

Government of Jammu and Kashmir,
Transport Department, Civil Secretariat,
J&K, Jammu.

Subject: Non-compliance of transfer order by Shri Romesh Kumar Samotra, I/c ARTO, under orders of transfer as I/c ARTO, Kishtwar.

Government Order No. 60 -JK (TR) of 2020
Dated: 20 -11-2020.

WHEREAS, vide Government Order No. 35-JK(TR) of 2020 dated 27-07-2020, inter-alia, Shri Romesh Kumar Samotra, I/c ARTO, Reasi was transferred and posted as I/c ARTO, Kishtwar, relieving I/c ARTO, Doda of the additional charge of the post;

WHEREAS, in the said Government Order it was mentioned that all the transferees were deemed to have been relieved with immediate effect from their present place of posting;

WHEREAS, Shri Romesh Kumar Samotra, I/c ARTO, under orders of transfer as I/c ARTO, Kishtwar, instead of joining new place of posting, approached the Central Administrative Tribunal (CAT), and by mis-presenting the facts obtained stay order dated 31-07-2020 which is reproduced as under:-

"The respondents are directed to allow the applicant to continue at "Reasi, if not already relieved."

WHEREAS, Shri Romesh Kumar Samotra, I/c ARTO obtained the above order from the Hon'ble Central Administrative Tribunal (CAT) with the condition that the applicant be allowed to continue as I/c ARTO, Reasi, if not relieved, notwithstanding the fact that the applicant was deemed to have relieved in the transfer order itself;

WHEREAS, Mr. Rajesh Gupta, I/c ARTO who was posted as I/c ARTO, Reasi joined on 31-07-2020 in compliance to the Government Order and his official account on VAHAN PORTAL was activated and official account of Shri Romesh Kumar Samotra, I/c ARTO was closed by the National Informatics Centre (NIC) as per the routine;



WHEREAS, an explanation was called by the Department from Shri Romesh Kumar Samotra, under orders of transfer as I/c ARTO, Kishtwar vide letter No. TR-11/MVD/2015-II dated 13-08-2020, with the direction to explain his position in this regard, as to why the action as warranted in terms of J&K, Civil Services (Classification, Control & Appeal) Rules, 1956 would not be initiated against him;

WHEREAS, on 28-08-2020, the Department filed statement of facts in compliance to the Order dated 31-07-2020, passed by the Hon'ble Central Administration Tribunal (CAT);

WHEREAS, as reported by Transport Commissioner, J&K, vide letter No. TC/JK/MV/171 dated 15-09-2020 that due to non-joining of Shri Romesh Kumar Samotra, I/c ARTO (under orders of transfer as I/c ARTO, Kishtwar) the official work of the ARTO Office, Reasi suffered badly and caused great inconvenience to the general public of District Reasi in view of undue interference of transferee in the office of ARTO, Reasi;

WHEREAS, the case was further examined in the Department and vide this Department's letter No. TR-11/MVD/2015-II dated 29-09-2020, the Transport Commissioner, J&K, Jammu, was instructed to issue a Memo to Shri Romesh Kumar Samotra, I/c ARTO (under orders of transfer as I/c ARTO, Kishtwar) to immediately join his new place of posting i.e. I/c ARTO, Kishtwar within two (02) days;

WHEREAS, in response to Memo served to Shri Romesh Kumar Samotra, I/c ARTO, the reply submitted by him on 02-10-2020 has been examined in the Department and was found that there was no justification for non-compliance of Government Order/instructions, besides the Transport Commissioner, J&K, vide letter No. TC/JK/Estt/2185 dated 28-10-2020 sought the action to be initiated against the delinquent officer;

WHEREAS, Shri Romesh Kumar Samotra, I/c ARTO has not complied the transfer order/instructions issued by the Administrative Department vide Government Order No. 35-JK(TR) of 2020 dated 27-07-2020 and vide letter No. TR-11/MVD/2015-II dated 13-08-2020 and dated 29-09-2020, till date he did not join the new place of posting viz. I/c ARTO, Kishtwar;



WHEREAS, for non-compliance of above said Government Order /instructions, disciplinary action requires to be taken against Shri Romesh Kumar Samotra, I/c ARTO in terms of rule 31 of J&K, Civil Services (Classification, Control & Appeal) Rules, 1956;

Now, therefore, in view of the facts elucidated above, pending enquiry into his conduct, Shri Romesh Kumar Samotra I/c ARTO (under orders of transfer as I/c ARTO, Kishtwar) is hereby placed under suspension with immediate effect, interms of Rule 31 of J&K, Civil Services (Classification, Control & Appeal) Rules, 1956 and he shall remain attached in the office of Regional Transport Officer, Jammu till further orders.

By the order of Government of Jammu and Kashmir.

Sd/-


(Hirdesh Kumar) IAS
Commissioner/Secretary to the Government,
Transport Department.


No. TR-11/MVD/2015-II

Dated: 20 -11-2020.

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Transport Commissioner, J&K, Jammu.
3. Deputy Commissioner, Reasi for information and necessary action.
4. Senior Superintendent of Police, Reasi for information.
5. Additional Advocate General, Hon'ble High Court, J&K.
6. OSD to Advisor (B) to the Hon'ble Lieutenant Governor for information of the Hon'ble Advisor (B).
7. Regional Transport Officer, Jammu.
8. Private Secretary to Commissioner/Secretary to the Government, Transport Department.
9. Concerned officer.
10. Govt. Order/Stock file (W.2.S.C.).


(Raj Mohammad Malik) KAS
Deputy Secretary to Government
Transport Department. 20/11/20


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