



GOVERNMENT OF JAMMU AND KASHMIR
HOUSING & URBAN DEVELOPMENT DEPARTMENT
CIVIL SECRETARIAT, J&K

Subject: Accord of consideration in pursuance of Order dated 13.02.2023 passed by Hon'ble CAT in the O.A. No. 1521/2022 titled Rajinder Singh Jamwal V/S UT of J&K.

Government Order No. 154 JK(HUD) of 2023
Dated: 14.09.2023

Whereas, the applicant filed O.A. No. 1521/2022, which came to be disposed of by the Hon'ble Central Administrative Tribunal Jammu Bench, vide Order dated 13.02.2023, with a direction to Secretary to the Government, Housing & Urban Development Department, UT of J&K (Respondent No. 1) to decide the applicant's pending representation dated 24.03.2022 and pass a reasoned and speaking order in accordance with law; and

Whereas, the applicant is borne on the establishment of J&K Agro Industries Development Corporation, initially the applicant was appointed as Store-Keeper in his parent organization on temporary basis and subsequently he was posted as Accounts Clerk and thereafter promoted as Junior Accountant by his parent organization; and

Whereas, promotional prospectus such as functional/Non-Functional/seniority/lien etc are to be maintained by his parent organization i.e. J&K Agro Industries Development Corporation; and

Whereas, the applicant's services are placed at the disposal of Finance Department on deputation basis, subsequently, the applicant vide order No. 204-Accts of 2015 dated 21.05.2015 was transferred and posted as Accounts Assistant in the Non-applicant's office by the Finance Department; and

Whereas, the applicant has represented to the Additional Chief Secretary, Finance Department and Director Finance, Housing & Urban Development Department for implementation of the order No. 278-F of 2018 (Revision of Pay Scale for Public Sector Undertakings) dated 06.06.2018 in his favour; and

Whereas, applicant's case is to be determined under rules by the Finance Department, UT of J&K and it is beyond the mandate of Non-applicant, for the reason, that the applicant is basically borne on the establishment of Public Sector Undertaking and issue falls within the jurisdiction of Finance Department, UT of J&K, for which the matter has already been taken up with them, therefore there is no inaction or delay on the part of the non-applicant; and

Whereas, the representation of the applicant was duly considered and it was found that the mandate of Revision of Pay Scale does not vest with the non-applicant, which fact has been established by the applicant himself by addressing legal notice to the Department of Finance, UT of J&K for revision of Pay Scale; and

Whereas, as and when instructions/directions are received by the non-applicant from Finance Department, same shall be complied with in the instant case, accordingly.

Now, therefore, in view of the above facts and evidences narrated hereinabove, there is no role of the non-applicant in the instant case, so far, as the Revision of Pay Scales for Public Sector Undertakings (PSUs) is concerned.

By Order of the Government of Jammu & Kashmir

Sd/-

(Prashant Goyal) IAS

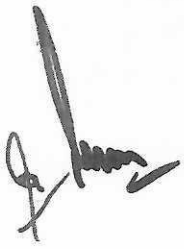
Principal Secretary to the Government,

No. HUD-LIT0MISC/78/2022-01(7113747)

Dated:14.09.2023

Copy to the:

1. Director General, Accounts & Treasuries, J&K for information.



2. Director Finance, Housing & Urban Development Department for information.
3. Private Secretary to Principal Secretary to the Government, Housing & Urban Dev. Department for information of the Principal Secretary.
4. Private Secretary to Principal Secretary to the Government, Finance Department for information of the Principal Secretary.
5. Private Secretary to Commissioner/Secretary to the Government, General Administration Department for information of the Commissioner/Secretary.
6. Sh. Hunar Gupta, Dy. Advocate General, Central Administrative Tribunal, Jammu Bench for information and necessary action.
7. Sh. Rajinder Singh Jamwal, Accounts Assistant, Housing & UDD.
8. Government Order file (w.2.s.c).


(Anil Kaul) JKAS

Secretary in the Department,
Housing & Urban Dev. Department