



Government of Jammu and Kashmir
Higher Education Department
Civil Secretariat, J&K.

Subject:- O.A No. /2024, titled Ghulam Geelani Mir & Ors Vs UT of J&K & Ors (Plumber-SRO 149).

Government Order No. 182 -JK (HE) of 2025
Dated: 15 .04.2025

Whereas, a petition was filed by 08 officials in case titled Ghulam Geelani Mir, Pardeep Kumar and Ors v/s State and ors,. All the petitioners have been appointed as Plumber, Mistry and Electrician vide various Government Orders. Two of them have been appointed in the year 2010, four in 2017, one each in 2018 and 2019 and have petitioned that they may be granted pay scale for skilled employees in terms of SRO 149 of 07.04.1973;

Whereas, the relief has been claimed under the SRO which stands replaced / revised by six such SROs viz., The J & K Civil Services (Revised Pay Rules) 1982, 1987, 1992, 1998, 2009 and now 2018. Presently, Government employees of J & K including the petitioners are governed by The Jammu and Kashmir Civil Services (Revised pay Rules) 2018 issued under SRO 193 Dated: 24.04.2018.

Whereas, Para 18 of the SRO 193 Dated: 24.04.2018 provides as under:

"Overriding effect of rules. - The provisions of the Jammu & Kashmir Civil Services Regulations, the Jammu & Kashmir Civil Services (Revised) Pay Rules, 1962, **the Jammu & Kashmir Civil Services (Revised) Pay Rules, 1973**, the Jammu & Kashmir Civil Services (Revised) Pay Rules, 1982, the Jammu & Kashmir Civil Services (Revised) Pay Rules 1987, the Jammu & Kashmir Civil Services (Revised) Pay Rules 1992, the Jammu & Kashmir Civil Services (Revised) Pay Rules 1998 and the Jammu & Kashmir Civil Services (Revised) Pay Rules, 2009 shall not, save as otherwise provided in these rules, apply to cases where pay is regulated under these rules, to the extent they are inconsistent with these rules."

Whereas, the services of Non-Gazetted establishment of the Higher Education Department including petitioners are governed by The J & K Higher

Education (Subordinate Service) Rules 2009 issued under SRO 64 Dated:16.03.2009 whereunder recruitment, pay scale, promotional avenues etc have been provided. All the petitioners who have been appointed in the year 2010 and after are appointed under these Rules.

Whereas, the petitioners had applied against the posts / pay scales given in the advertisements at that time in terms of these recruitment rules viz SRO 64 Dated:16.03.2009 without any conditions and seeking any changes which are not provided in the Recruitment Rules cannot be invoked afterwards. Pertinent to mention all the petitioners as per the orders attached with the petition are appointees of year 2017 onwards.

Now, therefore in light of above, pursuant to Order dated 19th September 2024 in case O. A. No.603/2024, issued by Hon'ble CAT, Bench, Srinagar, the case of petitioners has been examined in the Department and the claim made by the Petitioners has been found untenable and thus rejected.

By Order of the Government of Jammu and Kashmir.

Sd/-
(Shantmanu) IAS
Financial Commissioner (Additional Chief Secretary)

No. HED-LEG/151/2024-04(7574745)

Dated: 15.04.2025

Copy to the :-

1. Director, Archives, Archeology and Museums, J&K.
2. Director Colleges, J&K.
3. OSD to Hon'ble Minister, Higher Education Department.
4. PS to Financial Commissioner (Additional Chief Secretary) Higher Education Department.
5. Concerned for information.
6. Incharge Website, HED.
7. Government order file (w.2.s.c).

15-04-2025
Deputy Secretary to the Government
Higher Education Department