

Himachal Pradesh
Jal Shakti Vibhag
No. JSV-ES-III-D/W-Court Case-Vol. 61/2022- 7476-7563 Dated 30-11-2022
To

The Chief Engineers
Jal Shakti Vibhag
Dharaamshala, Hamirpur,
Mandi and Shimla Zone H.P.

All the Superintending Engineers
Jal Shakti Circles H.P.

Subject:- Regarding payment of arrear to the petitioners/Non-petitioners (fence sitters) in the matter of CWP No. 3047 of 2020 judgment of Jagdish Kumar's case and other connected court matters/based on Jagdish Kumar's case, clarification thereof.

In this connection, it is intimated that the subject cited matter was taken up with the Secretary (JSV) to the Government of H.P. for necessary approval/clarification thereof.

In the context, the Secretary (JSV) to the Govt. of H.P. vide letter No. JSV-A-E(3)-32/2022 dated 29-11-2022 has intimated that the matter was examined in consultation with the Finance (Expenditure) Department who has concurred the A.D's proposal as under:-

“ the department is now receiving number of contempt petitions /cases on the basis of Jagdish Kumar's case, as such, it would be appropriate in the fitness of things that the benefits of arrear/actual benefits from the date of induction as Pump Attendant on contract basis on the analogy of Jagdish Kumar's case are required to be extended to those petitioners who had filed writ petition prior to 03-08-2022 (i.e. the date when Govt. conveyed approval to extend the benefit to other similar situated Jal Rakshak on the basis of Jagdish Kumar's case), and the benefit for induction as Pump Attendant can be extended to the fence sitters, who are non-petitioners (who filed cases/CWPs on or after 03-08-2022), from the date of induction of junior person to him on notional basis and on actual basis from the date of issuance of induction/appointment order as Pump Attendant (Class-IV)”.

It is, therefore, requested to take further necessary action in the matter accordingly after observing all the codal formalities and file compliance affidavit in the Hon'ble High Court accordingly.



Engineer-in-Chief
Jal Shakti Vibhag
Jal Shakti Bhawan Shimla-5

Copy to the Secretary (JSV) to the Govt. of H.P. Shimla-2 with reference to above for kind information please.

Copy to all the Executive Engineers Jal Shakti Divisions for information and necessary action.

Copy to the Deputy Director ((Legal) of this office for information and necessary action.



Engineer-in-Chief
Jal Shakti Vibhag
Jal Shakti Bhawan Shimla-5