

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

Subject: OA No.61/1364/2022 titled Mubashir Hussain Agoo V/s UT of J&K and Ors.

Refer: U.O. No. GAD-ADM0IV/253/2022-09-GAD dated 30-12-2022 of General Administration Department.

Government Order No. 25 -JK(TR) of 2023
Dated: 15 -03-2023

WHEREAS, Sh. Mubashir Hussain Agoo was engaged/appointed as Junior Assistant on Adhoc basis in the Motor Vehicles Department vide Order No. 45/TC of 1999 dated: 20-01-2021, issued by the Transport Commissioner, J&K,

WHEREAS, the Government of Jammu and Kashmir had notified the Jammu and Kashmir Civil Services (Special Provisions) Act, 2010 for regularization of employees who were engaged/appointed on Adhoc/Contractual and Consolidated basis;

WHEREAS, among others, the regularization case of Mr. Mubashir Hussain Agoo, Junior Assistant, Motor Vehicles Department was sent to the Finance Department for placing the same before the Empowered Committee constituted for the purpose;

WHEREAS, the Empowered Committee in its 50th meeting held on 19-08-2015, inter-alia has cleared the regularization case of Mr. Mubashir Hussain S/o Abdul Rashid Agoo R/o Kishtwar for the post of Junior Assistant.

WHEREAS, the case was examined in the Department and vide this Department's O.M. dated: 01-09-2017, the matter was taken up with the General Administration Department (Vig.) to furnish the vigilance clearance in favour of the following six (06) eligible candidates whose regularization case have been cleared by the Empowered Committed in its 50th meeting held on 19-08-2015 for regularization in terms of J&K, Special Provision Act, 2020:-

S/Shri

1. Manoj Nargotra
2. Mubashir Hussain
3. Vikramjeet Mengi
4. Rajesh Jamwal
5. Hafiz-UL-Rehman
6. Sajjad Hyder Beigh

WHEREAS, the General Administration Department vide O.M. No. GAD(Vig) 21-NOC/2017-TPT dated: 05-10-2017 has intimated that the incumbent was involved in case FIR No. 13/2002 PS VOJ in the capacity of I/c Record Keeper, in the office of Regional Transport Officer, Jammu;

WHEREAS, Sh. Mubashir Hussain Agoo, Junior Assistant approached this Department through a medium of representation for Vigilance Clearance. After examination and vide this Department's letter dated: 24-12-2020, the matter was taken up with the Transport Commissioner, J&K to furnish his comments/views with regard to involvement of Sh. Mubashir Hussain Agoo in case FIR No. 13/2002 PS VOJ, when he was Record Keeper in the office of RTO, Jammu, enabling the Department to proceed further;

WHEREAS, in turn, the Transport Commissioner, J&K, vide communication dated: 26-08-2021 has furnished the enquiry report conducted against the official in-question, which is as under:-

"The investigation of the above subjected case was concluded as departmental enquiry and the matter was referred to the Commissioner Secretary to Government Transport Department vide letter No. CV-FIR-13/2002-10964 dated 23.03.2005. The enquiry stands conducted by the Regional Transport officer Jammu though Assistant Regional Transport Officer Jammu Mr. V.K. Duggal, who conducted the enquiry minutely and also enquired the matter from each and every official of the RTO office who were directly or indirectly linked with the process of registration upkeep of record. The officer concluded the inquiry with the remarks that the interested party might have misplaced the records which were not traceable at the time of investigation and also has revealed that the volume of records, paucity of space and lack of maintenance of paper inventories has also paved way for the misplacement of records. He also has made some suggestions upkeep of record and also to avoid such mis-happening in future.

The suggestions made by the enquiry officer were also enacted by way of shifting the RTO office to the newly constructed building from Ware House to Transport Nagar Narwal and proper security arrangements were put in place. Separate rooms for record keeping have been made available to the registration section, inventories have been prepared and record is properly registered. Computerization of all sections has taken place and digitization of old records is also under process. Since the shifting of RTO office and above changes in the record keeping system, nothing like the instant case has been heard.