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**Government of Jammu and Kashmir,
Directorate of Agriculture, Kashmir.**

**Subject: Regularization of left over Daily Rated Workers of
Agriculture Production Department.**

Reference: Government Order No: 23-Agri of 2019, dated: 23.01.2019.

Agriculture Order No: 38 /Estt of 2019.

D A T E D : 24 / 01 / 2019.

Whereas, Administrative Department vide Govt. Order No: 165-Agri of 2013, dated: 13.05.2013 constituted a committee of following officers wherein Sh. M. S. Katto the then I/C Director Law Enforcement, Srinagar was appointed as Convener of the committee to ascertain the genuineness of the drop out DRWs of Agriculture Department who were claiming to have been engaged before the ban period imposed by the govt. viz: 31.03.1994.

1. Mr. S.R. Galotra I/C Mushroom Coordinator.
2. Mr. A.R. Samoon I/C Dy. Director (Central)
3. Mr. Sajad Ahmad Shah I/C CAO Ganderbal`

Whereas, the constituted committee submitted its 1st report where under (121) Daily Rated Workers were identified for regularization. But the said report was **submitted directly to the Administrative Department by the committee without the knowledge of this Directorate.**

Whereas, Administrative Department forwarded the said list of Daily Rated Workers to this Directorate and sought the detailed information in respect of these (121) Daily Rated Workers through medium of various communications which are on records to substantiate the findings of the constituted committee viz: Initial engagement orders, wages drawal statement, Continuity Certificates, history sheets etc. and accordingly this office sought required information from the concerned Controlling Officers/ Drawing and Disbursing Officers for submission to the Agriculture Production Department.

Whereas, the concerned Controlling Officers/ Drawing and Disbursing Officers submitted the requisite information as sought by the Agriculture Production Department which was forwarded to the Agriculture Production Department vide No: **Agri/Estt/NG/2014-15/2249, dated: 01.08.2014** as it was received by this office.

Whereas, 3rd Empowered Committee meeting was held on **05.02.2016**, and accordingly the Administrative department vide their No: Agri/NG/DRW/7/2015-I,

dated: 28.03.2016 forwarded a copy of said minutes wherein various deficiencies were reported

and accordingly the information as sought by Agriculture Production Department was sought from the concerned Drawing and Disbursing Officers/ Controlling Officers.

Whereas, the concerned Drawing and Disbursing Officers/ Controlling Officers provided required information to this Directorate which was again forwarded to the Administrative Department vide letter No: Agri/Estt/NG/2016-17/3193, dated: **13.02.2017**.

Whereas, Administrative Department vide Government Order No: 06-Agri of 2018, dated: 04.01.2018, issued under endorsement No: Agri/ NG/ DRW/ 07/ 2015-I, dated: 04.01.2018, accorded sanction to the creation of (34) temporary posts of helpers in the pay scale of 2550-3200 (PR) for regularization of (34) left over Daily Rated Workers out of these (121) Daily Rated Workers.

Whereas, the said Government Order No. 06-Agri of 2018 dated 04.01.2018 was endorsed among the concerned Controlling/Drawing & Disbursing Officers of this Directorate vide Agri. Order No. 81/Estt of 2018 dated 24.03.2018 for its implementation subject to fulfillment of all required formalities as required in terms of SRO-64 of 1994 for regularization of DRW's.

Whereas, In light of the above, Administrative Department vide Government Order No: 23-Agri of 2019, dated: 23.01.2019, issued under endorsement No: Agri/ NG/ DRW/ 07/ 2015-II, dated: 23.01.2019, accorded sanction to the creation of (40) temporary posts of Helpers in the pay scale of 2550-3200 (PR) for regularization of (40) left over Daily Rated Workers out of these (121) Daily Rated Workers.

Whereas, as per Govt. Order No: 23-Agri of 2019, dated: 23.01.2019, Director Agriculture Kashmir has been empowered to issue regularization orders of (40) Daily Rated Workers subject to the fulfillment of following terms and conditions:

- a) That he/she is a permanent resident of the State of Jammu and Kashmir.
- b) That on the date of his/ her initial appointment, his age was within the minimum and maximum age limit as prescribed for appointment in Govt. service.
- c) That he/ she is not retiree from any State or Central Govt. service or any local body, public sector undertakings or autonomous body in or outside the state.
- d) That the Department shall verify records/MRs of first ten month of the incumbents to establish genuineness of the claim.
- e) That the genuineness of engagement order is certified by the HoD concerned.
- f) That the department shall get breaks, if any, other than those certified and verified by the department to be due to non-availability of budget, condoned from the Competent Authority and the breaks subsequent to the date of regularization, if any, shall be seen and verified by the department and no arrears of salary shall be drawn for the period wages have not been paid.
- g) That his/her work and conduct has remained satisfactory during the period he/she worked as Daily Rated Workers and no disciplinary proceedings are pending against him/ her.

