



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

Subject: O.A No.061/ 563/ 2020 titled Vijay Kumar Sethi V/S PW(R&B) Department.

Government Order No. 268 -PW(R&B) of 2020
D a t e d: 29 .09. 2020

Whereas, among others, Sh.Vijay Kumar Sethi, I/C Assistant Executive Engineer, PMGSY, Billawar was transferred and posted as I/C AEE PMGSY Kishtwar vide Govt. Order No.239-PW(R&B) of 2020 dated 21.08.2020 at S.No.118; and

Whereas, the said I/C Assistant Executive Engineer has not joined his new place of posting within stipulated time period which was viewed seriously by the Department and show cause notice was issued to him on 09.09.2020; and

Whereas, the said Engineer has replied to the show cause notice which was not satisfactory and was devoid of merit; and

Whereas, Chief Engineer, PMGSY JKRRDA Jammu vide his letter No.CEJ/ PMGSY/ 7038-42 dated 17.09.2020 has reported that Sh.Vijay Kumar Sethi has not joined at his new place of posting till date; and

Whereas, on the basis of said report, the issue was examined in the department and Sh.Vijay Kumar Sethi, I/C AEE was placed under suspension with immediate effect vide Govt Order No.261-PW(R&B) of 2020 dated 18.09.2020 and was attached with Chief Engineer Office, PMGSY JKRRDA Jammu; and

Whereas, on 24.09.2020, the department has received copy of representation of Vijay Kumar Sethi alongwith a copy of Central Administrative Tribunal Order dated 10.09.2020 in O.A No.061/563/2020 titled Vijay Kumar Sethi V/S PW(R&B). The operative part of Order is as under:-

"2. meanwhile looking to the fact that applicant is going to retire in seven months, applicant shall be allowed to continue at his present place of posting at Billawar till the next date of hearing.

3. Mr.Rajesh Thapa, DAG, will seek instructions from the Department regarding the case of the applicant and inform the Tribunal on the next date of hearing. He shall also apprise the said order to the concerned department."

Whereas, the said AEE has also filed a representation before the department praying therein that his representation would be taken into

consideration and modify the Government Order No.239-PW(R&B) of 2020 dated 21.08.2020 and allow him to discharge his duties at PMGSY, Sub Division, Billawar; and

Whereas, the said AEE is posted in Pradhan Mantri Gram Sarak Yojna (PMGSY) which is target based Project and the said engineer was allotted the target of 239.133 kms during 2019-20 and 136.83 kms during the year 2020-21 against which the said Engineer has achieved only 48.355 kms (20%) in 2019-20 and 13.715 kms (10%) till date during 2020-21. This is very poor performance in the concerned Division and poor performance cannot be awarded with allowing him to stay where he is posted; and

Whereas, the department has achieved 1109 km in UT of J&K during the current year, however, the Sub Division Billawar has reached only 13.71 kms which is far below the target to be achieved; and

Whereas, Executive Engineer namely Joginder Paul Saraf of PMGSY Division Billawar was not transferred from the Division on this poor performance as he is retiring on 30.09.2020; and

Whereas, the period of 1 year and 7 months is considered to be sufficient period for showing performance in the Engineering field specially in ongoing works/ projects where funding is assured and never remain pending; and

Whereas, the said Engineer failed to prove his efficiency as AEE PMGSY Billawar and has been transferred as non-performer; and

Whereas, the applicant cannot take plea for modification in transfer on the ground that he is going to attain superannuation on 31 March 2021 and Kishtwar is a far flung area. Kishtwar is a District headquarters of J&K UT and AEE is a UT level post.

Now, therefore, keeping in the above facts the request of Sh.Vijay Kumar Sethi, I/C AEE under orders of transfer to PMGSY Kishtwar has been examined/ considered and found not genuine due to his poor performance at previous place of posting (Billawar), as such his plea for modification of transfer order is found devoid of merit.

By order of the Government of Jammu & Kashmir.

Sd/-
(Shailendra Kumar) IAS
Principal Secretary to the Government

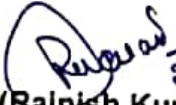
No.PW(R&B)/ G/ 17/ 2005-IV

Dated: 29 .09.2020

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Divisional Commission, Jammu.
3. Director, Archives & Archaeology, J&K.
4. Development Commissioner Works, PW(R&B) Department.

5. Director, (P&S), PW(R&B) Department.
6. Director, Finance, PW(R&B) Department.
7. Chief Engineer, PMGSY Jammu.
8. Concerned officers.
9. OSD to Advisor (B) to Hon'ble Lieutenant Governor.
10. Private Secretary to the Chief Secretary, J&K Srinagar.
11. Private Secretary to the Principal Secretary to Government, PW(R&B) Department
12. PA to Additional Secretary, Legal, Public Works (R&B) Department.
13. Government Order file/ Stock file.
14. Monday return file w.2.s.c
15. I/C Website, PW(R&B) Department


29/9/2020
(Rajnish Kumar) KAS
Additional Secretary to Government
Public Works (R&B) Department