



F No. 1-6/CE/PW/ES-I/2022/ 3987

अंडमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION

मुख्य अभियंता का कार्यालय

OFFICE OF THE CHIEF ENGINEER

अंडमान लोक निर्माण विभाग

ANDAMAN PUBLIC WORKS DEPARTMENT

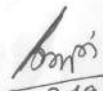
निर्माण भवन/NIRMAN BHAWAN

Sri Vijaya Puram, Dated 24.03 September, 2026

ENDOSEMENT

A copy of **Administration's Order No. 2265 dated 28.08.2026** in respect of Shri Umesh Kumar Singh, Executive Engineer (C) and Shri Arun Kumar, Executive Engineer (C) is forwarded to the following Official with request to upload the same in APWD website please.

[Encl:A/A]


03/9/26
Engineer Officer

To Chief Engineer

To,

The Executive Engineer (E&M) Plg,
CE's Office, APWD

अंडमान तथा निकोबार प्रशासन
Andaman and Nicobar Administration
सचिवालय / Secretariat

मुख्य अभियंता का कार्यालय
Office of the Chief Engineer
आदेश / R.D. No. 15442
दिनांक / Date 28/08/26
अंडमान पब्लिक वर्क्स विभाग
Andaman Public Works Department

श्री विजय पुरम, दिनांक 28 अगस्त, 2026

Sri Vijaya Puram, dated the 28th August, 2026

ORDER NO. 2265

WHEREAS, Shri Umesh Kumar Singh and Shri Arun Kumar were appointed as Assistant Engineer (Civil), APWD vide Order No. 530 dated 10.01.2005 on the recommendation of UPSC. Subsequently, they were entrusted with Current Duty Charge to the post of Executive Engineer (Civil) vide Order dated 10.07.2012 due to administrative exigencies.

AND WHEREAS, a Departmental Promotion Committee (DPC) was convened by UPSC on 02.09.2019 for regular promotion from the post of Assistant Engineer (Civil) to Executive Engineer (Civil) against vacancy years including Assessment Year 2015-16. Based on the recommendations of the DPC, Shri Umesh Kumar Singh and Shri Arun Kumar were promoted on regular basis as Executive Engineer (Civil) vide Order No. 3653 dated 16.12.2019.

AND WHEREAS, Shri Umesh Kumar Singh and Shri Arun Kumar had submitted representations and seeking grant of promotion benefits from 01.01.2015, contending that his promotion had been considered against vacancies pertaining to Assessment Year 2015-16.

AND WHEREAS, the matter was examined by the Personnel & Law Department. Relying upon UPSC's communication dated 04.09.2019 and Para 6.4.4 of DoP&T O.M. dated 10.04.1989, it was concluded that promotions would have only prospective effect even where vacancies related to earlier years. Accordingly, his request was rejected and the same was communicated vide Memorandum dated 23rd August, 2021. Subsequent representations on the same issue were not entertained in terms of CCS (Conduct) Rules and Government of India instructions relating to repeated representations.

Being aggrieved by the rejection of their claim, Shri Umesh Kumar Singh and Shri Arun Kumar had filed OA/351/51/2023 and OA/351/50/2023 (AN) before the Hon'ble Central Administrative Tribunal (CAT), Kolkata Bench.

AND WHEREAS, the Hon'ble CAT, Kolkata Bench, vide order dated 21.02.2025, observed that although the applicant became eligible for promotion in 2012, no DPC was convened for the vacancies from 2012 till August 2019 and that the delay was not attributable to the applicant. The Tribunal further observed that the applicant had been holding Current Duty Charge of the post of Executive Engineer since 10.07.2012. Accordingly, CAT directed the respondents to grant notional promotion to the applicant w.e.f. 01.01.2015, corresponding to Assessment Year 2015-16, with all consequential benefits.

AND WHEREAS, the Administration had filed WPCT No. 36 of 2025 and WPCT No. 37 of 2025 before the Hon'ble High Court challenging the CAT order primarily on the ground that UPSC had clarified that promotions would have only prospective effect even if vacancies pertained to earlier years.

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AND WHEREAS, the Hon'ble High Court, Calcutta Circuit Bench at Sri Vijaya Puram, vide judgment dated 28.10.2025, dismissed the writ petition and upheld the CAT order. The Hon'ble Court has also observed that if the DPC was convened in time, the respondent would have been promoted against the vacancy year 2015-16. The Court further noted that UPSC itself had supported the respondent's claim before the Tribunal and, therefore, found no infirmity in the Tribunal's decision granting notional promotion from 2015.

NOW, THEREFORE, in compliance with the order dated 21.02.2025 of the Hon'ble Central Administrative Tribunal, Kolkata Bench passed in OA/351/51/2023 and OA/351/50/2023 (AN) and also upheld by the Hon'ble High Court vide judgment dated 28.10.2025 passed in WPCT No. 36 of 2025 and WPCT No. 37 of 2025, with the approval of the Hon'ble Lieutenant Governor, Shri Umesh Kumar Singh and Shri Arun Kumar, who were promoted to the post of Executive Engineer (Civil) in APWD vide Administration's Order No. 3653 dated 16.12.2019, shall be deemed to have been granted notional promotion to the post of Executive Engineer (Civil) w.e.f. 01.01.2015 corresponding to Assessment Year 2015-16, with consequential benefits to be regulated on a notional basis in accordance with the aforesaid judicial directions.

Deputy Secretary (PWD)

(F. No. M-2510963/3/2023-Technolegal Cell-CE-APWD-AN-(Part-I))

C. No. 110336

F. No. 2-35/2026-PWD

ORDER BOOK

Copy to:-

1. The Secretary to LG, Lok Niwas, Sri Vijaya Puram for kind information of the Hon'ble Lt. Governor.
2. Sr. PS to Chief Secretary for kind information of Chief Secretary, A & N Administration, Sri Vijaya Puram.
3. PS to Commissioner-cum-Secretary (PWD) for kind information of Commissioner-cum-Secretary (PWD), A & N Administration, Sri Vijaya Puram.
4. PS to Secretary (PWD) for kind information of Secretary (PWD), A & N Administration, Sri Vijaya Puram.
5. PA to Chief Engineer, APWD, Nirman Bhawan, Sri Vijaya Puram for kind information of Chief Engineer, APWD.
6. The EO to CE, APWD, CE's Office for kind information and with the request to upload this Order in the departmental website.
7. All Superintending Engineer's, APWD (Through the E. O. to Chief Engineer, APWD, Sri Vijaya Puram) for information.
8. All Executive Engineer's APWD (Through the E. O. to Chief Engineer, APWD, Sri Vijaya Puram) for information.
9. The Deputy Secretary (Vig.), A & N Administration, Sri Vijaya Puram for information.
10. The Pay & Accounts Officer, Sri Vijaya Puram for information.
11. The Party Concerned (Through the E. O. to Chief Engineer, APWD, Sri Vijaya Puram).
12. Notice Board of CE's Office, APWD.

Copy also forwarded to:

1. The Under Secretary, UPSC, Dhoolpur House, Shajahan Road, New Delhi-110069.

Deputy Secretary (PWD)

Deputy Secretary (PWD)