



*Government of Jammu and Kashmir,
Housing & Urban Development Department,
Civil Secretariat Jammu/Srinagar*

Subject:- Promotion of Sh. Ramohan Lal, Junior Engineer as Assistant Engineer in PB 9300-34800+5200.

Govt. Order No: - 169 HUD of 2019
Dated:- 01-08-2019

Whereas, Sh. Ramohan Lal was initially appointed as Draftsman (Civil) vide Govt; Order No. 66-PW of 1986 dated 27-01-1986 figuring at S.No. 52 issued by Public Works Department under endorsement No. PW(Cood)NG/DM(C)/86 dated 28-01-1986 in the pay scale of 630-980 subject to the condition laid down in SRO 549 Dated 5.12.1981 and was posted in the Jammu Development Authority;

Whereas, the services of Sh. Ramohan Lal were absorbed in the Jammu Development Authority vide office order No.491-96 Dated 2-1-2003 issued under endorsement No. JDA/Order/Esstt/491-096 Dated 02-01-2003;

Whereas, Sh. Ramohan Lal was promoted as Head Draftsman in the pay scale of 6500-200-10500 against the available vacancy vide Jammu Development Authority's endorsement No. JDA/Esstt/Promotion/5061-63 Dated 14-07-2004;

Whereas, in pursuance to the decision taken by the Departmental Promotion Committee in its meeting held on 17th September 2011, Shri. Ramohan Lal was promoted as Junior Engineer Grade-II in the Grade of 9300-34800+4200 against the available post vide order No. 143-JDA of 2011 dated 01-10-2011 notionally w.e.f.28-06-2008 and monetarily prospectively;

Whereas, Sh. Ramohan Lal filed writ petition before the Hon'ble High Court Jammu Wing being SWP No. 869/2016 titled Ramohan Lal V/s State

of J&K & others and the Hon'ble High Court disposed of the writ petition with the following direction:-

"The instant writ petition is disposed of by directing respondent No.2 to place the matter relating to the petitioner through proper channel for consideration before the Board with regard to the promotion to the post of Assistant Engineer (Civil). It is made clear that claim of the petitioner be considered, subject to the satisfying the requirements of law and norms as may be prescribed".

Whereas, the petitioner has completed the qualifying service as prescribed in SRO-297 of 2006 dated 14-09-2006 for the post of Assistant Engineer and he has completed 30 years continuous service also he has passed the Departmental Examination of Assistant Engineer (Accounts) vide PSC's result Notification No.PSC/EX-09/AE/38 Dated 05-04-2010 besides he has passed AMIE (Section A & B) in respective discipline on 14-03-2008;

Whereas, the case of Sh. Ramohan Lal was placed before the Establishment Committee in its meeting held on 04-01-2017 and 14-02-2017 for considering his promotion from Junior Engineer to Assistant Engineer against the available post of Assistant Engineer on the basis of qualification, experience and APR's and work & conduct and he was recommended for promotion to Assistant Engineer;

Whereas, the Board of Directors of Jammu Development Authority has approved the promotion of Sh. Ramohan Lal Junior Engineer as Assistant Engineer in the 78th meeting and V.C Jammu Development Authority vide communication No. Vc/PS/2017/480 Dated 05-07-2017 after the approval of Board of Directors has submitted his case to Administrative Department with recommendation that promotion be accorded to Shri Ramohan Lal Junior Engineer as directed by Hon'ble High Court;

Whereas, the case of the petitioner was examined in the Housing & Urban Development Department and he was found eligible for promotion to the post of Assistant Engineer as he fulfills the requisite criteria as laid

down in SRO 297 Dated 14-09-2006 i.e; qualification, experience, merit and suitability against the post of Assistant Engineer lying vacant in Jammu Development Authority since 2011.

Whereas, as per the High Court directions, approval of Board of Directors and recommendation of V.C Jammu Development Authority, the promotion order was issued in favour of Sh. Ramohan Lal, Junior Engineer, JDA as Assistant Engineer (Civil) vide Government Order No. 330-HUD of 2018 dated 18.12.2018 issued under endorsement No. HUD-107/2016/JDA dated 18.12.2018 in the pay scale of 9300-34800+GP-5200 against an available vacancy prospectively.

Whereas, Sh. Ramohan Lal, Assistant Engineer (Civil) submitted a representation on 07.01.2019 whereunder he requested for granting of retrospective effect for his promotion w.e.f. June, 2011 instead of 18.12.2018.

Whereas, Sh. Ramohan Lal filed writ petition before the Hon'ble High Court Jammu Wing being SWP No. 876/2019 & IA No. 01/2019 titled Ramohan Lal V/s State of J&K & others and the Hon'ble High Court disposed of the writ petition with the following direction vide court judgment dated 01.05.2019:-

"Issue Notice to the respondents in the main petition as well as IA, returnable within four weeks. Requisites for service within a week's time.

List on 12.07.2019.

Meanwhile, respondents are directed to consider and decide the representation of the petitioner dated 07.01.2019".

Now, therefore, keeping in view the Hon'ble High Court directions, sanction is hereby accorded to the confirmation of Sh. Ramohan Lal, Junior Engineer, Jammu Development Authority as Assistant Engineer (Civil) in the pay band of Rs.9300-34800+GP 5200 (pre-revised) notionally w.e.f. 1st July, 2011 to 17.12.2018 and monetarily w.e.f. 18.12.2018.

By order of the Government of Jammu & Kashmir.



Sd/-

(Dheeraj Gupta)IAS

Principal Secretary to Government,
Housing & Urban Development Department.

No:- HUD-107/2016/JDA

Dated:- 01-08-2019

Copy to the:-

1. Vice Chairman, Jammu Development Authority for information and necessary action.
2. OSD to Advisor (S)(Housing and Urban Development Department) for information of the Advisor.
3. Additional Secretary to Government (Legal) for information and necessary action.
4. Private Secretary to Principal Secretary to Government, Housing and Urban Development Department.
5. Concerned official.
6. PA to Additional Secretary to Government (N), Housing and Urban Development Department.
7. Govt. Order (w.s.2).



(Zahoor Ahmad Butt)

Under Secretary to Government,
Housing & Urban Development Department.