- h) That he/ she has continuously worked in the department prior to 31.03.1994 till date and fully qualify as per SRO-64/1994.
- i) That no departmental enquiry or criminal proceedings are pending against the incumbent and nothing adverse is reported against his/ her character and antecedents from the concerned agencies.
- j) That the incumbent fulfills all the terms and conditions as laid down in SRO-64 of 1994 and record note of empowerment committee in Finance Department held on 13.09.2017 endorsed vide No: A/54(2015)-167, dated: 15.11.2017.
- k) That the Director Agriculture, Kashmir shall ensure that eligibility criteria for regularization as per SRO-64 of 1994 is strictly adhered to and complete original record and bio-data is verified in respect of DRW's.
- l) That the posts so created shall not be utilized except for the purpose for which it has been created;
- m) That the posts so created shall cease to exist as and when the existing incumbent vacate the post by way of termination/retirement/death/resignation/placement against a substantive posts/promotion. The Budget provisions under the wage component shall be correspondingly reduced in the current years's Budget of the directorate;
- n) That the utilization certificate of the posts approved shall be made available to the administrative department within one month from the date of issue of this order;
- o) That any case involving relaxation in age/qualification bar should be established by the Director Agriculture Kashmir and referred to the competent authority through administrative department for further necessary action.
- p) That in case of death of the incumbent(s), the post shall cease from the date following the date of death;
- q) That the arrears from the date of regularization to the date of issue of regularization order shall be paid in five (0-5) equal annual instalments after projecting the same under Annual Budget Estimates of the Department;
- r) That the authenticity of all the certificates shall be established from the concerned department/organization and in case, if any of the certificates is found false or forged the appointment by regularization shall be cancelled ab-initio.

Whereas, it was obligatory on part of this Directorate to ascertain the genuineness of the documents/ certificates viz: PRCs/ Date of Birth Certificates/ Qualification certificates/ Ist Engagements Orders/ Wage Drawal Statements/ Contingent/ Drawal registers/ Continuation Certificates etc. submitted to the APD and thereafter to the Finance Department before issuance of regularization orders in respect of these (40) Daily Rated Workers whose candidature has been approved by the govt. for regularization as Helpers vide Govt. Order No: 23-Agri of 2019, dated: 23.01.2019.

Since the basic records which lead to the regularization of these Daily Rated Workers as Helpers vide aforementioned Govt. Order are lying with the concerned Controlling/Drawing & Disbursing Officers and if, scrutinized at this level will lead to further delay to implement the said Govt. order, as such this office felt it necessary to leave it to the wisdom of Controlling Officers/ Drawing and Disbursing Officers who have been instrumental in building the basic records which lead to the regularization of Daily Rated Workers as Helpers vide aforementioned Govt. Order No. and date. Order. However the concerned DDOs/Controlling Officers will extend the benefit of regularization in

respect of the DRWs who have been regularized by virtue of Govt. Order No: 23-Agri of 2018, dated: 23.01.2019. Details of DRWs regularized as Helpers in the pay scale of Rs. 2550-3200 (PR) are as under:

S. No.	Name/Parentage/ Address of DRW S/Shri/Smt	Date of engagement	Due date of regularization
1	Mohd Latif Darzi S/o: Mohd Abdullah R/o: Bemina, Srinagar	11.08.1993	01.04.2005
2	Mohd Syed Lone S/o: GhQadir R/o: Barbarshah, Srinagar	14.12.1988	01.04.2005
3	MohdShafi Wana S/o: Abdul Salam Wana R/o: Haripora, Pulwama	05.06.1992	01.04.2004
4	Shiraz Ahmad Mir, S/o: AbRazak Mir R/o: Sofipora Pulwama	15.07.1992	01.04.2004
5	Showkat Ahmad Wani S/o: Gh. NabiWani R/o: Hirpora (Shopian)	15.07.1992	01.04.2004
6	Mohd Ashraf Wagay S/o: ShabanWagay R/o: Memander, Pulwama	04/91	01.04.2004
7	Fayaz Ahmad Malik S/o: MohdAkram Malik R/o: KhoribatPoral	01.07.1990	01.04.2004
8	Mohd Iqbal Mir S/o: Gul Mir R/o: Sedow	07/92	01.04.2004
9	Muzaffar Ahmad Bhat S/o: Abdul Gani Bhat, R/o: Okey, Kulgam	07/89	01.04.2004
10	Abdul Rashid Ganie, S/o: Gh. Nabi Ganie, R/o: Sirhama, Anantnag	25.05.1991	01.04.2004
11	Riyaz Ahmad Ganie, S/o: Abdullah Ganie, R/o: Ranipora, Anantnag	10.09.1992	01.04.2004
12	Gulzar Ahmad Rather, S/o: Ghulam Hassan, R/o: Shangas, Kulgam	DRW 05/92	01.04.2004 -do-
13	Gh. RasoolShiekh, S/o: AmmaShiekh, R/o: Skinderpora Anantnag	05/93	01.04.2005
14	Mohd Akbar Sheikh, S/o: MohdRamzan Sheikh, R/o: NajanBeerwah	06/91 DRW	01.04.2004
15	Mahmood Ahmad Lone, S/o: Gani Lone, R/o: Chuntpatri, Baramulla	09/93 DRW	01.04.2004
16	Riyaz Ahmad Sheikh, S/o: Ab. Salam Sheikh, R/o: Chuntpatri, Baramulla	08/93	01.04.2004
17	MohdRamzan Bhat, S/o: Amma Bhat, R/o: Badru Anantnag	05/93	01.04.2004
18	Mohd Ashraf Thoker, S/o: Habib Thoker, R/o: Wallarhama Anantnag	05/93	01.04.2004
19	Mohd Amin Chopan, S/o: Gh Hassan Chopan, R/o: Wallarhama Anantnag	05/93	01.04.2004
20	Dilawar Ahmad Paswal, S/o: Mohd Yousuf,	05/93	01.04.2004

