

Minutes of the first meeting of Empowered Committee (constituted vide Government Order No. 139-F of 2015 dated 19.8.2015) held in the office chambers of Commissioner / Secretary to the Government Finance Department on 8.9.2015 at 03:00 PM pertaining to cases of Animal & Sheep Husbandry Department.

Reference:-J&K DRW/WCEs(Regularization)Rules,1994 dated 24.03.1994.

Subject:-Creation of posts of Helpers for regularization of left over DRWs.

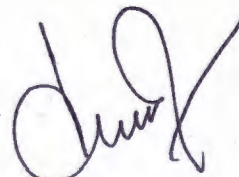
The following officers attended the meeting:-

- | | |
|---|------------------------------|
| 1. Commissioner/Secretary to the Government, Finance Department | Chairman Empowered Committee |
| 2. Director (Codes) | Member Secretary |
| 3. Director Finance, Animal & Sheep Husbandry Department. | Member |
| 4. Additional Secretary to Government, General Administration Department. | Member |
| 5. Additional Secretary to Government, Department of Law, Justice & Parliamentary Affairs Department. | Member |

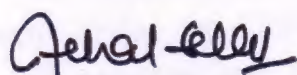
The proposal a subject matter of SWP No 2034/2006 received from Animal & Sheep Husbandry Department was discussed in the meeting. The department has sought guidance of the Finance Department in the matter for filing compliance report in the HHC. The department has lost all legal remedies and admits itself that the petitioners were engaged as Casual Labourers and as such are not eligible for regularization in terms of SRO 64/1994. However, the Apex Court in its judgement dated 19.03.2015, dismissed the review petition No. 656 of 2015 in SLP No. 9940 filed by the State with the following orders:-

"We have carefully gone through the review petition and the connected papers, but we see no reason to interference with the order impugned.

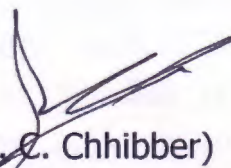
The Review Petition is, accordingly, dismissed."



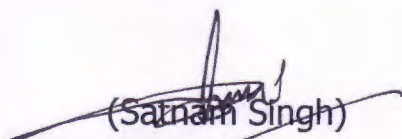
The committee is of the opinion that the cases in which relaxation under the provisions contained in SRO 64/1994 is involved shall not be referred to Empowered Committee, the mandate of the Empowered Committee being to implement the policy decision and not to make out a policy. The Department shall accordingly approach the Competent Authority for implementation of the court orders. Once it is done, the Department may approach Finance Department for creation of required number of posts for implementation of orders of Hon'ble Court which been stated to have assumed finality.



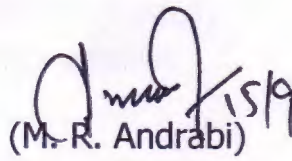
(Anchal Sethi)
Additional Secretary
Law, Justice & Parliamentary
Affairs Department
(Member)



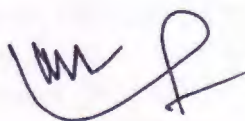
(S. C. Chhibber)
Additional Secretary
General administration
Department
(Member)



(Sahnain Singh)
Director Finance
Animal & Sheep Husbandry
Department
(Member)



(M. R. Andrabi)
Director Codes
(Member Secretary)



(Navin K. Choudhary)
Commissioner Secretary
Finance Department
(Chairman)