



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

Subject: Regularization of Rehbar-e-Zirats-Phase-II & Phase-III with effect from 01-04-2015 and 01-04-2016

Reference: I-Government Order No: 235-Agri of 2011 dated 10-08-2011  
II-Government Order No: 378-Agri of 2013 dated 28-11-2013  
III-Minutes of the meeting circulated vide APDS No: Agri/Ng/ REZ/53/2002-V dated 17-05-2016.  
IV-APD's letter No: Agri/NG/REZ/53/2002-V dated 26-05-2016.  
V- Agriculture Order No: 67/Esstt of 2016 dated 26-03-2016

**Agriculture order No.110/Estt of 2016**

**Dated: 30/05/2016**

Whereas, Government formulated a regularization policy for Rehbar-e-Zirats as Village Agri. Extension Assistants (VAEAs) vide Government Order No: 235-Agri of 2011 dated: 10.08.2011 which envisaged that registered Rehbar-e-Zirats will get regularized in terms of cabinet decision No:139/ 18/2011 dated: 04.08.2011 read with Government Order No: 378-Agri of 2013 dated 28-11-2013.

Whereas, 2642 No. posts of Village Agriculture Extension Assistants in the Pay Band of Rs. 9300-34800+GP4200/ - were created vide Above referred order No & Date and regularization of Rehbar-e-Zirats was to be completed in three phases effective from 01.04.2014.

Whereas, Dr. Majid Ali Dar & Ors. Filed SWP No. 2468/13 in Hon'ble High Court challenging the eligibility criteria No.5 of Government Order No.235-Agri of 2011 dated 10-08-2011 and criteria No.2 of Government Order No.378-Agri of 2013 dated;28-11-2013.

Whereas, the Hon'ble High Court in the instant writ petition passed an order which reads as under:-

"Having read impugned Government Order No: 378-Agri of 2013 dated: 28.11.2013 in light of circular issued vide endorsement No: Agri/NG/53/2002-Genl dated:18.04.2007 the entire regularization process shall stay till next date before the bench".

Whereas, as against the single bench order dated: 31.12.2013 passed in the SWP No. 2468/13, an LPA was filed by Suhail Inamullah & Ors. Against the

above referred interim order, before the Division Bench of the Hon'ble High Court. The said LPA was disposed-off by the Division Bench alongwith all connected CMPs on 22.05.2014, operative part of the judgment is as under:-

**"Keeping in view the aforesaid position and the peculiar facts of the case, we request the learned court to take up the SWP No.2468/2013 and decide the same expeditiously preferably before the ensuring vacation as the pleadings are complete. The matter be shown high-up in the cause list. In the meanwhile, status quo with regard to the regularization of petitioners-respondents as well as Appalants, shall be maintained.**

Whereas, Hon'ble Court in the SWP No. 2468/13 titled Dr. Majid Ali Dar & Ors. v/s Stat in it challenged the eligibility criteria appearing at S. No. 5 of Government Order No.235-Agri of 2011 dated 10-08- 2011 and G O No: 378-Agri of 2013 dated 28-11- 2013 respectively along with other CMP , operative portion of which is as under;

"Viewed thus the writ petition is allowed and by a writ of certiorari No.05 of para 5 of the polcy for regularization of Rehbar-e-Zirats Agriculture Graduates, approved vide Government order No.235-Agri of 2011 dated:10<sup>th</sup> of August, 2015 and condition No. 2 in GO No: 378-Agri of 2013 dated:28-11-2013 quashed. Resultantly, respondent 1 & 2 shall proceed with regularization of RZ's in accordance with aforesaid Government orders, taking into account the period spent by the petitioners on higher studies/ while working on projects".

Whereas, an LPA No.33/2015 was filed titled Nisar Ahmad Denthoo & Ors. v/s Dr. Majid Ali and Ors before Division Bench High Court at Srinagar against the judgement dated 31.12.2014 passed in the matter of Dr. Majid Ali & Others in SWP No. 2468/13. The Hon'ble Division Bench was pleased to pass an order on 31-03-2015, operative part of which read as under :

**"Subject to objections and till next date before the Bench, the operation of the impugned Judgment shallstay and status-quo shall be maintained in respect of regularization of competing candidates".**

Whereas, approval was conveyed by Agriculture Production department vide their No: Agri/NG/53/2002-IV Dated:24.03.2016, to regularize eligible ReZs who are not linked to any court case pending before the Hon'ble High Courts and accordingly regularization order in favour of 269 ReZs was issued vide Agriculture Order No: 67/Esstt of 2016 dated 27-03-2016 with effect from 01-04-2015 though 441 ReZs were required to be regaulirzed in phase-II with effect from 01-04-2015 as per the law established and as per the quota and accordingly 173 posts of VAEA were kept reserved for the ReZs who were due for regarularization but their regaurlization was withheld due to being competing candidates in the LPA No: 33/2015.

