

**Minutes of 40th meeting of the Empowered Committee held under the
Convenership of Principal Secretary, Finance Department on 25.03.2014.**

Subject: Regularization of Adhoc/Contractual/Consolidated employees.

Reference Jammu & Kashmir Civil Services (Special Provisions) Act, 2010.

The Empowered Committee held its 40th meeting on 25-03-2014 under the Convenership of the Principal Secretary to Government, Finance Department. The following officers attended:

(i)	Principal Secretary, Finance Department	Convenor
(ii)	Secretary, Tourism & Culture Department	Member
(iii)	Director General (Codes) Finance Department	Member Secretary
(iv)	Director General Accounts & Treasuries	Member
(v)	Special Secretary, Health & Med. Education Department	Representative
(vi)	Special Secretary, Forest Department	Representative
(vii)	Addl. Secretary, General Administration Department	Representative
(viii)	Addl. Secretary, Higher Education Department	Representative
(ix)	Dy. Secretary, CA&PD Department	Representative
(x)	Under Secretary, PDD Department	Representative
(xi)	Under Secretary, PHE&I&FC Department	Representative

Forty six (46) review cases and five (05) fresh cases of adhoc/ contractual/ consolidated employees of different Departments were placed before the Empowered Committee for scrutiny in the meeting. The department-wise breakup of these cases is given as under:

S.No	Name of Department	Number of cases
1	Health & Med. Education Department	13
2	Power Dev. Department	26
3	PHE/I&FC Department	5
4	CA&PD Department	4
5	Department of Culture	1
6	Higher Education Department	2
	Total:	46

Out of fifty one (51) cases, the Empowered Committee found forty six (46) cases eligible, one case of Higher Education Department was found ineligible and four (4) cases were found deficient on account of certain information/ clarification or documents from the concerned Departments. The Members/ Representatives of the concerned departments who were present in the meeting were advised to expedite the requisite deficient information / documents in these cases so that the Empowered Committee could decide these cases as well. Abstract details are given in **Annexure "A"** to these minutes.

The Empowered Committee also discussed the issues relating to continuation of appointment of adhoc/contractual employees and condonation of one day break involved in the appointment of 89 days. It was decided that the employees who have initially been appointed on adhoc/contractual basis for a period of one year or till selection is made by the Competent Authority whichever is earlier need not to furnish their continuation orders provided the Department furnishes proof of their continuation for a period of seven years or more by furnishing the authenticated salary statements. However, in cases where initial appointment has been made for a period less than one year shall have to furnish their continuation orders. As regards condonation of one day break, it was decided that such cases where one day break is involved, the Empowered Committee shall consider these cases as eligible subject to the condition that the concerned Departments while submitting memorandum in coordination to the Hon'ble Chief Minister shall have to seek the condonation of one day break involved in the initial appointment of such employees.

The case of Sh. Afaq Rasool Gadda, Contractual Information Officer was also placed before the Empowered Committee in view of the objections filed against his eligibility. It was decided that since the objections have been received after the prescribed time and all the objectors/complainants have refuted to have filed any such objections against the regularization of Sh. Afaq Rasool, as such the case need to be recommended/forwarded to the Information Department for issuance of regularization orders as per the Act.

In respect of persons engaged under the centrally sponsored Integrated Watershed Development Programme (IWDP), it was noticed that the Daily Rated Workers engaged under the said programme stands already regularized with the prior concurrence of the Finance Department. The present incumbents stand on a higher pedestal than the regularized Daily Wagers as they are being paid consolidated salaries. The Committee observed that the provisions of the Act apply harshly to them as they are working for decades and are being paid their salaries from the state budget under Non-Plan from the year 2006. The Empowered Committee took all the specifics into consideration and strongly recommends that the Department shall have to make a specific case of theirs for a special dispensation by considering their appointment against the vacant posts which are available as per the report of the Department after seeking the approval from the Competent Authority.

The complete details of cases placed before the Empowered Committee and the decisions taken thereon are shown in **Annexure "B"** to these minutes.



06.05.2014

(A.M.M Jehangir)
Director General (Codes)
Member Secretary
Empowered Committee

No. A/105 (10)- 157/14

Dated: 06 -05-2014

Copy to:-

1. Prpl. Secretary, Finance Department, for information,
2. Prpl. Secretary, Power Dev. Department, for information,
3. Commr/Secretary, PHE I&FC for information,
4. Commr/Secretary, Health & Medical Education Department for information,
5. Commr/Secretary, Forest Department, for information,
6. Commr/Secretary, Higher Education Department, for information,
7. Commr/Secretary, CA&PD Department, for information,
8. Secretary, General Admn. Department, for information,
9. Secretary, Tourism & Culture Department, for information,
10. DG, Accounts & Treasuries, for information,
11. Nodal officer, FD, for uploading the minutes on Finance Department website (www.jakfinance.nic.in).