	R/o: Sallar Anantnag		
21	Mushtaq Ahmad Shah, S/o: Qadir Shah, R/o: Wallarhama Anantnag	02/93	01.04.2004
22	Ab Gani Shah, S/o: Gh Ahmad Shah, R/o: Wallarhama Anantnag	04/93	01.04.2004
23	Bashir Ahmad Rather, S/o: GhQadir Rather, R/o: Wallarhama Anantnag	04/93	01.04.2004
24	Bashir Ahmad Bhat, S/o: Mohd Akbar Bhat, R/o: Tulhara Anantnag	02/93	01.04.2004
25	MohdYaseenChechee S/o: Mohd Yousuf, R/o: Sallar Anantnag	02/93	01.04.2004
26	Gh. Mohammad Lone, S/o: Habib Lone, R/o: Chuntpatri Anantnag	03/93	01.04.2004
27	Farooq Ahmad Sheikh, S/o: Gh. Ahmad Sheikh, R/o: Chuntpatri Anantnag	06/91	01.04.2004
28	Gh. Mohammad Ganie, S/o: Mohd Ismail Ganie, R/o: Aroo Anantnag	02/93	01.04.2004
29	Ab. Aziz Wani, S/o: Gh. MohdWani, R/o: Sofipora, Pulwama	06/90	01.04.2004
30	Abdul Karim Dar, S/o: Abdul Rahim Dar, R/o: Zanipora Shopian	04/93	01.04.2004 -
31	Mubarak Ahmad Dar, S/o: MohdRamzan Dar, R/o: Kuthpora, Pulwama	07/92	01.04.2004
32	Bashir Ahmad Teli, S/o: Mohd. Shaban, R/o: Noorbagh Pulwama	05/92	01.04.2004
33	Gh. Mohd, S/o: Mohd Ibrahim, R/o: Payeen, Kargil	01.04.1991	01.04.2006
34	Gh. Mohidin Dar, S/o: Gh. Qadir Dar, R/o: Beerwah Budgam	22.06.1992	01.04.2010
35	Shabir Ahmad Malik, S/o: Gh. Mohd Malik, R/o: Panzan Budgam	14.12.1991	01.04.2010
36	Bashir Ahmad Yattoo, S/o: Gh. MohidinYattoo, R/o: NagamChadoora	27.05.1992	01.04.2010
37	Syed Fayaz Ahmad, S/o: Syed Bahauddin, R/o: HarwanSopore	31.08.1990	01.04.2001
38	MohdShafi Dar, S/o: Gh. Mohiddun Dar, R/o: Kema Bandipora	07/92	01.04.2000
39	Mehraj-ud-din Wani, S/o: Gh. MohdWani, R/o: InderkootSumbal	16.07.1993	01.04.2003
40	Ab Aziz Tantray, S/o: Ab. AhadTantray, R/o: Achwoora Anantnag	05/90	01.04.1998

Now therefore, In light of the above, the said Govt. order is endorsed to the concerned Drawing and Disbursing Officers/ Controlling officers in order to ensure the compliance of the Govt.

