

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

Subject:- Consideration Order in terms of Hon'ble High Court Order dated 14.11.2018 passed in SWP No. 2947/2017, titled Vijay Kumar & Ors Vs State of J&K and Ors.

Government Order No: 24 - JK (HUD) of 2020

D a t e d: 16 - 01- 2020

Whereas, Vijay Kumar & 9 other petitioners, who were engaged as Casual Labourers w.e.f. 2009-2012 against the UIDSSMT Scheme and subsequently disengaged during 2016-17 after the closer of the said Scheme,

Whereas, aggrieved of disengagement, the petitioners have filed the writ petition before the Hon'ble High Court, J&K, Jammu. The petitioners have prayed before the Hon'ble Court for following relief:-

- i. Regularization of the services of the petitioners at par with the similarly situated persons whose names have been brought online for regularization with similar service benefit.
- ii. Any other order or direction which the Hon'ble Court may deem fit and proper in the circumstances of the case.

Whereas, the Hon'ble High Court vide its Order dated 14.11.2018 has disposed of the writ petition with directions as under:-

“.....In view of the statements made by learned counsel for the parties, this petition is, disposed of, with a direction to respondent No. 1 to consider and decide the case of the petitioners on the strength of averments made in the petition,

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documents attached thereto and having regard to communication dated 20.05.2017 issued by respondent No.2. Let the needful be done by the respondent No. 1 within a period of two months from today provided any other Scheme is available against which petitioners can be adjusted.

Disposed of as above along with connected IAs.”

Whereas, the Executive Engineer, Town Drainage Division Jammu, furnished details of the petitioners working under different Drainage Schemes in Town Drainage, Division Jammu under UIDSSMT (Urban Infrastructure Development Scheme for Small and Medium Towns). The details of these petitioners with respect to their engagement as well as disengagement is reproduced in matrix format as under:-

S.No	Name of Casual Labourer	Date of Engagement	Engagable under UIDSSMT Scheme	Disengaged on
1.	Vijay Kumar	03/2009	Sunderbani	08/2007
2.	Quatib Hussai	07/2009	Sunderbani	11/2016
3.	Kartavya Sudan	04/2010	Poonch	11/2016
4.	Jodh Singh	10/2010	Kathua	11/2016
5.	Sukhdev	12/2010	Kathua	11/2016
6.	Krishan Kumar	09/2010	Kathua	11/2016
7.	Sham Lal	05/2010	Kathua	11/2016
8.	Kewal Kumar	10/2010	Kathua	11/2016
9.	Ravi Kumar	07/2010	Kathua	11/2016
10.	Ghari Lal (Expired on 18/03/2018)	01/2012	Kathua	11/2016

Whereas, the above mentioned petitioners have been engaged as casual labourers against the scheme UIDSSMT. Since this Scheme had been closed and there was no provision to wages and continuation of these petitioners. Accordingly, these petitioners have been disengaged by the

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Executive Engineer, Town Drainage Division Jammu, from the dates recorded herein above against each. The wages to these petitioners have been paid up to the date of disengagement shown in the table as per record submitted by the Executive Engineer, Town Drainage Division Jammu.

Now, therefore in compliance to the Hon'ble High Court directions dated 14.11.2018 passed in SWP No. 2947/2017 titled Vijay Kumar & Ors Vs State of J&K and Ors, the case of the petitioners have been examined and considered in the department as per the record made available by Director, Urban Local Bodies, Jammu, the claim of the petitioners for continuation is found devoid of merits, and hence rejected.

By order of the Government of Jammu & Kashmir.

Sd/-


(Dheeraj Gupta) IAS
Principal Secretary to Government
Housing & Urban Dev. Department

No:- HUD/Lit/122/2018-DULBJ

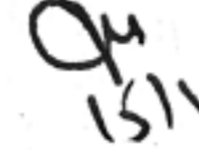
Dated:- 16.01.2020

Copy to the:-

1. Director, Urban Local Bodies, Jammu.
2. Senior Law Officer with the direction to file the statement of facts before the Hon'ble Court.
3. Pvt. Secretary to Principal Secretary to Government, Housing & Urban Development Department.
4. P.A to Special Secretary, H&UDD for information of Special Secretary.
5. P.A to Additional Secretary to Govt. H& UDD for information of Additional Secretary.
6. Concerned official.
7. Stock file.


(Syed Nazir Ahmed)
Under Secretary to Government,
Housing & Urban Dev. Department


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