



**UNION TERRITORY OF JAMMU & KASHMIR
DIRECTORATE OF HEALTH SERVICES, JAMMU**

(Near MLA Hostel, Indira Chowk Jammu, J&K, Pin: 180001
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Subject:-O.A. No. 61/1357/2022 titled Kamlesh Devi Vs UT of J&K & Ors.

ORDER

Whereas, the Hon'ble Central Administrative Tribunal, Jammu Bench has disposed of the above titled Original Application, on 27-09-2022, with the judgment whose operative portion reads as under:-

"I have considered the submissions made by the Ld. Counsels for both the sides and perused the material on record. Without expressing any opinion on the merits of the case, the O.A. is disposed of at Admission Stage with direction to Respondent No. 2-Director Health Services, Jammu to consider and decide the pending representation of the applicant dated 12-08-2022, as per relevant rules, regulations and instructions on the subject, by passing a reasoned and speaking order within a period of five weeks from the date of receipt of a certified copy of this order. A copy of the speaking order shall be communicated to the applicant within one week thereafter."

Whereas, the applicant has contended in the O.A that she was appointed as Female Multipurpose Health Worker (FMPHW) in the year, 1984. Thereafter, the applicant was promoted as Lady Health Visitor by Director Health Services, Jammu vide Order dated 01-11-2002. The Director Health Services, Jammu directed all the CMOs under his control to submit service books alongwith other original documents of all LHVs for the purpose of DPC vide his order dated 09-08-2021. When the detail of the applicant was not sent in pursuance to aforementioned order dated 09-08-2021, she submitted a representation to the respondents. However, without paying any heed to her representation, the respondents issued order dated 20-08-2022 granting promotion to fifteen LHVs including private respondents Nos. 3 to 7 as Community Health Officers, who are juniors to the applicant, ignoring the case of the applicant for promotion, and;

Whereas, for better appreciation of the case, it will be significant to mention here that Health and Family Welfare are two separate departments having their own cadre management. The staff on the establishment of Health Department is being drawn their salary under Major Head-2210-Medical & Public Health (M&PH) and the staff on the establishment of

Family Welfare Department is being drawn their salary under Major Head-2211, and

Whereas, meeting of Department Promotion Committee for carrying out promotions of eligible staff on the establishment of Health Department, Jammu Division under Major Head 2210-Medical & Public Health was held on 01-08-2022 & 02-08-2022 and during this meeting promotion of various categories of posts of Health Department under Major Head-2210-Medical & Public Health was recommended which also included the category of Lady Health Visitor for promotion as Community Health Officer strictly as per seniority of Lady Health Visitors maintained in the Health Department, Jammu Division, and;

Whereas, the applicant, Smt. Kamlesh Devi does not figure in the seniority list of Lady Health Visitors of Health Department, Jammu Division under Major Head-2210 M&PH as she is on the establishment of Family Welfare Department under Major Head-2211 and her seniority is maintained there, which is a separate department and she can claim her promotion in her own department as per her eligibility and seniority.

Now, therefore, the representation of the applicant has been accorded consideration, in compliance to Hon'ble Central Administrative Tribunal's orders, and found devoid of merit, hence rejected.

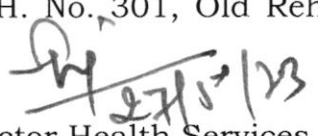
Sd/-
(Dr. Rajeev K. Sharma)
Director Health Services,
Jammu

No:-DHSJ/Legal/ 2689-91

Dated: - 27/05/2022

Copy to the:-

1. Director Family Welfare, MCH & Immunization, J&K, Nagrota, Jammu for information.
2. Private Secretary to Secretary to Government, Health and Medical Education Department, Civil Secretariat, Jammu/Srinagar for information of Secretary.
3. Smt. Kamlesh Devi W/O Satish Kumar R/O H. No. 301, Old Rehari, Jammu-180005 for information.


Dy. Director Health Services,
Jammu