The Order shall be subject to the following terms and conditions:

1. The concerned DDO/Controlling officer will verify the Qualification/ Date of Birth Certificates/ PRCs of the incumbents from the concerned issuing authorities.
2. The concerned DDO/Controlling officer will ascertain that the age of the incumbent on the date of initial engagement was within the minimum and maximum age limit as prescribed for appointment in Government Service.
3. The concerned DDO/Controlling officer will ensure that the incumbent is not retiree from any State or Central Government service or any Local Body, Public Sector Undertakings or Autonomous Body in or outside the State.
4. The concerned DDO/Controlling officer will ascertain that the work and conduct has remained satisfactory during the period of his service rendered as Daily Rated Worker and no disciplinary proceedings are pending against him.
The concerned DDO/Controlling officer will ensure that the incumbent has continuously worked in the department prior to 31.03.1994 till date without any break.
5. That no departmental inquiry or criminal proceedings are pending against the incumbent and nothing adverse has been report against the concerned by any agency.
6. The concerned DDO/Controlling officer will satisfy himself that the incumbent fulfills all the terms and conditions as laid down in SRO-64 of 1994.
7. The concerned DDO/Controlling officer will verify the initial engagement orders/ wage drawal statements of each DRW strictly as per the contingent/ drawal registers of the concerned office and shall ensure that all drawls made in respect of these Daily Rated Workers has conformity with the basic records maintained by the department as well as by the treasuries concerned.
8. The concerned Controlling officers viz: Jt. Director (Extension)/ Chief Agriculture Budgam/Anantnag/Kargil/Agrostologist/Assistant Agrostologist will extend the benefit of regularization in favour of the eligible Daily Rated Worker from the respective dates strictly after fulfillment of above terms and conditions and the conditions as laid down in the Govt. Order No: 23-Agri of 2019, dated: 23.01.2019.
9. Subsequently sanction is hereby accorded for allotment of (40) posts of Helpers carrying the pay scale of 2550-3200 (PR) in favour of the concerned Controlling Officers/ DDOs, created vide Govt. Order No: 23-Agri of 2019, dated: 23.01.2018 for regularization of Daily Rated Workers.

S.No.	Name of the Controlling Officers/ DDO	No. of posts allotted
01.	Jt. Director Agriculture (Extension) Kmr.	One (01)
02.	Chief Agriculture Officer, Budgam	Six (03)
03.	Chief Agriculture Officer, Anantnag	One (01)
04.	Chief Agriculture Officer, Kargil	One (01)
05.	Chief Agriculture Officer Baramulla	One (01)
06.	Agrostologist, Srinagar	One (01)
07.	Chief Agriculture Officer Bandipora	Two (02)
08.	Assistant Agrostologist Srinagar	Thirty (30)
	Total	Forty (40)

10. The Concerned Controlling Officers shall allow **above named regularized Daily Rated Workers to join against newly created posts of helpers only after satisfying themselves that all basic records required for regularization under SRO-64 of 1994** corroborate with terms and conditions as laid down in Govt. Order No: 23-Agri of 2019, dated: 23.01.2019 and should have relevance with material and documentary records being maintained in your office and any deceit in the matter shall be the personal responsibility of the concerned DDO and this office shall not own any responsibility in this regard. Therefore defaulting Controlling Officers/ Drawing and Disbursing Officers also shall be dealt under the provisions of Civil Services Regulation/ Classification Control and Appeal Rules governing the deceit in Public Administration Systems wherein every Officer/ Official is required to maintain absolute honesty, integrity and diligence while disposing off matters of public interest.

However, the instant order as and when desired by any investigating agency viz: VOK, Crime Branch or any credible investigating institution who are desirous to hold an enquiry/ investigation in respect of regularization of these (40) Daily Rated Workers regularized vide Govt. Order No: 23-Agri of 2019, dated: 23.01.2019 and if any, discrepancy/ default is reported during the process of regularization of (40) Daily Rated Workers at any point of time, the regularization order shall cease to have any effect as being issued by this office which otherwise is endorsed in compliance to the Govt. Order issued under No: 23-Agri of 2019, dated: 23.01.2019. This office shall not own any discrepancy which leads to the regularization of Daily Rated Workers as Helpers which has been recommended to Govt. purely on your recommendations. **The regularization of such Daily Rated Worker under these circumstances as mentioned above shall be deemed to have been cancelled ab-initio and the defaulting Officers orchestrating the fraud/ default in manipulating records shall be liable for criminal action as envisaged under rules.**

Sd/-
(Altaf Aijaz Andrabi)
Director Agriculture
Kashmir.

No: Agri/Estt/NG/2018-19/4580-88

Dated: 24 /01/2019.

Copy to the:

- Commissioner/ Secretary to Govt. Agriculture Production Department for favour of information.
- Joint Director Agriculture (Extension), Lalmandi, Srinagar for information and necessary action.
- Chief Agriculture Officer, Budgam, Anantnag/Baramulla/Bandipora/Kargil for of inf. and n/ action.
- Agrostologist, Lalmandi Srinagar for information and necessary action.
- Assistant Agrostologist, Srinagar for information and necessary action.
- Agriculture Order file for records.

S/d-
Dy. Director Agriculture
(Central), Kashmir.