

Minutes of 56th meeting of the Empowered Committee held under the Convenership of the Commr/Secretary, Finance Department on 31.08.16

Subject: Contempt No595/ 2012 in SWP No 1398/2012 titled Tashi Regzin Vs. Mr. Sheikh Mushtaq Ahmad and others, regarding regularization of services of the petitioner.

In the backdrop of orders of the Hon'ble High Court issued dated 18.07.2012 and latest 10.08.2016 in Contempt No 595/ 2012 arising out of SWP No 1398/2012, the Empowered Committee under the Convenership of Commr/Secretary, Finance Department, (Convener Empowered Committee) decided the issue in circulation to ensure compliance to the orders of the court, as reproduced hereunder:-

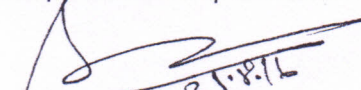
Judgement Dated 18.07.2012 " This petition is disposed of and respondents to consider the claim of petitioner for his regular appointment/ absorption in Government Service in accordance with SRO 43 of 1994 and also in accordance with the J&K Civil Services (Special Provision) Act, 2010. respondents to take decision in the matter preferably within 12 weeks from the date copy of this order is served. Till the decision is taken, the petitioner shall be allowed to continue his service and paid salary.

Judgement Dated 10.08.2016. " Registry to issue notice to the Commissioner/ Secretary to Government, Finance Department for his personal appearance before the court. He be informed to show cause as to why Contempt proceedings shall not be initiated against him for non- compliance of court order.


The following officers attended the meeting:-

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|-------|--|------------------|
| (i) | Secretary, Ladakh Affairs Department | Member |
| (ii) | Director General Accounts & Treasuries | Member |
| (iii) | Director (Codes), Finance Department | Member Secretary |
| (iv) | Addl. Secretary, General Administration Department | Representative |

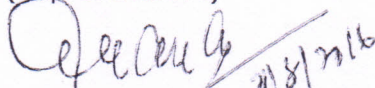
The Empowered Committee while scrutinizing the case of Mr. Tashi Regzin S/O Late Stanzin Dorjey R/O Tharuk Tangtse, Leh Ladakh, has found that the incumbent has initially been engaged against the vacant post of Chowkidar caused due to the death of his father on adhoc basis vide Order No. F&S/ Estt/90 Dated 16.08.91, till the incumbent is formally adjusted against the post in terms of SRO 43. The committee observed that the incumbent is continuing his services against the post on adhoc basis, as such his case is recommended for regularization against the post of Chowkidar, subject to the condition, that the incumbent has been paid salary from September,2002 onwards and he continues to work on the post. Besides, it was clarified that the issue of appointment under SRO 43 of 1994, does not fall within the mandate of Empowered Committee/ Finance Department.


(S. C. Chhibber)

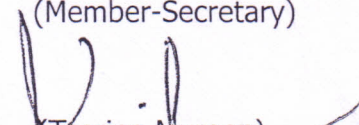
Additional Secretary, GAD
(Representative)

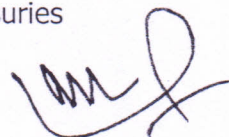

(M.R. Andrabi)

Director (Codes) Finance Department
(Member-Secretary)


(Altaf Hassan Mirza)

Director General Accounts & Treasuries
(Member)


(Tsering Muroop),
Secretary, Ladakh Affairs Department
(Member)


(Navin K . Choudhary), IAS,
Commr/ Secretary, Finance Department
(Convener Empowered Committee)