

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

OFFICE ORDER

Whereas, Sh. Tara Chand, Supdt.Gr.II. was under order of transfer from HPPWD Divn. Una to HPPWD Circle Dharampur vide this office order No. PWE-79-1-Supdt.Gr.II.Tr.24/ESI-15224-30 dated 26.02.2024 on the approval of competent authority conveyed vide U.O.No. Secy/CM-22121/2022-VIP-A-102896 dated 29-01-2024. Further during the transfer period, due to involvement of Sh. Tara Chand, Supdt.Gr.II. in political activities (complaint No.109) the Chief Electoral Officer, Himachal Pradesh Shimla has directed to relieve the official immediately and accordingly the EE Una Divn. vide his office order dated 27.04.2024 relieved the official, but instead of joining in HPPWD Circle Dharampur, the official had availed medical leave w.e.f 27.04.2024 to 26.07.2024 (91 days).

And whereas, the Superintending Engineer, HPPWD Circle Dharampur vide his office letter No.501 dated 04.05.2024 & letter No. 1284-87 dated 18.06.2024 has directed the official to join his duties in HPPWD Circle Dharampur within 3 days failing which he will write to IGMC Shimla to examine his disease from Medical Board but the official has not joined his duties in HPPWD Circle Dharampur.

And whereas, vide this office letter No.2980-81 dated 24.06.2024, the official Sh. Tara Singh, Supdt.Gr.II. was also directed to explain his position under which circumstances he remained absent from Govt. duties. Moreover, the SE, Dharampur Circle was also requested to direct Sh. Tara Chand Supdt.Gr.II. to appear before the medical board, but neither Sh. Tara Chand, Supdt.Gr.II. appeared before the medical board nor any reply had been received from the official which was viewed very seriously.

And whereas, on the approval of competent authority, Sh. Tara Chand, Supdt.Gr.II. was adjusted in HPPWD 15Th Circle Una vide this office order No.5311-15 dated 26.07.2024, where the official joined his duties on dated 27.07.2024. The official applied for medical leave of 91 days for his transfer period to his controlling officer, which had been sanctioned by granting him commuted 182 days leave vide office order No. 4505-07 dated 13.08.2024 instead of sending the case to higher authorities and ignoring the instruction of Govt. issued regarding regulation of overstayed period of employees of HPPWD upon transfer/repatriation, relevant part of which is as under: -

It has been decided that henceforth, the controlling officer where such employees are under transfer, would also be held responsible for accepting their leave applications and it shall be the duty of the controlling officer that when such an employee applies

for medical leave, leave applied for be rejected straightway and the employee concerned be asked to get himself medically examined from the medical Board of Zonal Hospital. The controlling officers will also inform the Medical Board that the employee is under transfer and this fact will be mentioned in the proceedings and the medical certificate issued by the Medical Board. The excess period of Gazetted establishment shall not be regularized without the permission of the Pr.Secy (PW) to the Govt. of HP and cases of remaining establishment shall be dealt at the level of Engineer-in-Chief, HPPWD.

And whereas, as per the direction issued vide this office letter No. 17074 dated 25.11.2024, the Superintending Engineer, HPPWD 15th Circle Una vide his office order No. 9171-72 dated 26.11.2024 had withdrawn the sanctioned leave order which was earlier sanctioned in favour of Sh. Tara Singh, Supdt.Gr.II. and also tendered unconditional and unqualified apology with the prayer that no action may be taken against him for above mentioned lapse, which was accepted vide this office letter No.19512 dated 13.12.2024. Further the Chief Engineer, HPPWD Hamirpur Zone Hamirpur vide his office letter No.10470-71 dated 02.12.2024 has again submitted the leave application of Sh. Tara Singh along with medical fitness certificate issued by the CMO Zonal Hospital Una on 27.07.2024 to this office for consideration.

And whereas, the Superintending Engineer, vide his office letter No.9977-78 dated 19.12.2024 has submitted the leave case of Sh. Tara Singh, Supdt.Gr.II. along with medical report issued by medical board Regional Hospital Una Distt. Una vide office letter No.HFW-MS-RH Una B (2)/2024/8487 dated 18.12.2024 to this office. Further Sh. Tara Singh, Supdt.Gr.II. vide this office letter No. 21464-65 dated 06.01.2025 was also directed to explain his position that why the official had not appeared well before the medical board when he was directed by SE Dharampur or by this office.

And whereas, in compliance to this office letter No.21464-65 dated 06.01.2025, Sh. Tara Singh, Supdt.Gr.II. through, SE, 15th Circle Una letter No. 11575-77 dated 03.02.2025 has submitted his representation to this office wherein the official has submitted that during the above mentioned period, he was remained on medical leave as per the advice of Doctors due to his illness and due to this he was not in position to join his duties being seriously ill as ignoring doctors advice/recommendation during the critical period could have further worsened his health condition and also tendered his unconditional and unqualified apology for lapse or deficiencies.

And whereas, it is evident from above position that Sh. Tara Singh, Supdt.Gr. II. took excuse of illness immediately after his relieving on dated 27.04.2024 and prior to that he was regularly attending the office without any complaint of illness. These facts make it clear that

the official has taken plea of illness just with a view to avoid joining in HPPWD Circle Dharampur. The leave applied by the official is just an afterthought to justify the period of unauthorized absence from Govt. duty. Such kind of practice amount to indiscipline and dereliction of duties. The leave as desired cannot be sanctioned at that would amount to give premium to wrongful act and such a practice by Govt. servant is to be deprecated.

And whereas Sh. Tara Singh, Supdt.Gr.II in spite of his relieving on 27.04.2024 failed to join his duties within the stipulated period in HPPWD Circle Dharampur till his adjustment in HPPWD 15th Circle Una where he joined his services on dated 27.07.2024 immediately after issuance of adjustment order on 26.07.2024 after the period of more than 90 days. Thus, the period of absence with effect from 27.04.2024 to 26.07.2024 (91 days) is without any authorized leave. Such act on his part is unwarranted and highly unbecoming of government servant and tantamount to misconduct, misbehavior and violation of CCS (Conduct) Rules 1964, because as a government servant, it is his responsibility to maintain discipline, devotion to duties and refrain himself from doing something which is contrary to Law, rules and regulation.

Now therefore, such absence period of Sh. Tara Singh Supdt.Gr.II. we.f. 27.04.2024 to 26.07.2024 (91 days) from his duty is being unauthorized is hereby treated as dies non without break in service which shall not be counted for purpose of pay, pension, qualifying service etc. as per rule.

Signed by
Narinder Pal Singh
Date: 03-07-2025 18:52:47
(Er.Narinder Pal Singh)
Engineer-in-Chief,
HPPWD Shimla-2.

Copy is forwarded to the following: -

1. The Secretary (PW) to the Govt. of HP Shimla-2.
2. All the Chief Engineers/ Superintending Engineer/Executive Engineers in HPPWD.
3. The District Attorney in this office.
4. The Senior Vigilance Officer in this office.
5. The Nodal Officer (I.T) with direction to upload the same on departmental website.
6. Sh. Tara Singh, Supdt.Gr.II. presently posted in HPPWD 15th Circle Una.
7. Seniority File/DPC/Promotion File.
8. Guard File.

Signed by Vijay Kumar
Dhiman
Date: 03-07-2025 18:55:02
(Vijay Dhiman)
Registrar,
HPPWD Shimla-2.

