



**Government of Jammu and Kashmir
Directorate of Sheep Husbandry Jammu**

Rail Head Complex, Jammu-180004

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Subject: Re-Fixation of Dates of Promotion as Head Assistant and Section Officer.

Reference: Minutes of Meeting of the Divisional Level Departmental Promotion Committee held on 02-03-2024.

ORDER NO. 188-SHDJ of 2024

DATED 18-03-2024

Whereas, the below mentioned officials were promoted as I/C Head Assistant by this Directorate and subsequently regularized/confirmed by the DPC before passing of Secretariat Assistant Training Course from the dates mentioned against each: -

S. No.	Name of the Official	Date of Confirmation as HA	Date of Passing of SAC/ FC	Date of DPC
1	Iftkhar Layaqit Bhatti	01-07-2009	20-10-2011	24-07-2012
2	Bishan Dass	01-04-2012	24-09-2012	28-11-2013 & 29-11-2013
3	Mohd. Sharief	01-08-2012	12-11-2013	28-11-2013 & 29-11-2013

Whereas, as per provisions of Jammu & Kashmir Sheep Husbandry (Subordinate) Service Recruitment Rules, 1987 notified vide SRO-389 dated 03-08-1987, the method of recruitment to the post of Head Assistant is as under: -

"100% by promotion from Class III Category A (Senior Assistant) having at least 04 years service in that category and passed Secretariat Training."

Whereas, in terms of SRO-272 dated 19-09-2008, the method of recruitment to the post of Head Assistant was amended by the General Administration Department, relaxing the requirement of passing of Secretariat Assistant Examination subject to certain conditions, which is reproduced as under: -

"Provided that 25% posts to be filled up in a calendar year shall be earmarked for promotion of those Senior Assistants who have not qualified the

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Secretariat Assistants Examination but have crossed the age of 50 years as on 1st January of the year in which such promotions are being considered.

Provided further that a Senior Assistant who has qualified the Secretariat Assistants Examination during his period of probation as Junior Assistant shall not be required to qualify the said examination again."

Whereas, vide SRO-159 dated 29-05-2009 issued by the General Administration Department wherein amendments have been made in all the Departmental Subordinate Services Recruitment Rules and the minimum qualifying service for promotion to the post of Section Officers, Head Assistants and Senior Assistants has been fixed as three years; and

Whereas, it has been observed that above mentioned officials were not eligible for promotion since neither they had passed Secretariat Assistants Examination nor had attained the age of 50 years on the date of confirmation as Head Assistant, a fact observed by the General Administration Department in its communication No. GAD-ESTB/58/2021-09-GAD dated 16.10.2023 and sought clarification from this Directorate that how the officials has been promoted as Head Assistant before passing of SAC examination and even before attaining the age of 50 years. It has also been asked to effect the date of promotion of the officials as Head Assistant after passing of SATC examination and subsequent promotion as Section Officer in terms of rules in vogue; and

Whereas, it is amply clear that the above 03 officials were promoted as Head Assistant in violation of the extant rules and the same need to be corrected to bring the same in accordance with the directions of the Hon'ble Supreme Court of India passed in the case titled Suraj Prakash Gupta & Ors. Versus State of J&K & Ors. which were clarified vide Govt. Order No. 743-GAD of 2007 dated 28.06.2007 which reads as under: -

"Promotion of a Government employee shall take effect from the date, he has been formally put in charge of the higher post subject to his eligibility in accordance with the recruitment rules and availability of the vacancy. His clearance/regularization shall take effect from the date of his placement against the higher post or availability of vacancy or the date of his eligibility, whichever is later. In all other cases, the promotion of a Government employee to the next higher post shall take effect from the date of issuance of the order."

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Whereas, the case of the officials was also put before the Divisional Level Departmental Promotion Committee which met on 02-03-2024 and it was decided to re-fix their confirmation as Head Assistants from the date of passing of Secretariat Assistants Examination.

Therefore, on the recommendation of DPC and in terms of Recruitment Rules read with SRO-272 of 2008, corrections in date of confirmation as Head Assistant and Section Officer in respect of below mentioned officials are hereby ordered as mentioned against each: -

S. No	Name of the Official	DOB	DOA	Date of Passing of SAC Exam	Revised Date of Confirmation as HA	Revised Date of Promotion as SO
1	Iftkhar Layaqit Bhatti	05-08-1968	28-10-1987	20-10-2011	20-10-2011	20-10-2014
2	Bishan Dass	10-04-1969	01-05-1989	24-09-2012	24-09-2012	05-03-2021
3	Mohd. Sharief	15-04-1973	01-09-1998	12-11-2013	12-11-2013	Not promoted yet

Sd/-
(Dr. Naseem Javaid Chowdhary) JKAS,
Director.

No. DSHJ-ESTTONG/34/2021/22093-98

Dated: 18 -03-2024

Copy to the: -

1. Principal Secretary to Government, Agriculture Production Department for kind information.
2. Commissioner/Secretary to Government, General Administration Department for kind information.
3. District Sheep Husbandry Officer, Doda for information and necessary action.
4. Accounts Officer, Sheep Husbandry Department Jammu for information and necessary action.
5. Concerned officials.
6. Incharge Website, Directorate of Sheep Husbandry Jammu for necessary action.

(Dr. Surinder Gupta),
Deputy Director (Central).

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