

Government of Jammu & Kashmir
Office of the Financial Commissioner (Revenue) J&K
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Subject: Implementation of directions of the Hon'ble Central Administrative Tribunal, Jammu dated 04.03.2021 passed in OA/387/2021 titled Krishan Lal and others V/s UT of J&K and others.

Order No. - 354 FC(Revenue) 2023
Dated :- 04-08-2023

Whereas, in the year 2014, 301 posts of Naib Tehsildars were created for making newly administrative units functional in the erstwhile state of J&K and 53 vacancies of Naib Tehsildars were already available in the department; thereby having 354 vacancies available in the department; and

Whereas, among other look after Naib Tehsildars, the applicants in the instant case have also been regularized/ promoted as Naib Tehsildars from the dates the vacancies of Naib Tehsildars under promotion quota became available since 2016 till 2020; and

Whereas, the applicants approached to the Hon'ble Central Administrative Tribunal, Jammu in OA/387/2021 titled Krishen Lal and others V/s UT of J&K for seeking effect of promotion as Naib Tehsildar w.e.f 2014, and the Hon'ble CAT vide order dated 04.03.2021 passed the following direction:-

"Looking to the arguments of the Learned Counsel for the applicants, the O.A is disposed of with a direction to respondent No.3 i.e. Financial Commissioner, Revenue to decide the representations dated 03.01.2020 and 07.09.2020 of the applicants by passing a reasoned and speaking order in accordance with rules and with intimation to the applicants within a period of 02 months from today. In case the aforesaid representations are not available with respondents, this O.A would be treated as representation."

Whereas, the O.A has been treated as representation and the case has been considered in light of the above aforesaid directions of the Hon'ble Tribunal and in the meanwhile the applicants have filed contempt petition No. CP/68/2022 before the Hon'ble Tribunal, wherein the Hon'ble Tribunal Jammu has passed order dated 28.3.2022 with the direction to file reply/compliance report by 18.5.2022.

Whereas, there is no vacancy under promotion category for ETS category for granting the effect of promotion as Naib Tehsildars in favour of the three applicants. However, some vacant posts of Naib Tehsildars under general category have become available due the promotion/regularization of Naib Tehsildars w.e.f 20.11.2014 in terms of Govt. order No: 107-JK (Rev) of 2020 dated 18.11.2020.


04-08-2023

Now, therefore, keeping in view of the above facts, and in compliance to the Hon'ble Central Administrative Tribunal, Jammu's order dated 04.03.2021, the case of the applicants will be placed before the State Level Departmental Promotion Committee for considering their promotion as Naib Tehsildars w.e.f 01.08.2014 as and when the same will be held.

This issues with the approval of the Financial Commissioner, Revenue, J&K.



(Pawan Kotwal) JKAS,
Administrative Officer

With Financial Commissioner (Rev), J&K.

Dated: 04-08-2023

No: FCR-GAZ/13/2021-06-FCR (20776)

Copy to the:-

1. Commissioner Survey & Land Records, J&K, Jammu for information.
2. Divisional Commissioner, Jammu for information.
3. Deputy Advocate General Central Administrative Tribunal, Jammu
4. ARA to FCR for further necessary action.
5. Krishan Lal S/o Sh. Lachman dass R/o Mandi Tehsil Billawar District Kathua
6. Ravinder Singh S/o Sh. Gyan Chand R/o village Gaddi, Tehsil Bani district Kathua
7. Naresh Vara S/o Lt. Sh. Hari Chand R/o village Mahanpur Tehsil mahanpur District Kathua.
8. I/c Official website of FCR J&K, for uploading the same on official website.
9. Order file.