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No.IPH-A-B(5)-6/2012

Dated Shimla-2, the June, 2017

MEMORANDUM

WHEREAS Shri Ajay Sharma on his appointment as Assistant Engineer was posted at IPH Sub Division, Bharmaur during November, 2013. Since he had completed his normal tenure i.e. two winters and three summers in the tribal area, as such he was transferred to SMIP Sub Division, Jawali against vacancy vide this Department's notification dated 21.4.2016. The applicant without getting his grievances redressed through the Department, filed an OA before the Hon'ble Tribunal (OA No.1578/2016) with the plea that he was not allowed to complete his normal tenure in the tribal. Though his tenure was complete, yet it was decided to retain him at Bharmaur.

WHEREAS vide this Department's notification dated 20.9.2016 one Shri Sharti Ram on his promotion as Assistant Engineer was posted at IPH S/D Bharmaur in place of Shri Ajay Sharma, Assistant Engineer and Shri Ajay Sharma, Assistant Engineer after serving in the tribal area was posted at IPH Sub Division, Sihunta (District Kangra). But the applicant brought the political influence to cancel his transfer orders and Shri Sharti Ram, AE was further adjusted at IPH Sub Division, Dharwala. This lead to un-necessary litigation as Shri Sharti Ram, Assistant Engineer filed an OA before the Hon'ble Tribunal as OA No.5130/2016. As per the orders of the Hon'ble Tribunal, the representation of Shri Sharti Ram, AE was considered and it was decided to allow Shri Sharti Ram, AE to continue at IPH Sub Division, Bharmaur and Shri Ajay Sharma, AE was adjusted at Electrical Sub Division, Dharmshala against vacancy.

WHEREAS Shri Ajay Sharma, Assistant Engineer again brought political influence for his transfer to IPH Sub Division, Killar vice Shri Vivek Thakur which again resulted into litigation as Shri Vivek Thakur, AE filed an application OA No.1240/2017 although as per the directions of Hon'ble Tribunal, the matter has now been finally disposed off.

WHEREAS from the above, it is apparent that firstly he knocked the doors of the Court of Law for the redressal of his grievances whereas he should have represented to this Department in this regard and secondly he brought political influence at every occasion for getting the posting of his choice. As a sequel to above consequences, the Department had to face unwarranted litigations three times on this account. Bringing political influence continuously ruins the whole system of establishment which results in wasting of manpower, time and rather the important work of the Government remains unattended. Therefore, such action on the part of the officer of high rank is unbecoming of a Government servant and is the breach of Rule-20 of CCS (Conduct) Rules, 1964.

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NOW THEREFORE, Shri Ajay Sharma, Assistant Engineer, IPH Sub Division, Killar is hereby directed to explain his position within 7 days from the receipt of this memo as to why the disciplinary proceedings under CCS (CCA) Rules, 1965 may not be initiated against him for such serious lapses.

Principal Secretary (IPH) to the
Government of Himachal Pradesh

Regd.

Shri Ajay Sharma,
Assistant Engineer
IPH Sub Division, Killar
District Chamba (HP)

Endst. No. As above

Dated: Shimla-2, ^{2/10/17} the June, 2017.

Copy to the Engineer-in-Chief, IPH Department Shimla-171001 for information.

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