

# HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED

(A State Govt. undertaking)



Registered office:  
(CIN):  
GST No.  
Telephone No.  
Website address:  
Email:

Vidyut Bhawan, HPSEBL, Shimla-171004(H.P)  
U40109HP2009SGC31255  
HPSEBL 02 AACCH4894EHZB  
0177-2803600, 2801675 (Office), 2658984(Fax)  
[www.hpseb.com](http://www.hpseb.com)  
[cmd@hpseb.in](mailto:cmd@hpseb.in) & [directorfa@hpseb.in](mailto:directorfa@hpseb.in)



**IMMEDIATE**

No.HPSEBL(SECTT)/R&E-Misc./2021- 7002 - 7152  
To

Dated: 29/4/21

**All the Chief Engineers/MD/CAO/  
All the Superintending Engineers/  
All the Sr. Executive Engineers  
in HPSEBL.**

**Subject: Implementation of transfer Orders – instructions thereof.**

**Sir(s),**

Though there is complete ban on general transfers, yet some transfer orders are being issued by the Board with the specific approval of competent authorities. But it has generally been observed that the transfer orders issued by the Board are not being implemented in its letter and spirit by the field units of HPSEBL. This type of poor approach of the field units in implementation of orders of higher authorities has been viewed very seriously by the Management. Once the transfer orders of any individual are issued by the Board, the entire responsibility rest with the concerned Controlling Officer to relieve the individual forthwith and direct him/her to join the new place of positing. But in most of the cases the Controlling Officers either refer back the cases to this office for cancellation of transfers on miscellaneous grounds or posting of substitute or sit quite on the orders for years together, thus provide adequate time to the individual concerned to get him/her adjusted according to their choice. At times, due to such type of dilly-dallying activities of Controlling Officers of field units put the authorities of Board in awkward situation. The Hon'ble High Court of Himachal Pradesh in CWP No.5801 of 2020 titled Naveen Sharma Vs State of HP & another has also passed the following directions:

*29/4/21*  
*Q. Akh*

"State to obtain instructions. However, it is made clear that in order to relieve the petitioner, he cannot be insisted upon to provide substitute, which is beyond his reach, and moreover, such condition otherwise also violates the judgments that have been passed by this court from time to time."

The Hon'ble High Court of HP has further held that:

"..... In case a public servant, who has been transferred, disobeys the transfer order by not reporting at the place of posting and goes to a court to ventilate his grievances; then such petitions are clearly not maintainable as it is the duty of the public servant to first report for work where he has been transferred and then make a representation regarding his personal problems..

Such tendency of not reporting at the place of posting and indulging in litigation needs to be curbed as has been observed by the Hon'ble Supreme Court in S.C.Saxena vs. Union of India and others (2006) 9 SCC 583, wherein it was held as under:

"We have perused the record with the help of the learned counsel and heard the learned counsel very patiently. We find that no case for our interference whatsoever has been made out. In the first place, a government servant cannot disobey a transfer order by not reporting at the place of posting and then go to a court to ventilate his grievances. It is his duty to first report for work where he is transferred and make a representation as to what may be his personal problems. This tendency of not reporting at the place of posting and indulging in litigation needs to be curbed...."

From above, you can imagine that how serious the Court is in transfer matters. Therefore, all the field officers are advised to personally monitor and ensure that all transfer orders issued by the Board are implemented in its letter and spirit within the prescribed time limit. Moreover, since no field officer is competent to grant any extension in transfer matters, as such, timely compliance is mandatory for all. It may further be noted that in future if any transfer order is not implemented by the field officer, action shall be initiated against the Controlling Officer for disobeying the orders of higher authorities as per conduct rules. However, in cases extension if needed be, that too should be given with the prior approval of headquarter.

  
Executive Director (Pers.),  
HPSEBL, Vidyut Bhawan,  
Shimla-171 004.

✓ Copy to the S.E. I.T. HPSEBL for uploading on HPSEBL web-site

Copy for information & necessary action is forwarded to the Deputy/ Under Secretaries (GE)/(NGE)/(FTE) of this office.

  
Executive Director (Pers.),  
HPSEBL, Vidyut Bhawan,  
Shimla-171 004.