



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

Subject: Placement of Shri Parmjeet Singh Sehgal and Shri A.K. Gandotra I/c Superintending Engineers (Civil) as I/c Chief Engineer.

Ref:- SWP No. 930/2017 in MP No. 01/2017 titled Paramjeet Singh Sehgal and Ors V/s State and Ors.

**Government Order No. 241 -PW(R&B) of 2017  
Dated. 12-07-2017.**

Whereas, the matter relates to Shri Paramjeet Singh Sehgal and Shri A.K. Gandotra I/c Superintending Engineers (Civil) in whose favour the Hon'ble High Court vide order dated 20.04.2017 in aforementioned writ petition has directed this department to consider their cases for being placed as I/c Chief Engineers (Civil) strictly under rules;

Whereas, Shri Paramjeet Singh Sehgal and Shri A.K. Gandotra I/c Superintending Engineers (Civil) figure at seniority points No. 300 & 325 respectively as per the final seniority list of Assistant Engineers (Civil) issued vide Government Order No. 370-Works of 2002 dated 23.07.2002 and as such, come under the zone of consideration for being placed as I/c Chief Engineers (Civil);

Whereas, both the officers are facing RDAs/Vigilance cases which have not been concluded as yet. Besides, both these officers figure in FIR No. 06/2017 PS/VOJ and were arrested by the Vigilance Organization;

Whereas, the cases of both the officers are not covered under Janki Raman Judgment which the Hon'ble High Court has referred and directed this department for consideration of their cases for higher placement in view of the formal inquiries/charge sheets against these officers;

Whereas, Janki Raman Judgment gives no such a relief to the employee by conferring any right to promotion instead, an employee gets a right to be considered for promotion; to qualify for promotion, the least that is expected of an employee is to have an unblemished service record, to ensure a clean and efficient administration and to protect the public interest. In the instant case, the promotion to the post is by selection, depending on several factors, to be decided by the department, evaluating the service record, in entirety ;

*[Handwritten signature]*

Whereas, the cases of these two officers are also not covered under Article-110(A)(6) of J&KCSR which takes into consideration the overall service record/protection of public interest.

Now , in view of the position explained herein above, the case of Shri Paramjeet Singh Sehgal and Shri A.K. Gandotra I/c Superintending Engineers (Civil) for being placed as I/c Chief Engineers is considered in terms of interim directions of Hon'ble High Court vide order dated 20.04.2017 and rejected being not covered under rules as on date. However, one post shall remain reserved for their placement, for such cases if the same are closed.

**By order of Government of Jammu and Kashmir.**

**Sd/-**

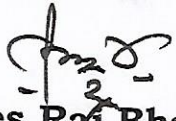
(Sanjeev Verma) IAS  
Commissioner/Secretary to Government  
Public Works (R&B) Department

No:- PW(R&B)HRM/88/2016-G

Dated. 12.07.2017

Copy to the:-

1. Commissioner/Secretary to Government, General Administration Deptt.
2. Chief Engineer, PW(R&B) Department Jammu.
3. Special to Hon'ble Minister for R&B and Mechanical Engineering Deptt.
4. Special Assistant to Minister of State, PW(R&B) Department
5. Law officer of the department for filling the compliance in the HHC.
6. Private Secretary to Commissioner/Secretary to Government, PW(R&B) Department
7. PA to Additional Secretary to Government, PW(R&B) Department
8. Concerned
9. Govt. Order file (w.2.s.c)

  
(Dr. Des Raj Bhagat) KAS  
Deputy Secretary to Government