Whereas, Nisar Ahmed Denthoo and others V/S Dr Majid Ali & others moved an application before the Division Bench seeking withdrawl of LPA No: 33/2015 which was allowed by the Division Bench on 06-04-2016 and accordingly Division Bench was pleased to to pass an order which reads as:

***"This application, seeking withdrawal of LPA 33/2015, is allowed. LPA 33/2015 is dismissed as withdrawn along with CMP 02/2016 and other connected IAs. Interim directions, if any, shall stand vacated.***

Whereas, the dismissal of the LPA No: 33/2015 from the Division Bench restored the single bench judgement passed in the matter of Dr MAjid Ali and Others V/S State and Others on 31-12-2014.

Whereas, the Government had filed sleeve of LPAs against the single bench judgement which were at the threshold of COD which has been dismissed by the Hon'ble Division Bench on 11-05-2016.

Whereas, the Government while framing the policy notified vide Government order No: 235-Agri of 2011 dated 10.08.2011 has been empowered the Government to relax under Rule 09 of the policy which reads as :

***Where the Government is satisfied that the operation, if any, of these rules has caused undue hardship in a particular case, it may by order for reason to be recorded in writing, dispense with or relax the requirement of that rule to such an extent and subject to such expectations and conditions as it may consider necessary for dealing with the case in a just and equitable manner. Provided that no such order that shall have financial implications, shall be made except with the previous concurrence of the finance Department.***

Whereas, in the backdrop of dismissal of CODs by Division Bench the Government convened a high level meeting on 16-05-2016 held under Hon'ble Agriculture Minister and the minutes of which were circulated vide No: Agri/Ng/ReZ/53/202-V dated 1705-2016. **The Commissioner/Secretary Law, Justice and Parliamentary affairs advised the filing of SLP against the judgement in the matter of Dr Majid Ali V/S State and others regarding the higher studies is devoid of merit and as COD has been dismissed by the Division Bench of the Hon'ble High Court vide order date 11-05-2016 as time barred.**

Whereas, the Government in the said meeting decided that the regularization process of ReZs will be governed by Government policy in vogue and in compliance to Hon'ble court judgement passed in the matter of Dr MAjid Ali in SWP No: 2468/2013 on 31-12-2013.

Whereas, the Government formally authorized respective Directors to regularize ReZs in Phase-II and III vide No: **Agri/Ng/ReZ/2002-V dated 26-05-2016.**

Now therefore, in compliance to the judgement passed in the matter of Dr Majid Ali and others V/S State and others in SWP No: 2468/2015 and regularization policy notified vide Government order No: **235-Agri of 2011 dated 10-08-2011,**

Sanction is hereby accorded to the regularization of 173 number of ReZs left out in Phase-II as found eligible as Village Agriculture Extension Assistant in the pay band of Rs. 9300-34800 +GP 4200 **with effect from 01-04.2015 shown in the annexure "A" to this order.**

Furthermore, the sanction is also accorded for the regularization of 123 ReZs as Village Agriculture Extension Assistant in Phase-III as found eligible in the pay band of Rs.9300-34800+GP 4200 **with effect from 01-04.2016 shown in annexure "B" to this order.**

**However, if any of the ReZ regularized in this order have been found not in conformity with the policy of regularization in vogue, the regularization of such candidate (s) shall be deemed to have been terminated *abinitio*.**

The regularization of four ReZs with-held by the Joint Director Agriculture Extension Kashmir vide his No: JDAE/Esstt/2016-17/ReZs/177-81 dated 27-04-2016 is also withdrawn subject to their eligibility.

Further, the regularization of REZs as VAEAs shall be subject to following terms and conditions.

