



Government of Jammu and Kashmir  
Civil Secretariat, Animal/Sheep Husbandry Department.

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Subject: SWP No. 699/2016 MP No. 1/2016 titled Mohd. Sajjad V/s State of J&K & Ors.

Government Order No. 92 - ASH of 2017  
D a t e d: 17 - 07 - 2017

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Whereas, Sh. Mohammad Sajjad S/o Bagh Hussain R/o Galutha, Mendhar & Sh. Iqbal Singh S/o Ishar Singh R/o Ari Tehsil Mendhar Poonch were engaged as casual labourers in the year 1991 and 1992 respectively with usual breaks in BB Farm Ari Gulutha in Animal Husbandry Department, Jammu for cutting the grass and also for collecting the fodder for winter season farm; and

Whereas Sh. Sajad Ahmad has filed a writ petition before the Hon'ble High Court at Jammu bearing SWP No. 699 of 2016 with the prayer to regularize his services under SRO 64 of 1994; and

Whereas the said writ petition was disposed of by the Hon'ble High court vide its order dated 6.4.2016 with the following directions:-

***"Petitioner claims regularization in terms of SRO 64 of 1994 after having worked for 23 years at Buff Breeding Farm. Although a reference has been made to the petitioner as a casual labourers, yet counsel for the petitioner submits that he has been working continuously with usual breaks and, thus, entitled to regularization in terms of aforementioned SRO.***

***Be that as it may, this petition along with connected MP is disposed of with the direction to the respondents to consider the claim of the petitioner for regularization in terms of SRO 64 of 1994 in case he is eligible and entitled to the same and pass appropriate order in accordance with the rules. Let the order of consideration be passed within a period of 8 weeks from the date a copy of this order is served upon them."***

Whereas there was already an LPA pending before the Hon'ble Full Bench bearing LPA NO. 239/1996 and IA-1/1996 titled State of J&K V/S Iqbal Singh & another which was finally disposed of by the Hon'ble Full Bench in a clubbed matters in LPA No. 158/1996 titled State of J&K V/S Mst. Zarina Begum with the following directions in the LPA No. 239/1996.

***"For the reasons mentioned above, we dispose of LPA (SW) No. 239/1996 with a direction to the respondents to consider the case of the petitioner for regularization in terms of SRO 64 read with Govt. order No. 1285-GAD of 2001 dated 6<sup>th</sup> of November, 2001. The effective date of regularization would be the date when the petitioners completed seven years of their service. They would also be entitled to arrears from the said date. The consideration be accorded with in a period of eight weeks."***



Whereas the department has considered the orders of the Single Bench as well as the orders of the Full Bench conveyed in LPA No. 239/1996 the petitioners were simply engaged as Casual Labourers with usual breaks in the Department of Animal Husbandry Jammu in BB Farm Gulutha Tehsil Mendhar from time to time, so the petitioners neither falls in SRO 64 nor in terms of Government order No. 1285-GAD of 2001 dated 6.11.2001.

Now, therefore the claim of the petitioners for regularization has been found devoid of any merit or justification for the reasons enumerated above and is accordingly rejected.

By order of the Government of Jammu and Kashmir.

Sd/-


(Raj Kumar Bhagat) IAS  
Commissioner/ Secretary to Government  
Animal / Sheep Husbandry Department

No: ASH/AH/NG/49/2016

Dated: 17 .07.2017

Copy to the:-

1. Principal Secretary to Government, Home Department. This is with reference to his OM No. Home/SSB/10/2008 dated 12.04.2017.
2. Secretary to Government, Department of Law, Justice & Parliamentary Affairs.
3. Additional Advocate General, J&K Jammu
4. Director, Animal Husbandry Department, Jammu.
5. Director, Archives, Archaeology & Museums, J&K, Srinagar
6. Special Assistant to Hon'ble Minister of State for Animal/ Sheep Husbandry/Fisheries Department for kind information of Hon'ble Minister.
7. Additional Private Secretary to Hon'ble Minister for Animal / Sheep Husbandry / Fisheries Department, for kind information of Hon'ble Minister.
8. Pvt. Secretary to Commissioner /Secretary to Government, Animal/Sheep Husbandry Department.
9. I/C Website, ASH Department.
10. Government Order file (w.2.s.c)/Stock File.

  
(Syed Nazir Ahmad)  
Under Secretary to Government  
Animal/Sheep Husbandry Department