



सत्यमेव जयते

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

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

Subject: W.P(C) No. 370/2020 titled Gh. Nabi Trambo V/s U.T of J&K & Ors.

Government Order No: 257PW(R&B) of 2020
Dated: 14-09-2020

Whereas, the department has received a judgement of Hon'ble High Court at Srinagar, in case WP(c) No. 370/2020 titled Gh. Nabi Trambo V/s U.T of J&K & Ors, wherein amongst others, the relevant part of the Judgment is reproduced below:

"In the meantime, the respondents shall consider the petitioner, strictly in accordance with rules, for placement as Assistant Executive Engineer in special reference to the procedure prescribed in terms of 110(A)(6) of the J&K civil Service Regulations".

Whereas, the case of the petitioner was examined in the department and it has been found that his seniority exists at S.No. 358 of the seniority list issued vide Government Order No. 460-PW(R&B) of 2019 dated 22.10.2019; and

Whereas, the engineer upto seniority 456 stands promoted as AEE and the petitioner was dropped for want of Vigilance clearance which was not available; and

Whereas, the department vide letter No. PW(R&B)/HRM/20/2016 dated 07.03.2018 requested the General Administration Department (Vig) to provide the vigilance status of Engineers/petitioner and in response the General Administration Department (Vig) stated the FIR No. 01/2007 mentioned against him, where again the department in response to the petition filed by the incumbent sought the latest vigilance status of Mr. Gh. Nabi Trambo vide OM.No. PW(R&B)/Legal/52/2020 dated 24.06.2020; and

Whereas, the response of the General Administration Department of this department's letter dated 24.06.2020 is still awaited; and

Whereas, following documents are pre-requisite and mandatory for promotion as conveyed by the J&K PSC vide their letter No. PSC/DPC/Checklist/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, after the receipt of the judgement of Hon'ble Court the department in compliance to the directions of the Hon'ble High Court dated 25.02.2020 again considered the placement of petitioner, Shri Gh. Nabi Tramboos under CSR 110(A)(6), which deals with adhoc promotion and under J&K PSC guidelines dated 23-01-2019, as being sole authority to regularize promotion of gazetted cadre of engineers in conjunction but not separately, and therefore, 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. Gh. Nabi Tramboos from General Administration Department.

By order of the Government of Jammu and Kashmir.

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government

Dated: 14-09-2020

No. PW(R&B)/Legal/52/2020

Copy to the:-

1. Commissioner /Secretary to the Government, General Administration Department.
2. Joint Secretary (J&K) Ministry of Home Affairs, GOI.
3. Additional Secretary (Legal) PW(R&B) Department for information.
4. Chief Engineer, PW(R&B) Kashmir.
5. Director Achieves, Archaeology & Museums J&K Jammu.
6. OSD to Hon'ble Advisor (B) for information.
7. Pvt. Secretary to Principal Secretary to Government, PW(R&B) Department.



8. Concerned Officer.

9. Government Order file/Stock file/Monday Return (w.3.s.c).

(Shahid Mahmood)KAS
Deputy Secretary to Government

