

GOVERNMENT OF JAMMU AND KASHMIR  
HOME DEPARTMENT  
Civil Secretariat, Jammu

Sub:- O.A No. 61/985/2020 Lt. Col. Nasib Singh (Retired) Versus  
Union Territory and Ors.

Government Order No. Home- 248 of 2020  
Dated: 30 -12-2020

Whereas, Lt. Col. Nasib Singh (Retired) S/O Shri Gandharb Singh R/o Village Dhar Dharochan, P.O. Seri Panditan, Tehsil Bhalwal District Jammu was appointed as Zila Sainik Welfare Officer, Poonch for a period of 03 years on contractual basis, vide Government Order No 1807-Home of 2017 dated 18.12.2017, in terms of the provisions of Jammu and Kashmir Rajya-Cum-Zila Sainik Board (Gazetted) Service Recruitment Rules, 1971; and

Whereas, the appointment of Lt. Col. Nasib Singh (Retired) was governed by the terms & conditions of the contract signed by the parties for 03 years w.e.f 28-12-2017 to 27-12-2020 and the terms and conditions of the contract are binding on both the parties; and

Whereas, the Jammu and Kashmir Rajya-Cum-Zila Sainik Board (Gazetted) Service Recruitment Rules, 1971 have been repealed and replaced by the Jammu and Kashmir Sainik Welfare (Gazetted) Service Recruitment Rules, 2019, notified vide SRO-75 of 2019 dated 22-01-2019; and

Whereas, the above named Officer preferred an application, OA 61/985/2020 titled Lt.Col. Nasib Singh (retired) S/o Gandharb Singh V/s UT of J&K and Anr. before the Central Administrative Tribunal, Jammu Bench, Jammu praying therein for extension of his service; and

Whereas, the Central Administrative Tribunal, Jammu Bench, Jammu has been pleased to pass an order dated 06-11-2020, directing the respondents/competent authority to consider and decide the representation of the applicant dated 28-09-2020 by passing a reasoned and speaking order in accordance with rules within a period of two weeks from the date of receipt of a certified copy of the order with intimation to the applicant; and

Whereas, the representation of the applicant dated 28-09-2020 has been considered, wherein applicant has prayed for extension of his service till the age of superannuation; and

Whereas, in terms of clause (d) of Rule (6) of the Jammu and Kashmir Sainik Welfare (Gazetted) Service Recruitment Rules, 2019, the

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age of retirement for Zila Sainik Welfare Officers in Sainik Welfare Department is 60 years; and

Whereas, as per the service documents of Lt. Col. Nasib Singh (Retired), his date of birth is 28.03.1960 and therefore, he having already crossed the age of 60 years is not eligible to continue or get any extension.

Now, therefore, in view of extant Rules, the term & conditions of the contract signed by the officer and in compliance of order dated 06-11-2020 of the Central Administrative Tribunal, the prayer of the applicant for extension of his services having been considered, is found without any merit. hence rejected.

**By Order of the Government of Jammu and Kashmir.**

**Sd/-**


**(Shaleen Kabra) IAS**  
Principal Secretary to Government

No. Home-SW/21/2020

Dated: 30.12.2020

Copy to the:-

1. Director Sainik Welfare Department, J&K Jammu. He shall ensure that the charge of the post is assigned to a suitable officer while fresh appointment is made.
2. Advocate Mr. Sudesh Magotra, DAG, Central Administrative Tribunal, Jammu Bench, Jammu.
3. Lt Colonel (Retd) Nasib Singh, Zila Sainik Welfare Officer, Poonch.
- ✓ 4. I/C Website, Home Department.
5. Government order/Stock file.

  
30-12-2020

**(Gurpreet Singh) KAS**  
Deputy Secretary to the Government