



GOVERNMENT OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT (B) DEPARTMENT
DISPUR ; ; GUWAHATI-6

No.PRD-12019/69/20-PRD(B)/480

Dated Dispur, the 25th September, 2020

ORDER

Whereas, perused the fresh Representation dated 26/06/2020 as submitted by Sri Akendra Kr. Das, Junior Engineer along with the certified copy of the Hon'ble Gauhati High Court's Order dated 18/06/2020 passed in W.P.(C) No.950/2020 in the matter of Sri Akendra Kr. Das -Vs.- The State of Assam & Others seeking rectification of his (i) Date of Birth, (ii) Date of Superannuation and (iii) Date of joining in 3(f) in the gradation list dated 29/11/2017 and promote the petitioner to the next higher post.

Whereas, Hon'ble High Court's order dated 18/06/2020 passed in W.P.(C) No.950/2020 wherein it is directed to the respondents to consider the representation submitted by the petitioner on 19/11/2019. However, in order to expedite the matter, the petitioner may furnish a fresh representation along with supporting documents as well as a certified copy of the Hon'ble Court order dated 18/06/2020 and authorities shall dispose of the representation and take necessary action as expeditiously as possible preferably within a period of 3(three) months from the dates of receipt of the certified copy of this order.

Whereas, the petitioner was temporarily appointed under APSC (Ad-hoc) appointment Rules, 1986 as Junior Engineer on 21/02/1987 and joined in service on 13/03/1987. The then Director, P&RD, Assam has regularized the services of the petitioner vide order dated 14/09/2000, however, he was recommended in order of merit by APSC vide No.184 PSC/A-11/5/83-84 dated 19/11/1987.

Whereas, the Gradation List (Provisional) of Junior Engineer under Panchayat & Rural Development Department was published vide letter No.PRD-12/92/2017-PRD(B)/180 dated 29/11/2017 and uploaded in the Department's website (www.pnr.assam.gov.in) giving 30 (thirty) days time for submission of claims and objections if any from the incumbents concerned.

Whereas, during the time of issuance of the Gradation List (Provisional) of Junior Engineer, it is also stated that no claim / objection will be entertained after expiry of 30 (thirty) days from the date of issue of the letter No.PRD-12/92/2017-PRD(B)/180 dated 29/11/2017.

Whereas, it appears that, the date of birth of Shri Akendra Kr. Das, Junior Engineer was recorded as 01/12/1955 and date of superannuation as 30/11/2015 in the Gradation List (Provisional) of Junior Engineer under Panchayat & Rural Development Department published vide letter No.PRD-12/92/2017-PRD(B)/180 dated 29/11/2017; and name of the petitioner was not recorded in the updated Gradation List (Provisional) of Junior Engineers presuming that the petitioner superannuated in 2015 as reflected in the Gradation List (Provisional) of Junior Engineers.

Whereas, during the time provided for submission of claims and objections, the petitioner did not submit any claim and objection in respect of the Gradation List (Provisional) of Junior Engineer under Panchayat & Rural Development Department as published vide letter No.PRD-12/92/2017-PRD(B)/180 dated 29/11/2017.

Whereas, after expiry of 1 (one) year, 11 (eleven) months and 20 (twenty) days, the petitioner has submitted a representation dated 20/11/2019 seeking rectification of his (i) Date of Birth, (ii) Date of Superannuation and (iii) Date of joining in 3(f) in the gradation list dated 29/11/2017 and promote the petitioner to the next higher post.

Whereas, after receipt of the representation dated 20/11/2019 as well as records submitted by the petitioner vide his fresh representation dated 26/06/2020, it appears that the petitioner has still serving in this Department and his actual date of birth is 20/09/1960 and his date of retirement on superannuation falls on 30/09/2020. As per rectified records, his position in updated Gradation List (Provisional) of Junior Engineers, 2019 is to be at Sl. No. 103 and he should have been promoted to the post of Assistant Engineer in the year 2019.

Whereas, the petitioner has also filed a writ petition No. W.P.(C) No.950/2020 in the Hon'ble Gauhati High Court and as per Hon'ble High Court's order dated 18/06/2020 passed in W.P.(C) No.950/2020, the respondent authorities are directed to consider the representation submitted by the petitioner on 19/11/2019 on submission of a fresh representation along with supporting documents as well as a certified copy of the Hon'ble Court order dated 18/06/2020 and authorities shall dispose of the representation and take necessary action as expeditiously as possible preferably within a period of 3(three) months from the dates of receipt of the certified copy of this order. Accordingly, a fresh representation was submitted by the petitioner on 26/06/2020 requesting to rectify the Date of Birth, Date of Superannuation and Date of joining in 3(f) in the Inter Se- Seniority Gradation List of Junior Engineers, 2017 and to promote to the next higher post i.e. Assistant Engineer.

In view of the above, the updated Gradation List (Provisional) of Junior Engineer under Panchayat & Rural Development Department is modified by rectifying the (i) Date of Birth, (ii) Date of Superannuation and (iii) Date of joining in 3(f) of the petitioner by including his name at Sl. No.103 and it is decided to promote the petitioner to the post of Assistant Engineer in compliance of the Hon'ble High Court's order dated 18/06/2020 passed in W.P.(C) No.950/2020.

By order and in the name of the Governor of Assam,

Sd/- (Dr. J. B. Ekka, IAS)
Principal Secretary to the Govt. of Assam,
Panchayat and Rural Development Deptt.

Memo No. PRD-12019/69/20-PRD(B)/480 -A

Dated Dispur, the 25th September, 2020

Copy to :-

1. The Accountant General (A&E), Assam, Maidamgaon, Beltola, Guwahati – 29.
2. The Commissioner, Panchayat and Rural Development, Assam, Juripar, Panjabari, Guwahati – 37.
3. The Principal Secretary, BTC, Kokrajhar / KAAC, Diphu / DHAC, Haflong.
4. The Deputy Commissioner,
5. The Chief Executive Officer, Zilla Parishad,
6. The Project Director, DRDA,
7. The Block Development Officer,
8. The Treasury Officer,
9. Shri Akendra Kr. Das, Junior Engineer, Golaghat South Development Block, Golaghat, Assam.
- ✓ 10. Office copy/ Departmental website.

By order etc.,

Joint Secretary to the Govt. of Assam
Panchayat and Rural Development Deptt.

25/09/2020