Annexure "A"

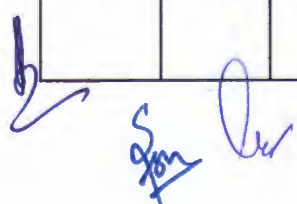
Fresh Cases				
EC meeting No./ Deptt.	Total no. of cases	Eligible	Deficient	Ineligibl e
CA & PD Department	4	1	3	
Department of Culture	1	1		
Total: A	5	2	3	0
REVIEW CASES				
EC meeting No./ Deptt.	Total no. of cases	Eligible	Deficient	Ineligibl e
Health & Med. Education Department	13	13		
Power Dev. Department	26	26		
PHE/I&FC Department	5	4	1	
Higher Education Deptt.	2	1		1
Total:	46	44	1	1
Total:(A+B)	51	46	4	1



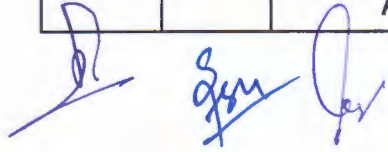
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Health & Medical Education Department

S.No	16ECM S.No.	Name of The Employee	Desig.	Decision
1	73	Dr Deepak Sharma S/O Chaman Lal Sharma R/O Hira Nagar, Kathua	Medical Officer	Eligible
2	69	Dr Jyoti Sharma D/O Rajni Kant Sharma R/O Pansar, Kathua	Medical Officer	Eligible
3	70	Dr Mona Prasher D/O Ishwar Dev Sharma R/O Hira Nagar, Kathua	Medical Officer	Eligible
4	71	Dr Shivani Mahajan D/O Dr. Naresh Kumar R/O W.No. 4, Kathua	Medical Officer	Eligible
5	72	Dr Ruby Sharma D/O Mast Ram R/O W.No 1 C/O Ubbatt Clinic, Kathua	Medical Officer	Eligible
6	74	Dr Mahesh Kumar S/O Pritam Dutt R/O A/P Chakharia, Kathua	Medical Officer	Eligible
7	75	Dr Indu Bala D/O Braham Kumar R/O W.No. 3, Krishna Colony, Kathua	Medical Officer	Eligible
8	76	Dr Akhil Gupta S/O Yash Paul Gupta R/O Bilawar, Kathua	Medical Officer	Eligible
9	79	Dr Humaira Akbar D/O Mohammad Akbar Bhat R/O Rathsun, Tral	Medical Officer	Eligible



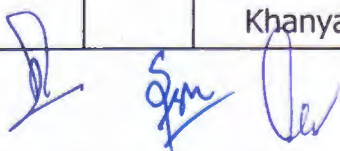
Cont.	11ECM S.No.			
10	23	Dr. Gurjeet Kour D/O Nanak Singh R/O Zazbugh, Dalwan, Budgam	Assistant Surgeon	Eligible
11	24	Dr. Shamas-ul-Nisa D/O Ab. Majeed R/O Wathora, Chadora	Assistant Surgeon	Eligible
12	26	Dr. Sakeena Rasool D/O Gulam Rasool Wani R/O Batamaloo, Srinagar	Assistant Surgeon	Eligible
13	78	Dr Muksit Nadeem Abdullah Shah S/O Azadpora, Anchidora, Anantnag	Assistant Surgeon	Eligible



Cont.

Power Development Department

S.No.	23ECM S. No	Name of Employee	Desig.	Decision
1	37	Jatinder Singh S/O Surinder Singh R/O Beerwah, Budgam	J.E	Eligible
2	105	Aditi Gupta D/O Dr. V.B.Gupta R/O Bakshi Nagar, Jammu	J.E	Eligible
3	30	Firdous Ahmad Mir S/O Mohd. Yousuf Mir R/O Rainawari, Srinagar	J.E	Eligible
4	110	Pratiksha D/O Surinder Singh Kotwal R/O Udrana Bheaderwah, Doda	J.E	Eligible
5	167	Manzoor Ah wani S/O Gh. Mohd. Wani R/O Macha, Chadoora, Budgam	J.E	Eligible
6	172	Rajiv Gupta S/O P.K Gupta R/O Ghandi Nagar, Jammu	J.E	Eligible
7	63	Sheikh Mushtaq Ahmad S/O Ab. Aziz Sheikh R/O Poswan, Tral Pulwama	J.E	Eligible
8	46	Sabiya Akhter D/O Ab. Ahad Dola R/O Aqilmir, Srinagar	J.E	Eligible
9	62	Fayaz Ah Bhat S/O Ab. Gaffar R/O Malangpora, Pulwama	J.E	Eligible
10	48	Syed Shahdab Mumtaz Gilani D/O Syed Mumtaz Ahmed R/O Khanyar, Srinagar	J.E	Eligible



