



ORDER

Shri Baldev Krishan Sharma, Assistant, New & Renewable Energy Department cleared / passed SAS cadre exam (Part-I) and based on that was appointed as Section Officer by Director, Treasuries and Accounts Department Haryana vide order Endst. No. 3812-TA-HR-(4T)/2008/ 9829-9927 dated 22/05/2008 (on stop gap arrangement, Part-I) and deployed as such in the Department of Food and Supplies, Haryana. So he was relieved on 31/07/2008 as Assistant to join his new assignment as Section Officer .

Shri Baldev Krishan Sharma, was promoted to the post of Assistant vide order dated 06/07/2005, temporarily against the resultant vacancy, i.e. the post of Assistant vacated by Shri Jagdish Chander, who was appointed as Assistant-cum-Accountant on transfer basis in the office Land Use Board Environment Department, Haryana. Subsequently Shri Jagdish Chander, who was on transfer basis, was repatriated by the Land Use Board Environment Department, Haryana on the request of Renewable Energy Department and he joined on 01/08/2008 in the department as Assistant. Thus, Shri Baldev Krishan Sharma, who was promoted on resultant vacancy created on account of transfer of Shri Jagdish Chander, was required to be reverted to the post of Clerk just after joining of Shri Jagdish Chander, Assistant on 01/08/2008 and his pay was also required to be fixed as Clerk on account of lapse of vacancy to which he was promoted. But Sh. Baldev Krishan Sharma was not reverted and he continued to work as such.

Shri Baldev Krishan Sharma was suffering from Complicated Chronic disease i.e. "Diffuse large B-cell lymphoma" as per certificate issued by the PGIMER Chandigarh and due to this serious disease he expired on 20/07/2018 while in service.

After the death of Shri Baldev Krishan Sharma, Assistant, department reverted him w.e.f. 01/08/2008 on 22/02/2019 vide order Endst. No. DNRE/Admin-2019/ 679-682 dated 22/02/2019 by the then Director General, NRE in view the fact that his promotion lapsed on 01/08/2008 after joining of Sh. Jagdish Chander as Assistant against which Sh. Baldev Krishan Sharma was promoted as the post became non-existent after having occupied the same by Sh. Jagdish Chander. Subsequently, when the post of Assistant was vacated by Sh. Jagdish Chander after his promotion on 17/08/2010, Shri Baldev Krishan Sharma was again promoted as Assistant vide order Endst. No. DNRE/Admin-2019/679-682 dated 22/02/2019 w.e.f. 17/08/2010.

Thereafter, Smt. Ritu Sharma W/o Late Shri Baldev Krishan Sharma vide her letter dated 20/10/2020 made a representation for restoring the previous pay and withdrawing the aforementioned reversion order of her husband from the post of Assistant to Clerk, issued after the death of her husband.




The representation of Smt. Ritu Sharma W/o Late Shri Baldev Krishan Sharma and entire relevant record got examined and it has been observed that before issuing the order of reversion dated 22/02/2019, promotion order dated 22/02/2019 and re-fixation of pay order dated 13/03/2019, no show cause notice was issued to Shri Baldev Krishan Sharma, Assistant working as Section Officer (on stop gap arrangement, Part-I) in the Food, Civil Supplies & Consumer Affairs Department Haryana. Also no reasonable opportunity of hearing in this regard to Sh. Baldev Krishan Sharma was granted before his death. To meet the natural justice, these opportunities should have been given to Sh. Baldev Krishan Sharma before his death. So, the actions taken by the department after his death seems to be against the natural justice.

So, considering the need of natural justice & circumstances of the case, the orders of Late Shri Baldev Krishan Sharma (died on 20/07/2018) issued vide office order Endst. No. DNRE/2019/679-682 dated 22/02/2019, Endst. No. DNRE/2019/675-678 dated 22/02/2019 and orders of re-fixation of pay issued vide office order Endst. No. DNRE/2019/977-981 dated 13/03/2019 are hereby withdrawn.

I hereby order accordingly.

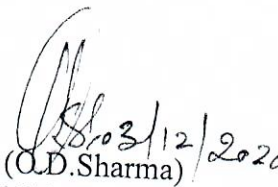
Dated Panchkula, the
3rd Dec, 2020


(Dr. Hanif Qureshi, IPS)
Director General, New & Renewable
Energy Department, Haryana, Panchkula

Endst. No. DNRE/Admin-2020/10419-24 Dated Panchkula, the 03.12.2020

A copy of the above is forwarded to the following for information:-

1. Principal Accountant General, (A&E), Haryana, Chandigarh
2. Director General, Food, Civil Supplies & Consumer Affairs Department Haryana, Chandigarh.
3. Treasury Officer, Panchkula
4. Accounts Officer, NRE, Panchkula
5. Smt. Ritu Sharma W/o Late Shri Baldev Krishan Sharma, House No.1362, Ground floor, Sector-39-B, Chandigarh.
6. Programmer, DNRE for uploading on the website of Department.


(O.D. Sharma) 03/12/2020
Additional Director
for Director General, New & Renewable Energy
Department, Haryana, Panchkula