

Government of Jammu and Kashmir.
Jal Shakti Department
Civil Secretariat, J&K
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Subject: -CP No. 117/2024 in OA No. 768 /2023 titled Guddi Devi Vs UT of J&K and Ors.

Government Order No. 145-JK-JSD of 2025.

Dated: 05-06-2025

1. Whereas, Smt. Guddi Devi W/o Late Sh. Shamsheer Chand (hereinafter referred to as the *applicant*) filed an Original Application bearing O.A. No. 768/2023 dated 10.07.2023 before the Hon'ble Central Administrative Tribunal (CAT), Jammu Bench, seeking relief for regularization of her late husband's services, release of arrears of salary, and grant of family pension; and

2. Whereas, the Hon'ble Tribunal while considering the case of the applicant and disposed of the O.A. on 04.12.2023 with the following directions:

"Accordingly, the Original Application is disposed of with a direction to the respondents to treat the OA as representation of the applicant and consider the same in the light of judgment dated 03.02.2017 of the Hon'ble High Court of Jammu and Kashmir in SWP No. 1184/2007. In case the applicant is found to be similarly situated to the petitioner of SWP No. 1184/2007, similar benefits be granted to the applicant, as per rules. The whole exercise shall be undertaken within a period of four weeks from the date of receipt of a certified copy of this order."

3. Whereas, pursuant to the said directions of the Hon'ble Tribunal, the case of the applicant has been examined in the Department, and it has been found that her husband, Late Sh. Shamsheer Chand S/o Late Sh. Gian Chand, was engaged as a Daily Rated Worker (DRW) in Jal Shakti (PHE) Division Akhnoor in 06/1993, vide CV No. 70 dated 06/1993; and

4. Whereas, the case was considered in the 10th Meeting of the Empowered Committee constituted vide Government Order No. 139-F of 2015 dated 19.08.2015, held on 09.03.2017 under the chairmanship of the Commissioner/Secretary to Government, Finance Department. However, certain deficiencies were noted in respect of the applicant's husband, particularly discrepancies between the recorded place of residence and the wage statements; and

5. Whereas, the requisite documents of Sh. Shamsheer Chand were again forwarded to the Finance Department for further consideration, vide this Department's O.M. dated 22.04.2019, unfortunately he died in harness on 13.03.2023; and

6. Whereas, the case remained pending due to the issuance of Notification S.O. 514 dated 06.10.2023, whereby SRO-64 and SRO-520 were withdrawn. However, in light of changed circumstances specifically the Administrative Council Decision No. 13/01/2024 dated 18.01.2024 and the subsequent issuance of S.O. 132 dated 27.02.2024 the operation of S.O. 514 has since been put under review; and

7. Whereas, the Government has issued G.O. No. 384-JK(GAD) of 2025 dated 19.03.2025, whereby a High-Level Committee has been constituted to examine the issue of regularization of Casual, Seasonal Labourers, and other such categories of workers in the Union Territory of Jammu & Kashmir. The case of the applicant's husband shall be considered along with other similar cases based on the recommendations and policy framework to be finalized by the said Committee; and
8. Whereas, the claims of the applicant pertaining to the release of arrears of salary and grant of family pension are intrinsically linked to the regularization of her deceased husband's services. In the absence of such regularization, these claims cannot be considered independently or sustained under the existing rules and policy framework; and
9. Whereas, the ratio laid down of the Judgments dated 03.02.2017 passed in SWP No. 1184/2007 as referred in the judgment dated 04.12.2023 passed by the Hon'ble Tribunal shall be duly considered once, the recommendations and policy framework is finalized by the Committee constituted by the Government vide G.O. No. 384-JK(GAD) of 2025 dated 19.03.2025.

Now, therefore, after due consideration of all relevant facts, the directions passed by the Hon'ble Central Administrative Tribunal dated 04.12.2023 in O.A. No. 768/2023 titled *Guddi Devi Vs UT of J&K & Others*, thorough examination of available records, it is observed that the claim of the applicant is not found legally sustainable at this stage. Accordingly, the claim of the applicant is hereby rejected as of now, subject to any future development arising from the recommendations of the High-Level Committee or any change in the applicable policy framework issued by the Government.


By order of the Government of Jammu and Kashmir.

Sd/-
(Shaleen Kabra), IAS
Financial Commissioner (ACS)
Jal Shakti Department

No: - JSD-LS02(2)/4/2024-Legal-JSD/CC: (751217) Dated: 05-06-2025

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
2. Chief Engineer, (PHE) Jal Shakti Department, Jammu for information and necessary action.
3. Ld. Government Advocate Hon'ble Central Administrative Tribunal, Jammu Bench for information and filing of compliance before the Hon'ble Court.
4. Private Secretary to the Financial Commissioner (ACS) Jal Shakti Department for information of the Financial Commissioner (ACS)
5. PA to Special Secretary to Government, Jal Shakti Department for information of Special Secretary.
6. Applicant.
7. Incharge website, Jal Shakti Department.
8. Monday Return file (w.2.s.c).
9. Government Order file


(Rehmatullah)
Under Secretary to the Government
Jal Shakti Department

