



HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED

(A State Govt. undertaking)

Registered office: Vidyut, Bhawan, HPSEBL, Shimla-4(H.P)

Number (CIN): U40109HP2009SGC0312SS

GST No. : HPSEBL 02 AACCH4894EHZB

Telephone Number : 0177-2803600, 2801675 (Office), 2658984 (Fax)

Website address : www.hpseb.com

Email: cmd@hpseb.in & directorfa@hpseb.in



No. HPSEBL(Sectt.)LS/Gen. Vol. No. /2021 /- 1724-1874 Dated: 30.07.2021
To

1. All The Chief Engineer(s) in HPSEBL.
2. All the Superintending Engineer(s) in HPSEBL.
3. All the Sr. Executive Engineer(s) in HPSEBL.

Sub: Non-Implementation of Judgment-order(s) passed by erstwhile HP State Administrative Tribunal in OA No. 5858 of 2017 in Ex. Pet. 2021 titled as Sandeep Mandyal and Ors. Vs. State of HP & Ors.

Sir,

In connection with above, enclosed please find a copy of letter bearing No. MPP-B(15)-5/2020 dated 09-07-2021 received from the Special Secretary(Power) to the Govt. of HP together with the copy of letter dated 29-06-2021 from Joint Secy.(Pers.) to the Govt of HP and copy of letter dated 18-03-2021 received from Addl. Advocate General to the Govt. of HP, for ensuring strict compliance in such matter please.

Ends:- As above.

Yours faithfully,

(Manoj Kumar)
Executive Director (Pers.),
HPSEBL, Shimla-4

Copy of above is forwarded to the following for information and necessary action please.

1. The Managing Director, Beas Valley Power Corporation Ltd. Jogindernagar, HP.
2. The Special P.S./ Sr. P.S./ P.S. / to the MD/ Director(s)/ Executive Director(Pers.) , HPSEBL, Shimla-4.
3. All the Dy. Secretaries/ Under Secretaries in the Board Secretariat.
4. The Dy. Director (PR)/ IR/ PO, HPSEBL, Shimla-4.
5. The Superintending Engineer (IT), HPSEBL, Shimla-4 for uploading the same in the website of HPSEBL.

Ends:- As above.

(Manoj Kumar)
Executive Director (Pers.),
HPSEBL, Shimla-4

Manoj Kumar
Sr. Asst.

From

The Additional Chief Secretary (Power) to the
Government of Himachal Pradesh

To

1. The Director of Energy,
Shanti Bhawan, Phase-III, Sector-6,
New Shimla, Shimla-171009
2. The Managing Director,
H.P. State Electricity Board Limited,
Vidyut Bhawan, Shimla-171004.
3. The Managing Director,
H.P. Power Transmission Corporation Limited,
Near old MLA Quarters,
Tutikandi, Shimla-171005.
4. The Managing Director,
H.P. Power Corporation Limited,
Himfed Building, BCS,
New-Shimla, Shimla-171009
5. The Secretary,
H.P. Electricity Regulatory Commission,
SDA Complex, Kasumpti, Shimla-171009
6. Chief Electrical Inspector,
Block No. 29, SDA Complex,
Kasumpti, Shimla-9

MD
ED(P)
D.S. (L)
12/7
TSR

Dated : Shimla-2, the

09-07-2021

- Subject:-
1. Invitation of application for the post of Member, Odisha Electricity Regulatory Commission (OERC).
 2. Non-implementation of judgment-order(s) passed by erstwhile HP State Administrative Tribunal in OA No. 5858 of 2017 in Ex. Pet. 2021 titled as "Sandeep Mandyal and ors v/s State of HP&Ors."

Sir,

I am directed to enclose herewith copy of letter No. dated ENG-RR-OERC-0009-2018 dated 1.07.2021, and No. Per (AP-B)-E(3)-2/2019 dated 29.06.2021 as received from the Principal Secretary, Department of Energy, Government of Odisha and Joint Secretary (Pers.) to the Government of Himachal Pradesh respectively, on the subject cited above for your information and necessary action.

Yours faithfully,

Special Secretary(Power) to the
Government of Himachal Pradesh



Impn/Anl

Circulate to all the field units
Sections in Board for ensuring
compliance in such matters.

