



(S):0194-2506205,2506054(F)  
(J):0191-2562531,2546185(F)  
E-mail:compwd@rediffmail.com

Government of Jammu and Kashmir  
Public Works (R&B) Department  
Civil Secretariat, Srinagar

Subject: WP (C) No. 375/20 titled Tashi Namgial V/s State of J&K and Ors.

**Government Order: No: 219, PW(R&B) of 2020**  
**Dated: 31.07.2020**

Whereas, PW(R&B) Department received an order in case WP© No. 375/20 & CM No. 822/20 titled Tashi Namgial V/s Union Territory of J&K others directing the respondents to consider the case of the petitioner for promotion to the post of Superintending Engineer as per his suitability and seniority, notwithstanding, the registration of FIR No. 06/2014, registered with Police Station, Vigilance Organization Kashmir;

Whereas, the case of the incumbent was earlier considered in the department as per his seniority. Accordingly his vigilance status was sought from the General Administration Department vide this department's letter PW(R&B)/HRM/VC/20/2016-III dated 03.06.2019;

Whereas, the General Administration vide OM NO. GAD(Vig)02-NOC/2019-PW(R&B)\_IV dated 02.08.2019 has conveyed vigilance clearance in favour of many officers/ officials but the vigilance report in respect of Tashi Namgial was not conveyed;

Whereas, the department in absence of vigilance clearance of Sh. Tashi Namgial, I/c Executive Engineer (Civil), could not process the case for his promotion as I/c Superintending Engineer (Civil);

Whereas, the PW(R&B) Department again examined the case of petitioner in the light of the above quoted order of the Hon'ble Court & sought the vigilance clearance from the General Administration Department vide letter No PW(R&B)/HRM/20/2016-IV dated 10.07.2020, as obtaining of vigilance clearance of making In-charge placements/ promotions to the next higher post is mandatory;

Whereas, the response from the General Administration Department of this department's letter dated 10.07.2020 is still awaited;

Whereas, following documents are pre-requisite and mandatory for promotion as conveyed by the J&K PSC vide their letter No. PSC/DPC/check-list/02/2019 dated 23.01.2019:

1. Senior enough for consideration for promotion as per seniority list,
2. APRs for five years,
3. Latest vigilance clearance,
4. Work & conduct and integrity certificate

Now therefore, the department in compliance to the directions of the Hon'ble High Court dated 07.02.2020 again considered the promotion of petitioner Tashi Namgial and found devoid of merit due to absence of vigilance clearance, work & conduct and integrity certificate which is pre-requisite for any promotion/ placement in the department. Promotion matter shall be again considered after receiving Vigilance Clearance of Er. Tashi Namgial from General Administration Department (Vig).

By Order of the Government of Jammu and Kashmir

Sd/-

(Shailendra Kumar) IAS  
Principal Secretary to the Government

No: PW(R&B)/Legal/33/2020

Dated: 31.07.2020

Copy to the:-

- 1 Commissioner/ Secretary to the Government, General Administration Department.
- 2 Commissioner/ Secretary to the Government, PW(R&B) Department, Union Territory of Ladakh.
- 3 Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
- 4 OSD to Advisor (B) for information of the Hon'ble Advisor.
- 5 Additional Secretary (Legal) PW(R&B) Department for information.
- 6 Pvt. Secretary to the Principal Secretary to Government, Public Works (R&B) Department for information of Principal /Secretary.
- 7 Concerned Official.
- 8 I/c Website PW(R&B) Department.
- 9 Government Order file/Stock file.
- 10 Monday return.

(Shahid Mahmood) IAS  
Deputy Secretary to the Government