

Government of Jammu and Kashmir  
**Skill Development Department**  
Civil Secretariat, Jammu/Kashmir

Subject: **OA No. 883/2022 titled Naresh Gupta and others Vs Union Territory of J&K and others.**

**Government Order No: 110-JK (DSD) of 2023**  
**Dated: - 18.10.2023**

Whereas, an OA No. 883/2022 titled Naresh Gupta and others Vs Union Territory of J&K and others came to be filed by the applicants before the Hon'ble Central Administrative Tribunal, Srinagar Bench seeking therein the following reliefs: -

***a. Declare that the service conditions of the applicants are governed by All India Council for Technical Education (AICTE) Regulations as notified vide notification dated 01.03.2019 and as such are entitled to the benefit of age of superannuation of 65 years as per Regulation 2.9 Of the said Regulations and***

***b. Accordingly, a command be issued to the Respondents to retire the applicants after attaining the age of 65 years except in case they are given 05 years more extension in terms of Regulation 2.9 with all consequential benefits; and***

Whereas, the Hon'ble Central Administrative Tribunal while disposing of the above titled OA vide its order dated: 16-05-2023, directed as under: -

**"In view of the limited prayer made by the learned Counsel for the applicants, the respondents are directed to treat OA No. 883/2022 as representation of the applicants and consider the claim of the applicants within a period of six weeks from the date of this order, by a speaking and reasoned order." And**

Whereas, the All-India Council for Technical Education (AICTE) Regulations, 2019 have not been implemented in the UT of J&K as yet and the service conditions of the applicants being a government employee are presently regulated/administered by the Jammu and Kashmir Civil Service Regularization, 1956 which provides the 60 years of age as superannuation of the Government

*H. S. Chauhan*  
*18/10/2023*

employees of J&K, in terms of SRO 164 of 2014 dated: 05-06-2014, issued by the Finance Department.

Now, therefore, in compliance to the order dated; 16-05-2023 passed by the Hon'ble Central Administrative Tribunal, Srinagar Bench in the above titled case, the claim of the applicants seeking enhancement of age from 60 to 65 years, as per the All India Council for Technical Education (AICTE) Regulations, 2019 has been examined in the Department, in consonance with the existing rules/policies applicable on the subject and found that the same does not cover under the rules/policies as in vogue and hence rejected being devoid of any merit.

**By order of the Government of Jammu and Kashmir.**

**Sd/-**  
(Saurabh Bhagat), IAS  
**Commissioner/Secretary to the Government.**

No. DSD/Igl/72/2022-02

Dated: 18.10.2023

**Copy to the: -**

1. Principal Secretary to the Government, Finance Department.
2. Commissioner/Secretary to Government, General Administration Department.
3. Secretary to the Government, Department of Law Justice and Parliamentary Affairs.
4. Director, Skill Development, J&K for information.
5. Sh. Waseem Gul, Government Advocate, Central Administrative Tribunal (CAT) Srinagar Bench for information and necessary action.
6. Senior Law officer, Skill Development Department.
7. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
8. Private Secretary to the Commissioner/ Secretary to the Government for information of the Commissioner/Secretary.
9. Government order file
10. Incharge website.

  
(Harjinder Singh)

**Under Secretary to the Government**