunal vide its judgment dated 24.3.2017 disposed off the petition by passing the following orders:-

" In the facts and circumstances and interest of justice, the original application is disposed of with the stipulation that subject to the applicant making a fresh detailed representation, supported by documents alongwith certified copy of this order, highlighting the above aspect and with a request for transfer against an existing/likely vacancy out of at least five such vacancies including those mentioned hereinabove, to be indicated in the representation to met the requirement under the transfer policy, to respondent No.2, the Engineer in Chief, IPH Department, within a week from today, who shall consider and decide the same in accordance with law, sympathetically, and the transfer policy framed by the State Government, by 30<sup>th</sup> April, 2017 by affording an opportunity of being heard to the applicant".

WHEREAS in compliance to the above judgment, the applicant tendered his representation to respondent No.1 i.e. Principal Secretary(IPH) on 30.3.2017 requesting therein to transfer him at one of the following choice of stations:-

FR  
EAC  
Boj  
ESJ  
26/4  
Pharwa  
26/4/17  
GFI  
29/4

333  
29-4-17

-2-

- 1 IPH Division, Sundernagar.
- 2 IPH Circle, Una
- 3 IPH Zone, Dharmshala.
- 4 IPH Division, Nalagarh
- 5 IPH Sub Division, Arki

WHEREAS vide judgment dated 24.3.2017 though the directions were given to the respondent No.2 i.e. ENC (IPH) to decide the representation, but since the establishment of the Gazetted Officers is dealt at the Govt. level, hence it was decided to consider the representation of the applicant at the Govt. level instead of O/o ENC (IPH). The applicant was afforded opportunity to be heard in person on 20.4.2017. The applicant telephonically intimated that due to closure of Rohtang pass, he would not be able to attend the hearing. Later he informed by fax dated 20.4.2017 that he may be transferred to the choice of station shown in the representation.

WHEREAS, I have gone through the representation dated 30.3.2017 of the applicant in detail alongwith the relevant record. It has been found that the applicant has completed his normal tenure in the tribal area. Out of the five choice of stations given by him, only the post of Assistant Engineer at IPH Sub Division, Arki and IPH Circle, Una are lying vacant.

NOW THEREFORE, after considering the request, Shri Vivek Katoch, Assistant Engineer, IPH Sub Division, Udaipur (L&S) is hereby transferred to IPH Sub Division, Arki against vacancy. Accordingly, the representation of the applicant is considered and disposed off.

WHEREAS the post of Assistant Engineer, IPH Sub Division, Udaipur is a functional post and as per the transfer guidelines, no person can be transferred from tribal area unless any substitute is posted.

WHEREAS Shri Praveen Gupta, Assistant Engineer presently working at IPH Sub Division, Sundernagar whose stay at Sundernagar is complete and he has not served tribal area till date.

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Therefore, Shri Praveen Gupta, Assistant Engineer presently working at IPH Sub Division, Sundernagar is hereby transferred to IPH Sub Division, Udaipur (L&S) in place of Shri Vivek Katoch, Assistant Engineer with immediate effect.

BY ORDER



(ANURADHA THAKUR)

Principal Secretary (IPH) to the  
Government of Himachal Pradesh

**REGISTERED**

1. Shri Vivek Katoch,  
Assistant Engineer,  
IPH Sub Division, Udaipur  
Distt. Lahaul & Spiti (HP).

Endst. No. As above.

Dated:- 25/4/2017

**Copy forwarded to the following for information and necessary action:-**

1. The Engineer in Chief, IPH Department, US Club, Shimla-1
2. The Chief Engineer, IPH Zone, Mandi/Shimla.
3. The Superintending Engineer, IPH Circle, Kullu/Shimla-9
4. Shri Praveen Gupta, Assistant Engineer, presently working at IPH Sub Division, Sundernagar for strict compliance.
5. P/F of the officers.
6. Guard file.



(MAN MOHAN JASSAL)

Deputy Secretary (IPH) to the  
Govt. of Himachal Pradesh  
Phone No.0177-2628482