1. Physical verification of ReZs by the Chief Agriculture Officer/Concerned DDOs with regard to the actual date of engagement as ReZ as approved by Government.
2. Verification of the period spent for acquiring post graduation and ascertaining the actual period spent in some projects etc should have the continuity with date of their registration as ReZ as otherwise this order will not be applicable to those who have absented themselves from the services as ReZs.
3. Verification of their qualification certificates/DOB from the concerned universities/ Board of School Education.
4. Character and antecedents from competent authority.
5. Permanent resident certificate.
6. Certificate from the General Manager DIC to the effect that no loan under self-employment scheme has been taken by the ReZ.
7. The regularizee shall file an undertaking in the shape of an affidavit to the effect that in case adverse report about his/her character and antecedents is received from the ADGP (CID) J&K. He/She shall have no right of regularization as VAEA and regularization shall be deemed to have been cancelled **abinitio**.
8. If on verification, the certificate produced by any of the regularized REZ are proved fake or forged, the regularization shall be cancelled **abinitio**.
9. All ReZs should have continuous seven years of service as per the policy in vogue inclusive of the period spent for post graduation/assignment carried out in some projects.
10. All Rezs who seek regularization should have joined back after completing their periods spent either after completing higher studies or projects in pursuance to the orders issued by this office.
11. The inter-se-seniority of regularized ReZs regularized in Phase-I, Phase-II and Phase-III, shall be governed by CCA Rules-1956, approved guidelines and in accordance with the provisions of Policy governing the scheme notified in shape of Government order No: 235-Agri of 2011 dated 10-08-2011.
12. The regularization of ReZs should be subject to that their services should be free from any unqualified break in their services rendered as ReZ or otherwise.

13. The regularization order will not be extended to those ReZs even if their name figures in annexure "A" and "B" to this order who have **unqualified break in service required to be rendered as ReZs other than the period spend bonofiedly** for completing Post Graduation or service rendered in Projects and their regularization will automatically remain on hold and shall be decided seperately only after the concerned CAO will undertake vigorous scrutiny of their service records in tune with policy of regularization.
14. The regularization of ReZs who have pending enquiries either in the department/VOK/or any other investgating agency be kept on hold.
15. Regularization of ReZs as VAEAs apearing at S. No. 6,14,15,63,89,96 & 99 in **Annexure "A"** to this order shall not be given any effect owing to their resignations from their service as REZ. However, any other case having such similarities should be given the same treatment for their regularization and be treated as cancelled **abinitio**. Furthermore, ReZ appearing at **S.No. 61** from the Annexure "A" to this order shall have effect of regularizatrion as on 01.04.2016 as per his eligibility.
16. Any other certificate that may be required under rules for their regularization.

All the regularized REZs shall report to their concerned CAOs for the time being till their formal adjustment/posting corresponding to allotment of posts of VAEAs shall be made (separately) by this office.



(Showkat Ahmad Beigh KAS)  
Director Agriculture  
Kashmir

**No:Agri/Esstt/Gaz/2015-16/841-78**

**Dated:30-05-2016**

**Copy to the:-**

1. Commissioner/Secretary to Government, Agriculture Production Deptt Civil Secretariat Srinagar for favour of information.
2. Accountant General J&K Srinagar.
3. Joint Director Agriculture Inputs/Extension/Engineering/PCM
4. Chief Agriculture Officer Srinagar/Gbl/Bdpr/Kup/Bla/Bud/Pul/Shp/Kul/Ant/Leh/Kgl
5. Agriculture Chemist/SoilSurvey Officer/ Mushroom Specialist/Seed Pathologist/Agrostologist/ Dy.Director Law Enforcement/ FTC Ganderbal
6. Floriculture Development Officer Lalmandi Srinagar
7. Floriculturist/Potato Development Officer/Divisional Seed Certification Officer/ Seed Analayst/Assistant Entomologist/Manager S.M.Farm Padgampora.
8. I/C Legal Section Directorate of Agriculture Kashmir
9. Accounts Officer Directorate of Agriculture Kashmir  
.....for information.
10. Pvt. Secy. to Hon'ble Minister for Agriculture for favour of information of Hon'ble Agriculture Minister Please.
11. Pvt. Secy. to Hon'ble MoS for information of the Hon'ble MoS Please
12. I/C Website Directorate of Agriculture Kashmir for uploading this order on official website.