

**Government of Himachal Pradesh
Department of Technical Education**

No. EDN(TE)E(1)41/2016 Dated: Shimla- 2, the

7/04/2021

ORDER

Whereas, Sh. Sachin Sharma, S/o Sh. Mahender Lal, Village Dari, P.O. Chail Chowk, Tehsil Chachyot, District-Mandi, H.P was appointed as Principal, ITI vide Notification No. EDN(TE)B(2)7/2016, dated 25th July,2016 on the basis of the recommendations received from the Himachal Pradesh Public Service Commission. He has joined his duties on 26.07.2016 as Principal at Government Industrial Training Institute, Batail, District Mandi, H.P.;

Whereas a Legal Notice dated 29.7.2016, issued by Sh. Vijay Chaudhary, Advocate on behalf of his client namely Sh. Sunny Duggal alongwith copy of the order dated 8.7.2016 passed by the Hon'ble Himachal Pradesh Administrative Tribunal in O.A. No. 3308/2016, was received in this Department on 3.8.2016, i.e. after issuing the appointment orders of Shri Sachin Sharma as Principal, ITI. Vide order dated 08-07-2016 the erstwhile Himachal Pradesh Administrative Tribunal had passed following orders:-

"... Replies on behalf of respondents No.1 to 3 be filed within four weeks. List thereafter.

However, respondents No.1 to 3 are directed not to issue appointment order to respondent No.4 till further order."

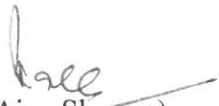
Whereas in pursuance of the order dated 8-7-2016 passed by the Hon'ble Himachal Pradesh Administrative Tribunal the appointment orders of Shri Sachin Sharma, S/o Shri Mahender Lal issued vide Notification No. EDN(TE)B(2)7/2016, dated 25th July,2016 were cancelled vide order No. EDN (TE)B(2)-7/2016 dated 09-08-2016 and decided that further action will be taken as per the final outcome/decision of the Hon'ble Himachal Pradesh Administrative Tribunal in O.A. No. 3308/2016.

Whereas, the said O.A. had been transferred to the Hon'ble High Court Himachal Pradesh and CWPOA No. 7780/2019 titled as Sunny Duggal V/s State of H.P. & Ors. The Hon'ble High Court has passed following directions vide its orders dated 08.10.2020 in the said CWPOA:-

"...10. Consequently, in view of the above, the present petition is disposed of with the direction to respondents No.1 and 2 to verify the factual position and in case allegations, as contained in the petition at hand, are found to be correct, consequences may follow. Needless to say, respondents No. 1 and 2 while taking decision in the case shall not be influenced by the findings/observations, if any, returned by this Court in the instant judgment, rather they would pass appropriate orders after ascertaining the factual position by associating the petitioner as well as respondent No. 4."

Whereas, in order to comply the above directions of Hon'ble High Court a Committee was constituted vide Notification No. EDN(TE)E(1)41/2016 dated 22nd December, 2020 to enquire into the matter, verify the factual position in respect of allegations leveled by the petitioner as per direction of Hon'ble High Court issued vide above judgment dated 08-10-2020 by associating the petitioner as well as respondent No.4 and to submit the fact finding report along with recommendation. The Committee has submitted its facts finding report and found that the experience certificate of Sh. Sachin Sharma, S/o Sh. Mahender Lal, is genuine and selection to the post of Principal ITI is fair.

Now, therefore in compliance to the directions/orders passed by the Hon'ble High Court and on the basis of findings of the Committee the termination of orders issued vide letter No. EDN(TE)B(2)7/2016 dated 19th August,2016 are hereby withdrawn and Sh. Sachin Sharma, S/o Sh. Mahender Lal, is appointed as Principal ITI and further he is posted at Govt. Industrial Training Institute ----- Udaipur Distt. L4S .


(Dr. Ajay Sharma)
Secretary (Tech. Edu.) to the
Government of Himachal Pradesh

Sh. Sachin Sharma,
S/o Sh. Mahender Lal,
Village Dari, P.O. Chail Chowk,
Tehsil Chachyot, District Mandi, HP

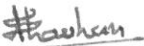
Endst. No. As above. Dated: Shimla-2 the

Copy forwarded for information and necessary action to:-

1. The Pr. Accountant General (Audit), HP, Shimla- 171003
2. The Accountant General(A&E), HP, Shimla- 171003.

7/04/2021

3. The Secretary, H.P. Public Service Commissioner, Shimla w.r.t. his letter No. 3-29/2014-PSC(R-II), dated 30th May, 2016.
4. The Advocate General, Himachal Pradesh, Shimla.
5. The Director, Technical Education, HP Sundernagar, Distt. Mandi w.r.t. his letter No. STV(IT)H-B(2)-5/2013-Loose-17222 dated 02/03/2021 with the request to apprise the Hon'ble High Court through Ld. Advocate General H.P accordingly by filing compliance affidavit.
6. The Principal, Govt. Industrial Training Institute -----.
7. Guard File.


(Sanjay Chauhan)
Under Secretary (TE) to the
Government of Himachal Pradesh