

Government of Jammu & Kashmir
Office of the Financial Commissioner (Revenue) J&K

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Subject: Implementation of Order dated 08.12.2020 passed by the Hon'ble Central Administrative Tribunal, Jammu in case titled Gh. Mohammad Lone and others V/s UT of J&K and other in O.A No. 61/1119/2020.

ORDER NO: 102 of FC (Revenue)

Date: 01.06.2022

Whereas, during the year 2014, Revenue department referred 155 posts of Naib Tehsildars (falling under direct recruitment) to the J&K Service Selection Board for selection of candidates; and

Whereas, due to pending selection of candidates from Services Selection Board, this office, vide Order No. FC(A) 13 of 2019 dated 03.01.2019 made an interim arrangement by allowing qualified Girdawars to look-after the work of vacant Niabats of Kashmir Division (who fulfill the eligibility criteria after obtaining vigilance clearance from the Anti Corruption Bureau) for a period of six months or till the posts of Naib Tehsildars are filled up under direct recruitment with the stipulation/condition that they shall have no claim or right, whatsoever either to the seniority or monetary benefits against the posts of direct recruitment quota and shall have no preferential right claim or right for their substantive promotion as Naib Tehsildar and shall vacate the position allowed to them once the direct recruits become available for which they were required to submit Affidavit duly attested by Judicial Magistrate; and

Whereas, the vigilance clearance was not received in favour of the applicants on the said date i.e 03.10.2019, as such they were not allowed to look-after the work of Naib Tehsildars. However, after receipt of vigilance clearance on 10.01.2019 and 22.01.2019 in favour of the applicants herein they were also considered for allowing the work of Naib Tehsildars, but the proposal was kept pending in view of imposition of model code of conduct on 14.03.2019. In the meantime some more Girdawars represented that they may also be considered to look-after the work of Naib Tehsildars being senior and left out; and

Whereas, vide communication No. Rev/NG/34/2018 dated 16.12.2019, issued by the Revenue Department, forwarded a copy of communication of General Administration Department's O.M dated 10.12.2019 regarding issues discussed in the meeting chaired by the Chief Secretary, J&K with Administrative Secretaries, wherein it was informed that "Chief Secretary observed that the Hon'ble Lieutenant Governor has directed the Departments to avoid officiating/Stop Gap arrangements and instead fill all the vacancies falling under promotion quota through Administrative Department a due process on the recommendations of the designated Promotion Committees"; and

Whereas, due to the fact that in pursuance of selection/ recommendations of the Services Selection Board, J&K in the year 2020, 153 candidates have been appointed as Naib Tehsildars against direct recruitment quota and there was no more requirement of placing G.Qs to look-after the work of Naib Tehsildars.

Whereas, this office has not received any legal notice on behalf of applicants for the adjustment as Look-after Naib Tehsildars.

In view of above, the representations submitted by the applicants deserves no merit for consideration, hence, rejected. However, they shall be considered for regular promotion against the posts of Naib Tehsildars under promotion quota, as and when posts of Naib Tehsildars accrue under promotion quota, if eligible, under rules at their own turn.

By order of the Financial Commissioner, Revenue, J&K.



(Pawan Kotwal) JKAS
Administrative Officer
With Financial Commissioner (revenue)
J&K

No: FCR-GAZ/23/2021-06-FCR

Dated: 01.06.2022

Copy to the:

1. Commissioner/Secretary to Govt., Revenue Department, J&K, Jammu for information.
2. Divisional Commissioner, Kashmir for information.
3. Sh. Amit Gupta, Additional Advocate General, Central Administrative Tribunal, Jammu for information.
4. ARA (Legal Section).
5. Incharge website for uploading the same on the official website.
6. Concerned file/office order file.