

Government of Himachal Pradesh
Department of Public Works

File No.PBW-A-E(1)-71/2017

Dated: Shimla-2, the

19th August, 2017

ORDER

Sh.Karam Chand Dhiman, Assistant Engineer (Civil), HP,PWD NH Sub-Division, Nurpur was transferred to HPPWD Circle, Nurpur as AE (D) and Sh.Janam Singh Rana, Assistant Engineer (Civil), HPPWD NH Sub-Division Banikhet was posted in HP,PWD NH Sub-Division, Nurpur vide this department notification No.PBW-A-B(6)-1/2016 dated 29th June, 2017 with the prior approval of competent authority. Against the said transfer order, Sh.Karam Chand Dhiman, AE had filed OA No.3160/17 in the Ld. Tribunal which was finally disposed of on 6th July, 2017 with the direction to the applicant to file a comprehensive representation alongwith certified copy of this order for cancellation of his transfer or suitable adjustment to 1st respondent through the Principal Secretary (PW) to the Govt. of H.P. within five days. 1st Respondent shall decide the same after affording an opportunity of being heard to the applicant as well as private respondent No.3, if so desired by 23rd July, 2017.

As per order passed by the Ld. Tribunal on 6.7.2017, the applicant i.e. Sh.Karam Chand Dhiman, Assistant Engineer has made representation vide letter dated Nil received on 12.7.17 alongwith certified copy of the order 6.7.2017. In the representation, the applicant had submitted that he has been transferred from NH S/D Nurpur to HPPWD Circle Nurpur as AE(D) without completing his normal tenure of 03 years against the post not coming under his category, being diploma holder. Being a diploma holder, he has no idea of design work as it is the work of graduate AE. In the end, the representationists has requested that he may kindly be allowed to continue at the present place of posting i.e NH Sub-Division, HPPWD, Nurpur.

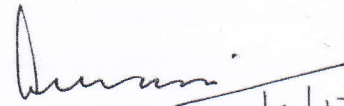
As per direction of the Ld. Tribunal dated 6.7.2017, the applicant was given a personal hearing on 2.8.2017 at 4.00 PM where respondent No.3 was also present. During the course of hearing, the applicant has submitted that:-

- (i) he may be retained as Assistant Engineer, HPPWD NH Sub-Division, Nurpur or transfer to his home Division, Palampur and;
- (ii) he may not be posted as AE (D) as he is a diploma holder and has no idea of design work.

The undersigned has gone through the record of the case, representation of the applicant as well as submissions made during the course of personal hearing. The applicant, was transferred from NH Sub-Division, HPPWD Nurpur to HPPWD Circle,

Nurpur as AE (D) within a radius of 20 meter, hence, his station of posting has not disturbed. It needs to be noted that Govt. employees enter service with the clear understanding that they can be posted at any place in the State. In the present case, Sh.Karam Chand Dhiman is not being disturbed from Nurpur and hence no dislocation is involved in his transfer order. By insisting that he be retained as AE, HPPWD NH Sub-Division, Nurpur, it is clear that the posting at Nurpur station is acceptable to him. The applicant cannot demand a specific post of his choice. However, there could be some merit in his claim that he may not be the most appropriate man for the post of AE (Design). Therefore, accepting his request, it is considered appropriate that Sh.Karam Chand Dhiman be posted as Engineer Officer in the office of S.E. HPPWD Circle, Nurpur vice Sh.Kailash Chand, and Sh.Kailash Chand, Engineer Officer, who is a qualified AMIE officer, be posted as AE (D) in HP, PWD Circle, Nurpur. Thus, neither the station would be changed nor the applicant posted against a design job.

Now therefore, in the light of above discussion, Sh.Karam Chand Dhiman, AE u/t from HPPWD NH Sub-Division, Nurpur to HPPWD Circle, Nurpur as AE (D), is ordered to be posted as Engineer Officer, HPPWD, Circle Nurpur vice Sh.Kailash Chand. Sh.Kailash Chand, is posted as AE (D) HPPWD, Circle Nurpur against vacancy with immediate effect in public interest. The applicant is directed to join his duties at new place of posting within 03 days positively after issuance of the said order.


(Anil Kumar Khachi) 19/8/17
Addl. Chief Secretary (PW) to the
Government of Himachal Pradesh
19th August, 2017

Endst.No. As above. Dated: Shimla-2, the

Copy for information to:-

1. The Accountant General, HP, Shimla-171003.
2. The Engineer-in-Chief, HP, PWD, Nigam Vihar, Shimla-171002.
3. The Controller, Printing and Stationery, HP Shimla-5 with a request to publish above notification in Rajpatra.
4. The Chief Engineer (KZ), HP, PWD, Dharamshala/(NH) Shimla.
5. The Superintending Engineer, HPPWD, Circle, Nurpur/NH Circle Shahpur.
6. The Executive Engineer (Civil), HPPWD NH Division, Jogindernagar.
7. Sh.Karam Chand Dhiman, AE (C), HPPWD NH Sub-Division, Nurpur.
8. Sh.Janam Singh Rana, AE, NH Sub-Division, HPPWD, Nurpur
9. Sh.Kailash Chand, EO, HP, PWD Circle, Nurpur
10. The Nodal Officer o/o E-in-c, HP, PWD Shimla for uploading the order in official website.

(Harikesh Meena)
Special Secretary (PW) to the
Government of Himachal Pradesh