

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

Subject: CPSW/784/2014-Abdul Rashid Bhat V/S Commissioner/
Secretary to Government, Transport Department—
appointment of Inquiry Officer thereof.

Government Order No: 44 - JK(TR) of 2023
Dated : 30 - 05-2023

Sanction is, hereby accorded to the appointment of Shri Imtiyaz Ahmad Wani, Director (Finance), Transport Department, as Inquiry Officer to thoroughly enquire into:

- i. The veracity of the letter whereunder the petitioners (Contingent Workers) are seeking the appropriate orders in their favour for regularization of their services in Motor Vehicle Department, which contains incongruent dates i.e. covering letter dated: 03.09.2009 and annexure was signed on 26.05.2009.
- ii. As per the records available in the Department, there was no vacancy for the period 1999-2004, then how come 20 numbers of persons were engaged during this period, purportedly against clear vacancies as per the aforementioned letter.
- iii. The Empowered Committee rejected their claim for regularization under J&K Civil Services (Special Provisions) Act, 2010, in the year 2011 with the remarks that it **"does not fall within the purview of Empowered Committee being paid out of contingencies"** which prima-facie implies that they were not engaged against clear cut vacancy.
- iv.
 - a. If these cases of contingent workers were rejected by the Empowered Committee, then why and under the orders of which authority they have been working in the Motor Vehicle Department till date.
 - b. Whether the contingent workers were engaged after following the due process of law, applicable at that point of time.
 - c. Whether the orders under which the engagements were made are still valid or have lost the validity and

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why the limited period of engagement has been allowed to be continued beyond stipulated period.

- d. Under which head the remuneration has been paid or is being paid, if so, whether the remuneration in all such cases have been paid under the explicit court directions in every case or otherwise.

The Inquiry Officer shall submit its report within a period of one month from the date of issuance of order along with specific recommendations.

By Order of the Government of Jammu and Kashmir.

Sd/-

(G. Prasanna Ramaswamy)IAS,
Secretary to the Government
Transport Department

No. TRPT-MVD0LEG/38/2021-02 (98257)

Dated: 30-05-2023

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Transport Commissioner, J&K, **with the request to direct the Officers/Officials of the Department to provide all the necessary inputs/documents/case file to the Inquiry Officer for completion of the enquiry in a time bound manner.**
3. Director (Finance), Transport Department.
4. Private Secretary to Secretary to the Government, Transport Department.
5. Government Order file.

(Manik Singh Rathore)

Under Secretary to the Government
Transport Department