

**Government of Jammu and Kashmir
Labour and Employment Department
Civil Secretariat, Jammu/Srinagar**

Subject:- Writ Petition No. 1415/2019 titled Mohammad Kazim
Vs State of J&K & Ors.

Government Order No:- 33 -L&E of 2023

Dated:- 20 -06-2023

Whereas, one Sh. Mohammad Kazim, was appointed as Junior Employment Officer in this Department vide Order No. 44-ED of 1999 dated 15-04-1999 issued by Director Employment, J&K; and

Whereas, Sh. Mohammad Kazim was subsequently posted at District Employment Exchange, Kargil against available post of Junior Employment Officer; and

Whereas, Sh. Mohammd Kazim was subsequently placed as in-charge Assistant Director vide Government order No. 36-L&E of 2004 dated 14-07-2004 purely on stop- gap basis in his own pay and grade with charge allowance as admissible under Rules; and

Whereas, Sh. Mohammd Kazim preferred a writ petition before the Hon'ble High Court, J&K in case SWP No. 1415/2019 titled Mohammad Qazim V/S state and others which was transferred by the Hon'ble High Court, J&K to Central Administrative Tribunal (CAT), requesting therein to regularize his promotion as Assistant Director.

The Hon'ble Central Administrative Tribunal in case TA No. 5200/2021 in SWP No, 1415/2019 disposed of the said case vide order dated 08.02.2023, operative part of which is reproduced as under:-



'In view of the limited prayer made by the learned counsel for the applicant, the respondents are directed to consider the representation dated 27.2.2019 and decide the same as per Rules within a period of 06 weeks from today passing a reasoned and speaking order and communicate the same to the applicant'.

Whereas, the contention of the petitioner was considered in the Department and it came to fore that regularization/ promotion of the petitioner along with some other officials in similar situation could not be made earlier for want of updated/ revised J&K Employment (Gazetted) Recruitment Rules.

Whereas, the process for revision of the said Recruitment Rules was initiated and the said rules were published for inviting objections/ suggestions from stake holders: and the objections so received are under examination. The rules are therefore likely to be finalized shortly.

Now, therefore, it is hereby ordered that the claim of the petitioner along with similar other cases shall be placed before the J&K Public Service Commission for promotion/ regularization, as and when the J&K Employment (Gazetted) Recruitment Rules are finalized.

By order of the Government of Jammu & Kashmir.


Sd/-
(Rehana Batul), IAS
Secretary to the Government

No:- LE-LegI/18/2022-11-L&E

Dated:- 20 -06-2023

Copy to the:-

1. Joint Secretary, Department of J&K and Ladakh, Ministry of Home Affairs, GoI, New Delhi.
2. Principal Secretary to Hon'be Lieutenant Governor, J&K.
3. Director Employment, J&K.
4. Director Archives Archaeology and Museums, J&K.
5. PS to Commr./ Secretary to Govt., General Adm. Deptt.
6. PS to Secretary to the Government, Labour & Emp. Deptt.
7. Sh. Mohammad Kazim, Applicant.
8. Government order file


(S. Tarandeep Singh,)
Under Secretary to Government