

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/885/2021

This the 12th day of May, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)



1. Mushtaq Ahmad Wani, Aged 29 years, S/o Gh. Mohammad Wani, R/o Saloosa, Tehsil, Kreeri. Presently at Drangbal, Tehsil District, Baramulla.
2. Zahoor Ahmad Lone, Aged 28 years, S/o Gh. Mohd Lone, R/o Muqam, District Baramulla.
3. Ab Majid Khan, Aged 30 years, S/o Ab Gani Khan, R/o Gulistan, District Baramulla.
4. Sulaiman Khan, Aged 31 years, S/o peer Maqbool, R/o Ballbal District, baramulla.
5. Hakeem Din Gojar, Aged 30 years, S/o Fakeer Mohammad, R/o Kalsan, District Baramulla.
6. Nazir Husain Shah, Aged 29 years, S/o Jaffar Shah, R/o Lachipora, District Baramulla.
7. Ab. Rehman Lone, Aged 30 years, S/o Gh. Rasool R/o Lachipora District Baramulla.
8. Tasleem Arif, Aged, 29 years, S/o Mohd Aslam Khan, R/o Lachipora, District Baramulla.
9. Mushtaq Ahmad, Aged 29 years, S/o Gh. Ahmad, R/o Baramulla, District Baramulla.
10. Mohd Shafi Bajad, Aged 30 years, S/o Noor Din Bajad, R/o Baramulla, District Baramulla.
11. Gh. Mohd Sheikh, Aged 30 years, S/o Gull Sheikh, R/o Salasan District Baramulla.



12. Khazir Mohd Malik, Age 31 years, S/o Gh. Mohd Malik, R/o Kanzriya Trikanjan Salasan, District Baramulla.
13. Reyaz Ahmad Kumar, Aged 29 years, S/o Amanullah Kumar, R/o Namblan District Baramulla.
14. Syed Unees Ahmad Geelani, Aged 29 years, S/o Syed Mohi-ud-Din Geelani, R/o Batangi, District Baramulla.
15. Ab. Majid Sheikh, Aged 30 years, S/o Mohd Ramzan Sheikh, R/o Bhijthala, District Baramulla.
16. Mohd Aslam Sheikh, Aged 30 years, S/o Ab. Gani Sheikh, R/o Bhujthala, District Baramulla.
17. Rukhsar Khan, Aged 29 years, S/o Mohd Aslam Khan, R/o isham Chakra, District Baramulla.
18. Bashir Ahmad, Aged 30 years, S/o Ab. Rehman, R/o Baramulla District Baramulla.
19. Irshad Ahmad Ahanger, Aged 29 years, S/o Farooq Ahmad Ahanger, R/o Wahipora, Tangmarg, District Baramulla.
20. Showkat Ahmad Gojri, Aged 28 years, S/o Late Sonallah, R/o Baramulla District, Baramulla.
21. Gurmeet Singh Bali, Aged 30 years, S/o Jitender Singh Bali, R/o Baramulla, District Baramulla.
22. Zahoor Ahmad Aged 29 years, S/o Mohd Yousuf War, R/o Dachipora, District Baramulla.
23. Umar Abdullah, Aged 29 years, S/o Mohd Abdullah Tantray, R/o Patoosa, District Baramulla.
25. Rasool Mir, Aged 30 years, S/o Javid Ahmad Mir, R/o Warpora District, Baramulla.
26. Ab. Rashid Khan, Aged 30 years, S/o Mutwali Khan, R/o Khudmol District Baramulla.
27. Nazir Ahmad Khan, Aged 29 years, S/o Ab Majid Khan, R/o Khutro, Naribal, District Baramulla.



28. Mohd Shafi Mir, Aged 29 years, S/o Inayat Mir, R/o Khutroo, District, Baramulla.
29. Nazir Ahmad Wani, Aged 30 years, S/o Ab. Karim Wani, R/o Valhatra Bla, District Baramulla.
30. Mohd Ramzan Ahanger, Aged 30 years, S/o Ab. Gaffar Ahanger, R/o Shalkote, District Baramulla.
31. Sajad Ahmad Aged 28 years, S/o Mohd Shafi Ahanger, R/o Pattan, District Baramulla.
32. Ab. Rashid Mir, Aged 30 years, S/o Ahad Mir, R/o Khamoh, District Baramulla.
33. Liyaqat Ali Khan, Aged 30 years, S/o Qamar Ali Khan, R/o Khamoh District Baramulla.
34. Javid Ahmad, Aged 29 years, S/o Sharif Din, R/o Brahman District, Baramulla.
35. Manzoor Ahmad Khan, Aged 30 years, S/o Maqbool Khan, R/o Brehman, District Baramulla.

.....Applicants

(Advocate:- Mr. Gulzar Ahmad Bhat)

Versus

1. State of Jammu and Kashmir through Commissioner Secretary to Govt. Finance Department, Civil Secretariat, Srinagr/Jammu.
2. Commissioner Secretary to Govt. Forest Department, Civil Secretariat, Srinagar/Jammu.
3. Principal Chief Conservator of Forests, Srinagar/Jammu
4. Chief Conservator of Forests, Central, Kashmir Srinagar.
5. Conservator of Forests Kashmir North Circle Sopore.
6. Divisional Forest Officer, Jhelum Forest Division, Baramulla.

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G.)

ORDER**ORAL****(Delivered by Hon'ble Mr. Anand Mathur, Member-A)**

The applicants were engaged in the Forest Department as Casual Labourers on need basis in different projects of the Department. A communication dated 28.01.2012 regarding recommendation of 6th Central Pay Commission in favour of the employees and implementation of decision arrived at after consultation between the JCC and the Cabinet Subcommittee was issued. It has been stated that that the person who is holding the post of Divisional Forest Officer, Baramullah is not sending the names of the applicants to the concerned authorities for regularization in pursuance to policy adopted by the Government for regularization of their services. The said DFO has sent eight lists of casual labourers to the higher authorities for regularization but has not sent the list of applicants. The applicants have approached and made application before the concerned authorities and one communication dated 28.10.2017 has been issued by the Administrative Officer whereby Conservator of Forests, Kashmir was requested for immediate action and disposal, but till date no action has been taken. The applicants also approached the Hon'ble Chief Minister of State and the concerned Minister of the Department for redressal of their grievance, however, no positive action was taken. Thereafter a circular dated 15.06.2017 was issued by the respondents for Aadhar based biometric identification and skill profiling of CSLWs by different department. The applicants approached the respondents requesting them to place their names on the website but that has also not been done.

2. We have heard Mr. Gulzar Ahmad Bhat, learned counsel for the applicant and Mr. Amit Gupta, learned D.A.G. for the respondents and perused the records.



3. The applicants herein are aggrieved of the action of the respondents of not uploading their information on website and of not sending their names to the higher authorities for regularization in pursuance to Government Policy dated 30.06.2017.

4. We are of the view that the O.A. can be disposed of by directing the respondents to consider the prayer of the applicant for sending their names for regularization. Accordingly, the O.A. is disposed of with direction to the respondents to consider the prayer of the applicants of uploading their names and information in pursuance to Circular No. 02-F of 2017 dated 15.06.2017 and also in pursuance to Circular No. 04-F of 2017 dated 24.07.2017. The respondents are also directed to consider sending the information and names of the applicants to the concerned authority for regularization in pursuance to Circular No. 03-F of 2017 dated 30.06.2017 within a period of two months from the date of receipt of certified copy of this order.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Manish/Shashi/Arun