

GOVERNMENT OF JAMMU AND KASHMIR
HEALTH & MEDICAL EDUCATION DEPARTMENT
HUMAN RESOURCE MANAGEMENT BRANCH
Civil Secretariat, J&K

Subject: Revised Seniority list of Assistant Drug Controller/Assistant Drug Analyst of Jammu and Kashmir Drugs & Food Control Organization as it stood on 31.03.2014.

Government Order No. 108 - JK(HME) of 2022
Dated: 02-03.2022

Whereas, on the recommendations of J&K PSC vide letter No. PSC/DR/3/Asstt Drug Controller/2R dated 21.10.2002, Mrs. Lotika Khajuria & Sh. Nazir Ahmad Wani were appointed as Assistant Drug Controller/Assistant Drug Analyst under Direct Recruitment Quota vide Government order No. 260-HME of 2003 dated 20.03.2003;

Whereas, against the promotion quota meant for Senior Scientific Officers & Senior Drug Inspector/Instrument Technicians, following five Senior Drug Inspectors were regularized/promoted as Assistant Controller Drugs/Assistant Drug Analyst vide Govt. order No. 265-HME of 2008 dated 25.03.2008, on the recommendations of J&K PSC conveyed vide letter No. PSC/DPC/Drugs/94/23 dated 28.12.2006:

<i>S.No</i>	<i>Name of the Officer</i>	<i>Date of promotion</i>
1	Ashok Kumar	Notionally w.e.f. 26.02.1997 & regular from 01.01.2002
2	Satish Gupta	Notionally w.e.f. 29.11.1999 & regular w.e.f. 01.01.2002
3	Irfana Ahmad	w.e.f. 30.06.2002 on regular basis
4	Rifat Arifa	w.e.f. 09.12.2003 on regular basis
5	Purnima kabu	Notionally w.e.f. 01.07.2004 & regular w.e.f. 30.03.2005

Whereas, aggrieved by Government order No. 265-HME of 2008 dated 25.03.2008, Mrs. Lotika Khajuria, Assistant Drug Controller filed a writ petition before the Hon'ble Court in SWP No. 2020/2012 titled Mrs. Lotika Khajuria Vs State & Ors wherein she challenged the regularization of services of Mrs. Irfana Ahmad as Assistant Drug Controller/Assistant Drug Analyst w.e.f. 30.06.2002;

Whereas, vide Circular issued under endorsement No. HME/HRM/06/2014 dated 22.04.2014, a final seniority list of Assistant Drug Controller/Assistant Drug Analyst was notified as it stood on 31.03.2014, wherein Mrs. Irfana Ahmad, Assistant Controller Drug/Assistant Drug Analyst is shown at Serial No. 02 & Mrs. Lotika Khajuria, Assistant Drug Controller at Serial No. 03;



Whereas, Mrs. Lotika Khajuria challenged the final seniority list of Assistant Drug Controller/Assistant Drug Analyst notified under endorsement No. HME/HRM/06/2014 dated 22.04.2014 through the medium of writ petition No. SWP No. 1054/2014 titled Mrs. Lotika Khajuria Vs State & Ors;

Whereas, the Hon'ble High Court vide order dated 25.09.2018 in clubbed SWP No. 2220/2012, SWP No. 1054/2014, IA Nos. 3/2017, 1/2018,1/2016,1/2017,3398/2012 & 907/2014 titled Lotika Khajuria Vs State of J&K and Ors quashed the seniority list of Assistant Controller Drugs/Assistant Drug Analyst notified vide circular under endorsement No. HME/HRM/06/2014 dated 22.04.2014. The operative part of the order is as under:

".. In view of what has been stated hereinabove, it is held that the benefit of retrospective regularization granted to respondent No. 3 by virtue of order dated: 25- 03-2008 was contrary to rules and legally impermissible and hence quashed. As a sequel to the above, the petitioner shall figure senior to the respondent No. 3 in the seniority list of Assistant Controller Drugs / Assistant Drug Analyst. The official respondents shall frame the seniority list accordingly. The seniority list impugned in SWP No. 1054 / 14/ is consequently quashed."

