

**Government of Himachal Pradesh
Public Works Department**

PBW-A-B(6)-3/2021

Dated: Shimla-2,

24 June, 2023

ORDER

WHEREAS, Sh. Anoop Kumar Bhardwaj, Registrar (Vigilance) was transferred from O/o E-in-C, HPPWD Shimla to O/o Chief Engineer HPPWD Hamirpur vice Sh. Dola Ram, Registrar and vice-versa vide notification of even number, dated 15/02/2023 and feeling aggrieved, Sh. Anoop Kumar Bhardwaj had challenged his transfer orders by way of CWP No. 697/2023 before the Hon'ble High Court of H.P;

WHEREAS, the Hon'ble Court was pleased to pass the following order on dated 01.06.2023:-

"...7. Since, both the petitioner as well as private respondent have not only feigned ignorance regarding the works and ethics of the Department but their conduct is otherwise not befitting the office they are holding, therefore, both of them are required to be posted/transferred out of their comfort zone i.e. present place of posting, as granting an indulgence to any one of the parties in this case would be causing manifest injustice to their colleagues, who may be desirous to serve at the stations, where both petitioner as also private respondent have been working, but have failed to get posting because of the cartel formed by the employees like the petitioner and private respondent. This Court is not inclined to exercise its discretion in favour of any of the parties "as justice is not on their side".

8. In such circumstances, we see no reason to interfere with the transfer order, but would direct the official respondents to transfer the petitioner to Lahaul & Spiti and respondent No.3 to District Kinnaur and report compliance before the next date.

9. The petition stands disposed of, in the aforesaid terms, so also the pending application, if any.

10. For compliance, to come up on 15.06.2023."

WHEREAS, since there are no sanctioned posts of Registrar in District Lahaul Spiti as well as in Kinnaur District, as such, the factual position was brought to the notice of the Hon'ble High Court through instructions dated 12.06.2023;

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WHEREAS, keeping in view the position so brought to the notice, the Hon'ble Court on dated 16.06.2023 was pleased to issue the following orders:-

"Since, there are only five posts of Registrar in HPPWD, therefore, it would be unfair to the incumbents already manning the posts of Registrar at the three other stations in case the petitioner and private respondent are ordered to be transferred at their places.

In the given facts and circumstances, we leave it to the official-respondents to take a call in the matter by issuing appropriate orders of transfer within a period of one week from today.

For compliance to come up on 23.06.2023."

WHEREAS, after thorough examination of the matter it has been found that the petitioner and private respondents No. 3 can only be transferred within the cadre strength of Registrar which are available in the O/o Engineer-in-Chief, HPPWD Shimla, O/o Chief Engineer, HPPWD Hamirpur, O/o Chief Engineer, HPPWD (KZ) at Dharamshala and O/o Chief Engineer, (MZ) HPPWD, Mandi. In the meanwhile, a representation has been received from Sh. Dalip Gautam, Registrar vide which he has requested to transfer him from O/o Chief Engineer HPPWD Mandi to O/o E-in-C HPPWD Shimla, in view of his adverse family circumstances. Therefore, keeping in view of directions of the Hon'ble High Court of HP issued on 01.06.2023 and 16.06.2023 as well as representation of Sh. Dalip Gautam, Registrar, it has been found appropriate to transfer both the incumbents from their place of posting and to adjust Sh. Dalip Gautam, Registrar in the O/o Engineer-in-Chief, HPPWD;

THEREFORE, in pursuance to the directions of the Hon'ble High Court and in supersession of this department notification of even number, dated 15/02/2023, the Governor, Himachal Pradesh is pleased to issue transfer/posting orders of Registrars in HPPWD, as under:-

Sr. No.	Name of Officer	From	To	Remarks
1	Sh. Anoop Kumar Bhardwaj	O/o E-in-C, HPPWD Shimla	O/o Chief Engineer HPPWD Hamirpur	Vice Sr.No.2

2	Sh. Dola Ram	O/o Chief Engineer HPPWD Hamirpur	O/o Chief Engineer, HPPWD Mandi	Vice Sr. No.3
3	Sh. Dalip Gautam	O/o Chief Engineer, HPPWD Mandi	O/o E-in-C, HPPWD Shimla	Vice Sr. No.1

BY ORDER

Principal Secretary (PW) to the
Government of Himachal Pradesh

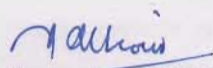
Endst. No. As above

Dated : Shimla -2, the

24 June, 2023.

Copy for information and further necessary action to :-

1. The Ld. Advocate General, H.P., Shimla-1.
2. The Engineer-in-Chief, HPPWD Nigam Vihar , Shimla-2 with request to supply the copy of order to concerned officer for strict compliance.
3. All the Chief Engineers of HPPWD in H.P.
4. All the Superintending Engineers of HPPWD in H.P.
5. The concerned officers.
6. Guard File.


Joint Secretary (PW) to the
Government of Himachal Pradesh,
Shimla-2.

Phone No.0177-2620159