22/7/2021

22/07

28. Assistant



LS/Dy. No. 525
23-07-21

52560000
06-07-21 (199)

No. Per (AP-B)-E (3)-2/2019
Government of Himachal Pradesh
Department of Personnel

From

The Additional Chief Secretary (Personnel) to the
Government of Himachal Pradesh

To

- (1) All Administrative Secretaries to the
Government of Himachal Pradesh,
Shimla-171002.
- (2) All Heads of Departments,
Himachal Pradesh

Dated Shimla-171002, the 2nd June, 2021

Subject

**Non-implementation of judgment - order(s) passed
by erstwhile HP State Administrative Tribunal in OA
No. 5858 of 2017 in Ex. Pet...2021 titled as "Sandeep
Mandyal and Ors V/s State of HP & Ors.**

Sir,

I am directed to invite attention to this Department's
letter OM No. Per (AP-II)-E(3)-2/83, dated 28th April, re-iterated vide
letter No. Per (AP-B)-E(2)-1/2006, dated 14th November, 2011
wherein it has been made clear that Department of Personnel is
also impleaded as one of the respondent to the petition. It has
been directed that where the Department of Personnel is
impleaded as one of the Respondent in any court case, the prime
responsibility to contest/ assail the petition will be of the concerned
Administrative Department/ Heads of the Department. Besides, it
has also been held that in such cases, where advise/ interpretation
of rules/ instructions is needed, the same be may obtained from the
Personnel Department on specific point(s). Whereas, the
concerned Administrative Department/ Head of the Department
will solely be responsible to contest/ assail /implement the
judgement so passed by the Hon'ble Court/ Tribunal in any case.

[Signature]

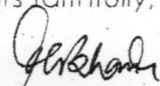
Contd... 2/-

5-7-21
SS (Power)
7m
5/7/21
6-7-2021
Sh. N. K. H

The Ld. Advocate General, HP vide letter No. Ex.pet. No. 2021-7185 dated 18.03.2021 (copy enclosed) has also directed to look into all matters decided by the Hon'ble Court(s) and to ensure that the judgment/ Orders(s) so passed are implemented in letter and spirit expeditiously and not later than 10 days and/ or to assail the judgment/ orders before the Competent Court of Law if permissible, expeditiously within the same period. It has further been desired that the action taken in the matter by way of implementation or by assailing the judgment(s), be furnished to the office of Ld. Advocate General, HP expeditiously on priority, failing which his office shall not be responsible for the averse orders or consequences, if any.

In view of above, it is requested to look into all such matters decided by the Hon'ble Court(s) personally and ensure requisite action well in time.

Yours faithfully,



(J.P. BHANDARI)

Joint Secretary (Personnel) to the
Government of Himachal Pradesh
Phone: 0177-2626097

Ex.Pet No.2021 7185
Department of Advocate General HP
Dated Shimla 18/3/2021

131
20/03/21 74
55292380
IMMEDIATE
TIME BOUND
COURT MATTER

3
SS (fin.)
20/3/21
To

- 1 The Chief Secretary to the Govt. of Himachal Pradesh Shimla
- 2 The Addl. Chief Secretary (Finance) to the Govt. of HP Shimla
- 3 The Addl. Chief Secretary (Personnel) to the Govt. of HP Shimla

Subject:

Non Implementation of judgement-order(s) passed by Erstwhile H.P. State Administrative Tribunal in OA No. 5858/2017 in Ex. Pet.2021 titled as Sandeep Mandyal &ors Vs State of HP &ors
...../.....

Sir,

It is intimated that various instances have come up recently where Erstwhile H.P. State Administrative Tribunal has passed judgement(s)/order(s) but the same have not been complied with till date. Feeling aggrieved, the incumbents have filed Execution Petition(s), before the Hon'ble High Court and such cases were listed during the past one week. In these cases, the Hon'ble High Court has cautioned the Respondent(s)-Defendant(s) for disobeying and disregarding the judgement/order(s). In some matters pertaining to HRTC, the Hon'ble Court was pleased to impose heavy costs and in another matter pertaining to Health Department, the Hon'ble Court has been pleased to issue notice of contempt against the Respondents/Departmental Officers for non implementation of the judgement(s). Meaning thereby that non implementation was being viewed seriously by the Hon'ble Court.

2 In this background, the matter was discussed with Ld. Advocate General; and accordingly, you are directed to look into all matters decided by Hon'ble Court(s) and to ensure that the judgement/orders so passed are implemented in letter and spirit expeditiously and not later than 10 days and/or to assail the judgment/order(s) before the Competent Court of law if permissible, expeditiously within the same period, failing which, you shall be responsible for the adverse orders or consequences for non compliance and disobedience, if any.

3 However, the action taken in the matter either by way of implementation or by assailing the judgement(s); be furnished to this office expeditiously on priority, failing which, this office shall not be responsible for the adverse orders or consequences, if any. Copy of Ex.Pet. is enclosed herewith.

Yours sincerely,

Encls:- (as above)

For (RANJAN SHARMA)
ADDL. ADVOCATE GENERAL
STATE OF HIMACHAL PRADESH