



Government of Jammu and Kashmir  
Directorate of Sheep Husbandry Jammu

Rail Head Complex, Jammu-180004

Phone: 0191-2470075 Fax: 0191-2470754 Email ID: [directorshdjammu@gmail.com](mailto:directorshdjammu@gmail.com)

**Subject: Consideration order in compliance to order dated 16.04.2024 passed in O.A. No. 61/433/2024 titled Mohd Latief V/s Union Territory of Jammu and Kashmir and others.**

**ORDER NO. 270 SHDJ of 2024**

**DATED: 13 -05-2024**

Whereas, Mr. Latief Mohd S/O Khurshid Ahmed R/O Village Kalta Tehsil and District Udhampur has filed O.A. 61/433/2024 titled Latief Mohd Vs. Union Territory of Jammu and Kashmir and others, praying therein to direct the respondents for permanent absorption in District Udhampur and quashment of his transfer order issued by this Directorate vide No. 20-SHDJ of 2024 dated 09-01-2024 along with his relieving order issued vide No. 248-SHDJ of 2024 dated 12-04-2024.

Whereas, the writ petition was disposed of by the Hon'ble Central Administrative Tribunal Jammu Bench, Jammu vide its order dated 16-04-2024, the operative portion of which is reproduced as under: -

***"6. In view of the above, the Original Application is disposed of with a direction to respondents to treat this O.A. as representation of the applicant and consider the case of the applicant for settlement of his Cadre from which district he belongs to and decide the same by passing a reasoned and speaking order.***

***7. Respondents are further directed to communicate the order so passed to the applicant. The whole exercise shall be completed within a period of two weeks from the date of receipt of a certified copy of this order.***

***8. With these directions, the O.A. No. 433 of 2024 is disposed of.***

***9. However, there shall be no order as to costs.***

***10. In the meantime, relieving of the applicant would remain stay."***

That in compliance with aforesaid directions of the Hon'ble Central Administrative Tribunal Bench, Jammu, the case of the petitioner was examined found the following facts:

- i. That the petitioner was preliminary appointed as Orderly on temporarily basis by the District Sheep Husbandry Officer, Udhampur vide No: DSHO/Udh/Esstt-37/1243-48 dated 25-08-1990 against

available post and subsequently the services of the petitioner were regularized by this Directorate vide communication No: DSHJ/PF-1110/NG/ 1999-2000 dated 21-09-1999.

- ii. That during the year 2006, the erstwhile District Udhampur was bifurcated in two Districts Viz. District Reasi and District Udhampur, the petitioner had preferred to continue to work in District Reasi for availing the benefits of promotion as Junior Assistant.
- iii. That the petitioner was promoted as Junior Assistant in his own pay and grade pending clearance by the Departmental Promotion Committee with charge allowance as admissible under rules by this Directorate vide Order No: DSHJ/Estt-NG/11991-95 dated 21-02-2009 and posted in the organization of Sheep and Wool Development Officer, Mahore and subsequently confirmed/regularized against available post of Junior Assistant District cadre Reasi in pre-revised pay scale of Rs. 5200-20200+GP 1900 vide this Directorate's Order No: DSHJ/ Estt/NG/2012-13/3599-05 Dated 25-07-2012 with effect from 06/2011.
- iv. That the mother of the petitioner had approached this Directorate through representation requesting therein for transfer of her son from District Reasi to District Udhampur, which was submitted to Administrative Department vide this Directorate's communication No: DSHJ/Esstt-NG/F-168/2017-18/1944-47 dated 25-05-2017 for further appropriate action.
- v. That in view of representation made by the mother of the petitioner regarding her ill health, he was temporarily deployed against the referred (JKSSRB for recruitment) post of Junior Assistant of District cadre Udhampur on humanitarian grounds in the organization of District Sheep Husbandry Officer, Udhampur vide this Directorate's order No: DSHJ/Esstt-NG/F-168/2017-18/8196-99 Dated 19-12-2017.
- vi. That despite of issuing seniority lists from this Directorate as well as by the District Sheep Husbandry Officer, Reasi from time to time reflecting his name in district cadre Reasi, the petitioner has not preferred to raise any objection about his seniority since his promotion till date.
- vii. That General Administration Department J&K has issued O.M. No. GAD-ADM0III/122/2023-09-GAD dated 26-09-2023 duly forwarded by the Agriculture Production Department, J&K vide communication dated ASHF-CORD/133/2023 (7303870) dated 04-10-2023, wherein directions were passed "to immediately shift employees under the administrative control of this Directorate, posted at one particular place for last five years or more". Since the period of deployment of

 13/5/24



- vii. the petitioner exceeded five years, this Directorate was constrained to repatriate the petitioner to District Reasi, from where he had got the promotion and in view of non-availability of Junior Assistant in the org. of SDO Mahore, Mr. Mohd. Latief was posted in the office of Sheep and Wool Development Officer, Mahore vide this Directorate's Order No: 20-SHDJ of 2024 dated 09-01-2024.
- viii. The transfer can only be made within the parent cadre and inter cadre transfers cannot be issued particularly when the services of an employee are required in parent cadre. Further the claim of the petitioner is time barred in view of the directions of General Administration Department issued vide circular no41-JK(GAD) of 2021 dated 06-10-2021, wherein it has been clarified that wherever, in any matter connected with service rights or conditions, a Government servant wishes to press a claim or to seek redress of an alleged grievance, the same should be addressed to the competent authority concerned within a stipulated period of six months from the date the alleged grievance has arisen nor any other period specifically provided in any rule, regulation or law whichever is later, holds no merit at this point of time after a lapse of 15 years.

Now, therefore, keeping in view the afore-stated position, the claim of the petitioner having been considered in pursuance of order dated 16-04-2024 passed by the Hon'ble Central Administrative Tribunal Jammu Bench, Jammu in O.A. No. 61/433/2024 titled Mohd. Latief VS Union Territory of Jammu and Kashmir and others for considering his permanent absorption in District Udhampur against the post of Junior Assistant is found to be devoid of any merits and, hence, is rejected.

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

No: DSHJ/Lit/2024-25/ 1875-83  
Copy to the: -

Dated: 13-05-2024

1. Principal Secretary to Government, Agriculture Production Department, Civil Secretariat J&K for kind information please.
2. Additional Secretary (Legal), Agriculture Production Department, Civil Secretariat J&K for information.
3. Joint Director (Extension), Sheep Husbandry Department, Jammu for information.
4. District Sheep Husbandry Officer, Reasi/Udhampur for information.
5. Sheep and Wool Development Officer, Mahore/Ramnagar for information.
6. I/c Website Directorate of Sheep Husbandry Jammu for information and necessary action.
7. Mr. Latief Mohd, Junior Assistant for information.

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