



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

Subject: Regularization of I/c Executive Engineer (Civil) as Executive Engineer (Civil) of Public Works (R&B) Department – Cancellation thereof.

Ref: (I) PSC/DPC/PWD/Exn. Civil/2022 (C.No.7121266) Dated:15.03.2023, received from J&K Public Service Commission, J&K, Jammu.

(II) Government Order No. 118-PW(R&B) of 2023 Dated: 20.03.2023.

(III) PSC/DPC/R&B/20/2023-05 (C. No.7121266) Dated: 26.12.2023, received from J&K Public Service Commission, J&K, Jammu.

Government Order No. 26 –PW(R&B) of 2024
Dated: 24 .01.2024

Whereas, Er. Mohd. Aslam Baba (retired I/c Executive Engineer) through his representation dated nil to this department intimated that he has been erroneously given regularization effect after one month of his retirement vide Government Order No.118-PW(R&B) of 2023 dated 20.03.2023. He further requested that the date of effect of regularization may be altered in his favour in such a way so that he may get monetary benefits and;

Whereas, the representation of the said engineer was examined in the Department and it has come to fore that the said Engineer figured at Serial Number 48 in the seniority list issued vide Government order No. 272-PW(R&B) of 2022 dated:11.08.2022 and his date of birth is 12.06.1960. A Departmental Promotion Committee meeting was held on 19.10.2022 for regularization of I/c Executive Engineer (Civil) under the Chairmanship of Mr. Satish Chandra, Hon'ble Chairman, J&K PSC, wherein 33 Executive Engineers (Civil) were cleared including Er. Mohd. Aslam Baba and on the recommendation of said DPC, he was regularized vide Government Order No.118-PW(R&B) of 2023 dated: 20.03.2023. However, he was erroneously given regularized w.e.f. 24.07.2020 and;

Whereas, as the regularization order was issued on the recommendations of the JKPSC, the matter was taken up with JKPSC vide letter No. PWD-HRM2/36/2023-05-PWD R&B Department (CC:7271091) dated: 20.09.2023 and;

Whereas, JKPSC vide letter No. PSC/DPC/R&B/20/2023-05 dated 26-12-2023 intimated that among others, regularization case of Mr. Mohd Aslam Baba was considered in the DPC meeting held on 19.10.2022 and on the basis of his date of birth, service particulars and seniority position by the Department, he was recommended for

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regularization as Executive Engineer w.e.f. 24.07.2020. As per eligibility list furnished by the Department, his date of birth was indicated as 06.12.1960, as such treating him as in-service engineer on the date of availability of vacancy, consequent to which his services were recommended regularization w.e.f. 24.07.2020. In case the Department had mentioned his date of birth as 12.06.1960, he would not have been recommended for the regularization, as he would have retired before accrual of vacancy. Besides, since services of senior counter parts of Mohd Aslam Baba have been recommended for regularization after his retirement, he would not get any benefit even though he was placed as Executive Engineer and;

Whereas, the case was re-examined in the department and it was observed that the date of birth of Er. Mohd. Aslam Baba was accurately recorded in the eligibility as per record. However, the Date of Retirement (DoR) was inadvertently mentioned as 31.12.2020. On the basis of this inadvertent error in the DoR in eligibility list, the engineer was regularized erroneously vide Govt. Order No. 118-PW(R&B) of 2023 dated 20.03.2023 w.e.f. 24.07.2020 after date of his retirement i.e. 30.06.2020 and;

Now, therefore, in view of above, by upholding the recommendation of J&K PSC vide letter no **PSC/DPC/R&B/20/2023-05 dated 26-12-2023** and with the approval of Competent Authority, the regularization order issued in favour of Er. Mohd Aslam Baba (I/c retired Executive Engineer) vide Govt. Order No. 118-PW(R&B) of 2023 dated 20.03.2023 w.e.f. 24.07.2020 at Serial Number 32, is hereby rescinded ab-initio as he has superannuated from the government service prior to accrual of vacancy of Executive Engineer (Civil).

By Order of the Government of Jammu and Kashmir.

Sd/-
(Bhupinder Kumar), IAS
Secretary to the Government

No. PWD-HRM2/36/2023-05-PWD R&B Department (CC:7271091) Dated: 24.01.2024
Copy to the:-

1. All Administrative Secretaries.
2. Joint Secretary (J&K) Ministry of Home Affairs, Government of India, New Delhi.
3. Managing Director/CEO _____.
4. Director, Achieves, Archaeology and Museum Department, J&K.
5. Director _____.
6. Secretary, Jammu and Kashmir, Public Service Commission, J&K, Jammu.
7. Chief Engineer, _____.
8. OSD to Hon'ble Advisor (B) for information.
9. Concerned Engineer.
10. Private Secretary to the Accountant General, J&K, Jammu/Kashmir.
11. Private Secretary to the Secretary to the Government, PW(R&B) Department.
12. I/c Website, PW(R&B) Department.
13. Government Order file/ Monday return.


(Dr. Zeba Suleman), JKAS
Under Secretary to the Government