

Minutes of the 8th meeting of Empowered Committee (constituted vide Government Order No. 139-F of 2015 dated 19.8.2015) held under Chairmanship of Commissioner/ Secretary to the Government, Finance Department on 26.09.2016.

(Pertaining to Food, Civil Supplies and Consumer Affairs Department.)

The following officers attended the meeting:-

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| 1. | Commissioner/Secretary to Government,
Finance Department. | Chairman
Empowered Committee |
| 2. | Director Codes | Member Secretary |
| 3. | Additional Secretary to Government,
General Administration Department. | Member |
| 4. | Additional Secretary to Government,
Department of Law, Justice & P.A. | Member |

Proposals of Food, Civil Supplies & Consumer Affairs Department and Industries & Commerce Department relating to regularization of Sh. Mohd. Yousuf Shah and Sh. Mushtaq Ahmad Wagay, DRWs, respectively against available Class-IV posts in addition to 383 fresh cases and 31 review cases of left out DRWs of various departments were on agenda of the meeting.

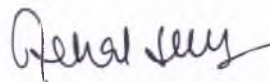
Sh. Mohd. Yousuf Shah S/o Ab. Aziz Shah R/o Mah Kulgam, was initially engaged as DRW by the Director Food & Supplies, Kashmir on 17.11.1984. Subsequently, for his absence from duty he was disengaged on 21.11.1985. On the directives of HHC dated 07.02.1994 against the disbandment, the department re-engaged him on 26.08.1997. The re-engagement order mentions that the incumbent will not be technically a fresh but reviving of an old case. In pursuance to Government Order No. 144 GAD of 2001 dated 2.2.2001, the incumbent was again disengaged from 1.2.2001 vide No. Dfsk/Adm/B.X.527 dated 19.03.2001 and subsequently his status as DRW as was on 19.03.2001 restored as the disengagement order in respect of few DRWs including Sh. Shah was issued erroneously by the directorate, vide order no. 73-Dfsk of 2001 dated 14.06.2001. Since 08/97 the incumbent has been paid wages regularly from time to time as per rates notified by the Government and his continuous working from 26.08.1997 has been certified by the concerned HoD. The department has not registered him as left out DRW, however,



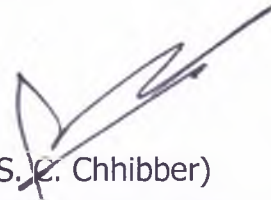
the department had recommended regularization of the DRW against available post of Depot Assistant (Class-IV) District cadre Kulgam.

The case was examined in terms of provisions contained in the J&K DRW/WCEs (Regularization) Rules, 1994 notified vide SRO 64/1994 read with Government order No. 26-F of 1994 dated 31.01.1994. The Committee recommends that the department shall consider regularization of the incumbent in the pre-revised pay scale of 2550-3200 w.e.f 01.04.2005 against the post of Depot Assistant (Class-IV) District cadre Kulgam available with the department subject to following conditions:-

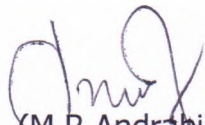
- (i) The Department shall verify records to establish genuineness of the claim.
- (ii) The department shall obtain condonation of breaks, if any, from the Competent Authority.
- (iii) Continuous working and drawal of wages at notified rates shall be established/certified by the concerned HoD.
- (iv) The incumbent is eligible for regularization and fulfills all conditions as laid down in SRO 64/1994.
- (v) Relaxation of age/qualification, if any, shall be considered by the Department with prior approval of the Competent Authority.
- (vi) Arears from date of regularization to the date of issue of regularization order shall be paid in five equal annual instalments after projecting the same under Annual Budget Estimates of the Department.



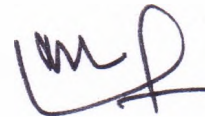
(Achal Sethi)
Additional Secretary,
Department of Law,
Justice & P.A.
(Member)



(S.C. Chhibber)
Additional Secretary,
Gen. Admn. Department.
(Member)



(M.R. Andrabi)
Director Codes,
(Member Secretary)



(Navin K. Choudhary), IAS,
Commissioner/Secretary,
Finance Department
(Chairman)