



Government of Jammu and Kashmir
Directorate of Sheep Husbandry Jammu

Rail Head Complex, Jammu-180004

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Subject: O.A No. 606/2023 titled Mr. Raman Singh versus Animal and Sheep Husbandry Department & Ors.

ORDER NO. 314 - SHDJ of 2023

DATED 04-07-2023

Whereas, Mr. Raman Singh & Ors. has filed an O.A 606/2023 titled Mr. Raman Singh versus Animal and Sheep Husbandry Department & Ors. before the Hon'ble Central Administrative Tribunal, Jammu Bench and the Hon'ble CAT has passed interim directions on 14.06.2023, the operative portion of the Court Order read as under: -

"The learned counsel appearing for the applicant submits that he has already represented the matter before the respondents which is pending decision and shall be satisfied if that representation is duly considered. This OA is accordingly disposed of with direction to the respondents to decide the pending representation of the applicant and consider any other ground that the applicant may like to put in within a period of one week from today and thereafter decide the matter within four weeks through a speaking order.

We have not expressed any opinion on the merits of the case. Until the matter is disposed of, no such action would be taken which would affect the prospect."

Whereas, the applicants have contented in the O.A that Final Seniority lists of Assistant Stockman formulated on District Cadre basis in respect of all Districts of Jammu Division be quashed and reframe the same on Divisional Cadre basis in terms of SRO-903 dated 26.10.2019 issued by Animal/Sheep Husbandry Department. The applicants have further contented that the District Level DPC meeting notice held on 13th to 14th June 2023 issued vide No. DSHJ-ESTTONG/34/2021/4656-65 dated 05.06.2023 be quashed; and

Whereas, as per Rule 4(2) of Jammu & Kashmir Civil Services Decentralization and Recruitment Rules, 2010 notified vide SRO-375 dated 21.10.2010, District, Divisional and State Cadres of the services in each Department have been constituted. All the posts borne on the establishment of a District level office of a Department whether executive, ministerial, technical or manipulative which carry a pay scale of, or equivalent to, the post of Senior Assistant but are not included in a

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Divisional or State Cadre shall be the District Cadre posts. The post of Stock Assistant is borne on the establishment of District level offices having pay level-4 (25500-81100) which is lower than the pay level of Senior Assistant (Level-5) and as such is a District Cadre post; and

Whereas, Administrative Department of Animal/Sheep Husbandry & Fisheries vide SRO-903 dated 26.10.2019 notified Schedule-I of Jammu and Kashmir Sheep Husbandry (Subordinate) Service upon exclusion of the posts of Union Territory of Ladakh wherein all Non-Gazetted posts have been shown as Divisional Cadre like Junior Assistant, Senior Assistant, Stock Assistant, Driver etc. instead of District Cadre. The notified Schedule-I has many discrepancies, among others the Cadre of the post of Stock Assistant has been notified as Divisional Cadre instead of District Cadre, for which objections stands submitted to the Administrative Department by this Directorate vide communication No. DSHJ-Esstt-Gaz/F-109/2019-20/9745 dated 30.10.2019 for its rectification and the process of rectification is under consideration of the higher authorities; and

Whereas, after notification of Schedule-I of Jammu and Kashmir Sheep Husbandry (Subordinate) Service vide SRO-903 dated 26.10.2019, Schedule-II i.e. Method of Recruitment has not been notified by the Administrative Department till date and accordingly the existing Jammu and Kashmir Sheep Husbandry (Subordinate) Service Recruitment Rules 1987 are being implemented by this Directorate; and

Whereas, the Jammu & Kashmir Sheep Husbandry (Subordinate) Service Recruitment Rules 1987 were notified vide SRO-389 dated 03.08.1987. The method of recruitment to the post of Stock Assistant is: -

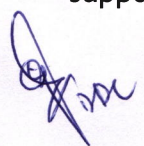
"40% by promotion from Class V Category A (Assistant Stockman) subject to the condition that the promotee is a Matric with science and has 2 years experience in the class.

60% by direct recruitment, Matric with science."

Whereas, in terms of SRO-375 dated 21.10.2010 the post of Stock Assistant is a District Cadre post, as such seniority of Assistant Stockman is maintained on District Cadre basis and the promotion of Assistant Stockman to the post of Stock Assistant is being made strictly in accordance with J&K Sheep Husbandry (Subordinate) Service Recruitment Rules 1987 and also on the basis of District Cadre Seniority. It will be in violation of rules and laws if a junior employee is promoted out of turn, transgressing the official of the cadre who are senior to him; and

Whereas, after issuance of SRO-903 dated 26.10.2019 number of tentative seniority lists of Assistant Stockman on District Cadre basis has been issued by the respective District Sheep Husbandry Officers from time to time whereunder officials aggrieved of their position assigned in the tentative seniority list were directed to make a representation to the respective Controlling Officer along with supporting documents. The Tentative Seniority Lists inter-alia contained a stipulation

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that after the expiry of the notified period, no objection in respect of position assigned in the seniority list shall be entertained and accordingly Final Seniority Lists were notified. The applicants have not filed any objection against the tentative as well as final Seniority List of any Assistant Stockman from 2019 to till date; and

Whereas, the copy of order dated 14.06.2023 of Hon'ble Central Administrative Tribunal, Jammu Bench was received by this Directorate through Advocate N.D Qazi on official email dated 16.06.2023 at 08:03 pm, however in pursuance of meeting notice No. DSHJ-ESTTONG/34/2021/4656-65 dated 05.06.2023, the District Level Departmental Promotion Committee in respect of all Districts of Jammu Division has already met on 13th and 14th of June 2023.

Now, therefore, in compliance to Hon'ble Central Administrative Tribunal, Jammu Bench's order dated 14.06.2023 in O.A No. 606/2023 titled Mr. Raman Singh VS Animal and Sheep Husbandry Department and in view of above stated facts and relevant rules on the subject, the representation of the applicant has been considered and found devoid of merit, hence rejected.

Sd/-
(Dr. Naseem Javaid Chowdhary) JKAS,
Director,
Sheep Husbandry Department,
Jammu.

No. DSHJ-ESTTONG/8/2022/ 6081-88

Dated: 04 -07-2023

Copy to the: -

1. Principal Secretary to Government, Agriculture Production Department, J&K for kind information.
2. Joint Director (Extension/Farms), Sheep Husbandry Department, Jammu for information.
3. District Sheep Husbandry Officer, Samba/Kathua/Doda for information.
4. I/C Website, Directorate of Sheep Husbandry Jammu for necessary action.
5. Mr. Raman Singh S/O Madan Singh R/O W. No. 17 Tehsil & District Kathua-184101 (Assistant Stockman) for information.

(Dr. Surinder Gupta),
Deputy Director (Central),
Sheep Husbandry Department,
Jammu.
4/7/23
04.07.23