



Government of Jammu and Kashmir
Health & Medical Education Department
Civil Secretariat, Srinagar/Jammu

Subject:- OA No.61/397/2022 titled Parvez Ahmad Vs The UT of J&K & Ors consideration Order thereof.

Government Order No. 543 -JK(HME) of 2022

Dated: 26.07.2022

WHEREAS, the commissioner of Food and Drugs Administration, J&K vide Order No.41-FDA of 2022 dated 23.04.2022 among others transferred Sh. Parvaiz Ahmad, Food Safety Officer from Zone-IV MLJ to Udhampur Head Quarter with additional Charge of block Ghordi Ramnagar Basantgarh;

AND WHEREAS, Sh. Parvaiz Ahmad, Food Safety Officer challenged his posting to Udhampur before the Hon'ble Central Administrative Tribunal, Jammu Bench, Jammu by way of OA No.61/397/2022 and prayed for its quashment;

AND WHEREAS, the Hon'ble Central Administrative Tribunal Jammu Bench, Jammu disposed of the aforesaid application on 27.04.2022, with following direction,

"5. On consideration of the above submissions, this O.A is disposed of at admission stage without expressing any opinion on merits of the case directing the respondent No. 1 to consider a copy of this O.A as representation of the applicant as per provisions of relevant rules applicable to transfers and posting of the Food safety Officers and decide it with a reasoned and speaking order within one week from the date of receipt of a copy of this order and thereafter within three days to communicate it to the applicant. The applicant may be allowed to continue on his present post till his representation is decided, if not already relieved No. Costs."

AND WHEREAS, the Commissioner, Food and Drugs Administration, J&K vide its letter dated 21.06.2022, inter-alia intimated that Shri. Parvaiz Ahmad Food Safety Officer was posted in zone IV Municipal limits Jammu vide order No.04-CFS of 2018 dated 24.04.2018, and subsequently he was transferred to Udhampur Head quarter, Having mature

stay at his present place of posting. It was also informed by the Commissioner Food and Drugs Administrations, J&K, Srinagar informed that transfer effected vide Order No. 41-FDA of 2022 dated 23.04.2022 was strictly issued as per the transfer policy framed by the Government, hence there seems no justification in challenging the transfer order as the officer had matured stay of 04 years at his previous place of posting. Besides, the petitioner has joined the new place of posting on 07.05.2022 because of the fact that all the transferees were deemed to have been relieved from present place of postings.

Now therefore, in view of the above enumerated facts the case was examined in the department and was found devoid of merits, hence rejected accordingly.

By order of the Government of Jammu and Kashmir.

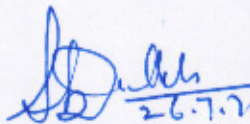
Sd/
(Manoj Kumar Dwivedi)IAS,
Principal Secretary to the Government,
Health and Medical Education Department.

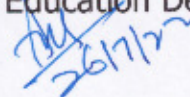
No:- HD-Legal/173/2022-02/201

Dated: 26 .07.2022

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary (J&K), Ministry of Home Affairs, (J&K) Government of India, New Delhi.
3. Director, Archives, Archeology & Museums, J&K.
4. Commissioner Food and Drugs Administration, J&K.
5. OSD to Advisor (B) to the Lieutenant Governor, (In charge, Health and Medical Education).
6. Additional Secretary Legal (H&ME) Department.
7. Private Secretary to Principal Secretary to the Government, Health and Medical Education Department.
8. Mr. Parvaiz Ahmad, food Safety Officer.
9. Monday return (w.2.s.c)
10. Government order file. (**HD-Legal/173/2022-02/201**).
11. Incharge website.


(Mohammad Abdullah)
Under Secretary to the Government
Health & Medical Education Department


26/7/22