11	73	Munshi Masood Ahmad S/O Munshi Gh. Mohi Ud Din R/O Lalbazar, Srinagar	J.E	Eligible
12	23	Owais Taj Anwari S/O Taj Mohammad Anwari R/O Habak Naseem bagh	J.E	Eligible
13	22	Reyaz Ah Shah S/O Nisar Ahmad Shah R/O Soura, Srinagar	J.E	Eligible
14	124	Fayaz Ahmad S/O Mohd. Afzal Giri R/O Bankote, Banihal	J.E	Eligible
15	168	Rifat Ara Wani D/O Ali Mohd. Wani R/O T.K Pora, Lolab Kupwara	J.E	Eligible
16	67	Gh Mohd Bhat S/O Mohd. Sadiq Bhat R/O Watapora, Bandipora	J.E	Eligible
17	139	Satyapal Singh Salaria S/O Dharam Singh R/O Geeta nagar, Reasi	J.E	Eligible
18	155	Hakim Parvaiz Anjum S/O Hakim Mohd. Farooq R/O Bage Islam, Baramula	J.E	Eligible
19	145	Farooq Ahmad Malik S/O Ali Malik R/O Lissar, Chowalgam, Doru	J.E	Eligible
20	156	Sanjeev Datta S/O C.L.Datta R/O Chand Nagar, Jammu	J.E	Eligible

21	95	Vishal Bali S/O Vinay Kumar Bali R/O Mohalla Pandita, Haveli Poonch	J.E	Eligible
22	12	Kashifa Shaban D/O Prof. Mohammad Shaban R/O Bandipora,	J.E	Eligible
23	53	Anneece Ashraf S/O Mohammad Ashraf Baba R/O Bongam, Shopian	J.E	Eligible
24	140	Gulam Nabi Bhat S/O Ghulam Ahmad Bhat R/O Brane, Nishat	J.E	Eligible
	23CM S.No.			
25	49	Faisal Bashir S/O Bashir Ahmad R/O Rawalpura, Budgam	J.E	Eligible
26	71	Ab Majid Bhat S/O Ab Ahad Bhat R/O Fatehpura, Baramula	J.E	Eligible

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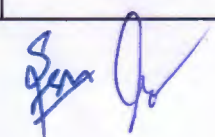
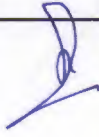
PHE/I& FC Department

S. No	17ECM S.No	Name of Employee	Desig.	Decision
1	7	Shahnawaz Ahmad Mir S/O Ab. Majeed Mir R/O Panzgama, Kupwara	J.E	Eligible
	17ECM S.No			
2	15	Sajad Ahmad Malik S/O Ali Mohd Malik R/O Amler, Tral	J.E.(Civil)	Eligible
3	16	Bashir Ahmad Bhat S/O Ab Ahad Bhat R/O Pinglina, Pulwama	J.E.(Civil)	Eligible
4	56	Iqbal Singh S/O Daya Singh R/O R.S Pura, Jammu	J.E (Civil)	Eligible
5	1	Yogeeta D/O J. L. Khar R/O Church Lane Muthi Jammu	Computer Operator	The Empowered committee found the incumbent ineligible, since the incumbent has been initially engaged on post which does not exist in Rec. Rule as such has not been appointed against clear vaccancy

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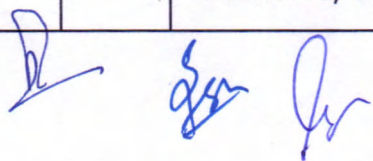
Consumer Affairs & Public Distribution Department

S.No	40ECM S.No.	Name Of The Employee	Desig.	Decision
1	1	Chander Bhan S/O Permanand R/O Ambaran, Akhnoor	Class IV	Eligible
Cons.	40ECM S.No.	(Legal Meterology)		
2	1	Vakil Chand S/O Bari Ram R/O Udeywala, Bohri Jammu	Driver	Department is advised to clarify since when the incumbent has been paid against the post of Driver.
3	2	Ranjeet Kumar S/O Kehro Ram R/O Village Kalayanpur, Kathua	Driver	To furnish continuation order under which the incumbent was allowed to continue
4	3	Nisar Hussain Mir S/O Shabir Hussain Mir R/O Pallapora, Srinagar	Driver	To furnish copy of order No.180-CAPD of 2005.



Culture Department

Cont.	40ECM No.	Name of Employee	Desig.	Decision
1	1	Sirfaraz Ahmad S/O Mohd. Ramzan Dar R/O Beehama, Ganderbal	Asstt. Director	Eligible



Higher Education Department

A.No.	26ECM S.No.	Name of Employee	Desig.	Decision
1	15	Fayaz Ahmad Zaroo S/O Habibullah Zaroo R/O Makarpora, Srinagar	Steno Instructor	Since the initial appointment of the incumbent is on accademic basis as such the Empowered committee decided to annul its earlier decision taken in its 26th ECM dated 23.09.2011 wherein the incumbent was found eligible.
	6	Malik Naseer Ahmad Shah S/O Ab.Rehman Shah R/O Hergam, Shopian	Lab Bearer	The name of the employee may be treated as per his matriculation/DoB certificate.

