

**Government of Himachal Pradesh
Public Works Department**

No. PWD-A-E0(1)/59/2025

Dated: Shimla the 24.05.2025

ORDER

WHEREAS, Smt. Poonam Sharma, Executive Engineer (Electrical) was transferred on 07.05.2025 from HPPWD Electrical Division Mandi to O/o SE (Elect.) HPPWD Circle Dharamshala vice Sh. Arun Kumar, Executive Engineer (Elect.) and vice versa, but she feeling aggrieved, against said transfer, filed Writ Petition No. 7845/2025- titled as Poonam Sharma Vs State of HP before the Hon'ble High Court, HP;

2. **WHEREAS**, the Hon'ble High Court disposed of this petition on 13.05.2025 with the directions that the petitioner will have the liberty to file a representation and the authority concerned will afford an opportunity of being heard to the petitioner and pass appropriate order thereafter;

3. **WHEREAS**, the applicant/ petitioner preferred her representation on 13.05.2025 to the Secretary (PW) whereby she reiterated the prayers made by her in her petition;

4. **WHEREAS**, in pursuance to above direction of Hon'ble High Court, she was afforded an opportunity of personal hearing on 19.05.2025 to represent her case which she duly attended;

5. **WHEREAS**, representation of Smt. Poonam Sharma, Executive Engineer (Electrical) along with Transfer Guiding Principle, 2013 has been gone through. It is found that the post of Executive Engineer (Electrical) is a Class-I post with State cadre and as per para 10 of the said guidelines, the condition of 03 years' stay at one station is not applicable to the Class-I Officers and a Class-I (Gazetted) Officer can be transferred anytime, anywhere in the exigency of departmental work and public interest;

6. **WHEREAS**, the following incumbency of applicant has also been gone through:

| Name of Officer/ D.O.B/ /Home District | Incumbency |
|---|--|
| Mrs. Poonam Sharma / 14-3-1971/Mandi | <u>Date of appointment as JE:</u> 19.12.1997 19.12.1997 to 28.01.1998: Elect Div Mandi |

| | |
|--|--|
| | 29.01.1998 to 21.04.2000: Elect S/D Kullu 22.04.2000 to 10.09.2000: Elect S/D Udaipur 11.09.2000 to 10.09.2013: Elect S/D Kullu (Holding charge of AE) 11-9-2013 to 30.07.2014: Elect. S/D Kullu Promoted as AE on Regular basis on 31.07.2014 31.07.2014 to 20.10.2023 : AE S/D Kullu Promoted as EE on regular basis : 21.10.2023 21.10.2023 to 07.05.2025 EE Elect Div Mandi 07.05.2025 : EE(D) HPPWD Elect Circle Dharamshala (but not joined as yet) |
|--|--|

From the incumbency it is evident that the applicant remained posted in areas in and around Mandi – Kullu districts (her native place) for the entire part of her service career. Hence, being a Class-I and State cadre officer, she can't claim as a matter of right to keep her posted in District Mandi;

7. **WHEREAS**, Smt. Poonam Sharma, Executive Engineer (Electrical) in her representation has also stated that her daughter is a specially abled child who is 80% permanently disabled but the applicant has been posted at Dharamshala, where all medical facilities which may be required by her disabled child are readily available;

8. **WHEREAS**, the DG State Vigilance & Anti Corruption Bureau H.P. vide letter dated 23.01.2025 has forwarded a complaint against Smt. Poonam Sharma, Executive Engineer (Electrical) with regard to misuse of power while issuing tenders for copper-wound, oil-cooled distribution transformers in respect of SLBS Medical College, Nerchowk and upon enquiry through duly constituted Committee under the chairmanship of the Superintending Engineer, 1st Electrical Circle, HPPWD Shimla, it was found that Smt. Poonam Sharma, EE (Elect.) HPPWD Electrical Division Mandi has changed the eligibility criteria in Tender document without the approval of the competent authority and fixed the voltage level of similar work 3 times the proposed level of 11 KV, thus she violated the condition of 80% capacity in terms of KVA as well as KV ratings, therefore, she has failed to act as per the guidelines of CPWD manual, CVC guidelines and directions of higher officer & misused powers. The disciplinary proceedings against her under Rule-14 of CCS (CCA) Rules, 1965 have been initiated on 21.04.2025 to enquire into the alleged charges and thus her transfer from HPPWD Electrical Division Mandi to some other station was necessitated to ensure free & fair enquiry;

9. **AND WHEREAS**, the applicant was transferred from Electrical Division Mandi to O/o SE (Elect.) HPPWD Circle Dharamshala vice Sh. Arun Kumar, Executive

Engineer (Elect.) and vice versa after the approval of the competent authority and in condonation of short stay; and

10. THEREFORE, the representation of Smt. Poonam Sharma, Executive Engineer (Electrical) is hereby considered and rejected being devoid of any merit and she is directed to join her duty in O/o SE (Elect.) HPPWD Electrical Circle Dharamshala immediately.



Secretary (PW) to the
Government of Himachal Pradesh.

Endst No. As above Dated: Shimla-2 the

24th May 2025

Copy forwarded to the following for information & necessary action:-

1. The Ld. Advocate General, Himachal Pradesh, Shimla-171002.
2. The Engineer-in-Chief, HPPWD, Nirman Bhawan, Shimla-171002.
3. The Superintending Engineer (Electrical) HPPWD Electrical Circle Shimla with the direction to ensure its delivery to the applicant.
4. The Executive Engineer (Electrical) HPPWD Electrical Division Mandi.
5. Smt. Poonam Sharma, Executive Engineer (Electrical) HPPWD Electrical Division Mandi u/t from HPPWD Electrical Division Mandi to O/o SE (Elect.) HPPWD Electrical Circle Dharamshala. (Registered).
6. Guard file.



(Surjeet Singh Rathore)
Addl. Secretary (PW) to the
Government of Himachal Pradesh