Whereas, the method of recruitment prescribed for appointment/promotion to the post of Assistant Controller Drugs/ Assistant Drugs Analyst as per the Jammu & Kashmir Drugs and Food Control Organization (Gazetted) Service Recruitment Rules, 1997, which were notified vide SRO-56 dated 03.02.1997 is as follows:-

Name of the post	Grade	Minimum qualification for direct recruitment	Method of Recruitment
Assistant Controller Drugs/ Assistant Drugs Analyst	2125-3600 (Pre-revised) Level-8 (47600-151100) (Revised)	i) Post-graduate in Pharmacy or Pharmaceutical Chemistry or Medicine with specialization in Clinical Pharmacology or Microbiology from a University established in India by law. ii) Experience in the manufacture or testing of Drugs from an approved laboratory or enforcement of the provisions of the Drugs and Cosmetics Act, 1956 for a minimum period of five years.	i) 20% by direct recruitment. ii) 80% by promotion from amongst Senior Scientific Officers and Senior Drug Inspector/ Instrument Technicians of Drugs and Food (Subordinate) Service subject to fulfilment of statutory qualifications laid down in the Drugs and Cosmetics Rules, 1945 in following ratio:- i) Senior Scientific Officer 20% . ii) Senior Drug Inspector/ Instrument Technician 60% .

Whereas, to implement the judgment of the Hon'ble High Court dated 25.09.2008 passed in the SWP No. 2220/2012, SWP No. 1054/2014, IA Nos. 3/2017,




1/2018,1/2016,1/2017,3398/2012 & 907/2014, titled Lotika Khajuria Vs State of J&K and Ors, it has been decided to revise the seniority list of Assistant Drug Controller/Assistant Drug Analyst notified vide circular under endorsement No. HME/HRM/06/2014 dated 22.04.2014 on the basis of available records;

Now, therefore, Revised Seniority list as on 31.03.2014 of Assistant Drug Controller/Assistant Drug Analyst of Jammu and Kashmir Drugs and Food Control Organization, given at Annexure "A" to this order, is issued for information of all concerned.

By Order of the Government of Jammu and Kashmir.


Sd/-
(Vivek Bharadwaj)IAS
Additional Chief Secretary
Health and Medical Education Department

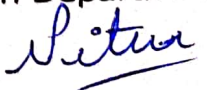
No. HME-HRM/19/2022-02

Dated: 02.03.2022

Copy to the:-


1. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Director, Archives, Archaeology & Museums, J&K, Jammu.
4. Commissioner, Food & Drug Administration, J&K.
5. Secretary, J&K Public Service Commission.
6. OSD to the Advisor (B) to Hon'ble Lieutenant Governor, J&K.
7. State Drug Controller, J&K
8. Concerned officers.
9. Private Secretary to the Additional Chief Secretary, Health & Medical Education Department.
10. Government Order file/Stock file/Website H&ME/Monday Return file.


(Sanjeev Sharma) JKAS
Deputy Secretary to the Government
Health & Medical Education Department



Annexure "A" to Government order No. 108-JK(HME) of 2022 Dated: 02.03.2022

S.No.	Name of the Officers	Qualification	Date of birth	Date of substantive appointment as Assistant Drug Controller/Assistant Drug Analyst
1	Mr. Satish Gupta (retired)	B. Pharma	09.04.1956	29.11.1999
2	Smt. Lotika Khajuria	M. Pharma	01.10.1965	01.04.2003
3	Ms. Irfana Ahmad	B. Pharma	27.12.1964	09.12.2003


(Sanjeev Sharma) JKAS
Deputy Secretary to the Government
Health & Medical Education Department

