

**GOVERNMENT OF JAMMU AND KASHMIR
JAL SHAKTI DEPARTMENT
CIVIL SECRETARIAT, JAMMU/SRINAGAR**

Subject:- T.A. No.61/6427/2020 titled Raj Kumar Chalotra and Shiv Kumar Vs UT of J&K and Ors.

Government Order No. 107-JK (JSD) of 2025

Dated: - 30.04.2025

Whereas, department is in receipt of a copy of representation from the petitioner namely Sh. Raj Kumar Chalotra seeking implementation of the order dated 10.02.2025 passed in TA No. 6427/2020 titled Raj Kumar Chalotra and Ors VS UT of J&K and Ors as per the direction of the Hon'ble Central Administrative Tribunal (CAT), Jammu Bench; and

2. Whereas, Hon'ble CAT Jammu Bench vide order dated 10.02.2025 has disposed of the case with the following directions, the operative portion of which reads as under:-

"Accordingly, the Transferred Application is disposed of with a direction to the respondents to consider the case of the petitioners on the analogy of judgment rendered by the Hon'ble High Court of Jammu and Kashmir, at Jammu, in the case titled Bishan Dutt Chargoitra Vs State of J&K bearing SWP No. 926/1995 dated 18.03.1996 and if the petitioner is found to be similarly situated of the petitioner in judgment dated 18.03.1996, then the similar relief would be granted to the petitioners herein.

Respondents are further directed to communicate the order so passed to the petitioners. The whole exercise shall be undertaken within a period of six weeks, from the date of receipt of certified copy of this order.

With these directions, this Transferred Application is disposed of. It is made clear that, we have not entered into the merits of the case."

3. Whereas, among others, Shri Raj Kumar Chalotra and Shri Shiv Kumar were initially appointed as 'Sectional Officers' (Civil) in the grade of Rs 340-700 vide Government Order No.PW-136 of 1978 dated 22.03.1978 figuring at S.No.13 and 14 respectively in the aforesaid Government Order; and

4. Whereas, the Petitioners acquired/ passed AMIE Section (A&B) Course on 06.10.1994 and 08.04.1994 respectively and on the aforesaid basis, their seniority was fixed as Junior Engineers (Degree Holders) from the date of passing of their Degrees. The details are given as under:-

S. No	Name of the petitioner	Date of retirement	Date of birth	Date of initial appointment as Sectional Officer	Date of passing of AMIE Section (A&B)	Date of fixation of seniority in the seniority of Junior Engineer (Degree Holders)	Date of placement as I/c AE (Degree Holder)	Date of placement as I/c AEE (Degree Holder)
1.	Shir Shiv Kumar	15.08.1956	31.08.2016	22.03.1978	08.04.1994	08.04.1994	08.02.2008	16.02.2012
2.	Shir Raj Kumar Chalotra (Social Caste)	11.10.1957	31.10.2017	22.03.1978	06.10.1994	06.10.1994	26.04.2007	16.02.2012

5. Whereas, a proposal regarding regularization/promotion of 469 Junior Engineers as Assistant Engineers (Degree Holders) (Civil) was referred to the PSC for placing the same before the DPC of PSC for consideration, including Shri Raj Kumar Chalotra and Shri Shiv Kumar. A meeting of the DPC/PSC was held in the J&K Public Service Commission on 07.02.2023 at 4:00 P.M followed by wrap-up discussions held on 13.04.2023; and

6. Whereas, in the aforesaid meeting, DPC also considered, regular promotion of Shri Raj Kumar Chalotra and Shri Shiv Kumar as AEs with effect from 12.05.2011 and 15.07.2011 respectively, subject to fresh Vigilance clearances. However, the fresh Vigilance Clearances of these officers have not been received in the department so far.

Now, therefore, the claim of the petitioner has been considered with due deference to the order dated 10.02.2025 passed by the Hon'ble Central Administrative Tribunal's Bench Jammu in T.A. No. 642/2020 titled Raj Kumar Chalotra and Shri Shiv Kumar Vs UT of J&K and Ors have been found devoid of any merit for the aforesaid reasons and is accordingly rejected.

By Order of the Government of Jammu and Kashmir.

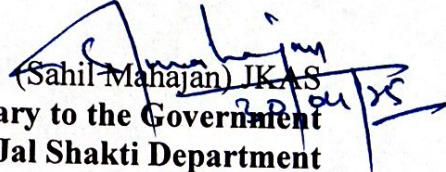
Sd/-
(Shaleen Kabra) IAS
Financial Commissioner (Additional Chief Secretary)
Jal Shakti Department

No. JSD-LS02(1)/252/2023-Legal-JSD (CC No. 7265012)

Dated:- 30.04.2025

Copy to the:

1. Additional Chief Secretary to the Hon'ble Chief Minister, J&K.
2. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
4. All Chief Engineers.
5. Deputy Advocate General, Hon'ble Central Administrative Tribunal, Jammu Bench.
6. Director, Archives, Archaeology and Museums, J&K.
7. OSD to the Hon'ble Minister for Jal Shakti Department, J&K.
8. Senior Law Officer, Jal Shakti Department, J&K.
9. Private Secretary to the Financial Commissioner (ACS), Jal Shakti Department, J&K.
10. Concerned.
11. I/c Website.
12. Govt. Order file/Stock file/w.2.s.c.


(Sahil Mahajan) IAS
Under Secretary to the Government
Jal Shakti Department