

Government of Jammu and Kashmir
Directorate of Food, Civil Supplies and Consumer Affairs
Near Nehru Market, Ware House, Jammu-180001 (J&K)

Subject: Promotion of Senior Assistants/Store-Keepers carrying Pay Band Rs. 5200-20200 with Grade Pay Rs. 2800/- (pre-revised) to the post of Head Assistants/Tehsil Supply Officer carrying Pay Band Rs. 9300-34800 with Grade Pay Rs. 4220/- (pre-revised).

Ref.: Vigilance Clearance Forwarding Letter No: CAPD/Estt/50/2012 dated 11/01/2021.

Order No: - 78 -DFCS&CAJ-of 2021

Dated: - 05 / 04 / 2021

Whereas, the case of Sh. Ashok Kumar S/O Late Sh. Behari Lal, Senior Assistant was Cleared in the DPC Meeting held on 20.04.2012 for the promotion of Tehsil Supply Officer. The decision of DPC is as under: -

"The name of the candidate figures at S.No. 05 in the Seniority List of Senior Assistant / Salesman -Cum-Storekeeper, and belongs to open category. The official has been placed under suspension and report from General Administration (Vig) is also awaited in his case. The DPC decided to clear said official for next promotion as TSO/Inspector/Head Assistant/Supervisors in the pay scale of Rs. 5000-8000 (pre-revised) w.e.f. 01.08.2010 on the retirement of Sh. Sita Ram, but order shall be issued only after his clearance from the Vigilance and order of reinstatement alongwith decision regarding period of suspension".

Whereas, the Hon'ble Court of Chief Judicial Magistrate (CJM) Udhampur in its judgement dated 23.03.2015 acquitted Sh. Ashok Kumar the then Cashier, CA&PD, Udhampur of the charges levelled against him. The operative part of the judgement reads as:-

"Since prosecution has failed to prove that amount was entrusted to the accused and the misappropriated the same and converted it to his personal use as such, commission of offence cannot be attributed to the accused. Therefore, accused is acquitted of the charges levelled against him.

The accused is acquitted and also stands released from his ball bonds.

File after due compilation be consigned to records."

Whereas, Sh. Ashok Kumar, Senior Assistant (the then Cashier) was reinstated vide Directorate Order No. 200-DCAPDJ of 2016 dated 28.07.2016;

Whereas, the case of the official was also discussed in the DPC meeting held on 28.10.2016 and was pending due to non decision of the suspension period;

Whereas, as per the court decision dated 23.03.2015 and the rule position, the suspension period of the official w.e.f. 02.04.2002 to 28.07.2016 was treated as on duty vide this Directorate Order No. 46-DFCS&CAJ of 2017 dated 28.02.2017.

Whereas, the case of Sh. Ashok Kumar S/O Behari Lal was again put up in the DPC meeting held on 25.01.2019, wherein DPC has decided that the case of the official was already cleared by DPC held on 20.04.2012.

Whereas, the official retired on superannuation on 31.12.2020 from the office of Assistant Director, Food, Civil Supplies and Consumer Affairs, Jammu City Circle-II;

Whereas, the Vigilance Clearance was received from the General Administration Department O.M.No. GAD(Vig)05-NOC/2020-FCS&CA dated 26.11.2020 through Administrative Department vide No. FCS&CA/Estt/50/2012 dated 11.01.2021, wherein, the name of the official namely Sh. Ashok Kumar, Ex-Senior Assistant is figuring at S.No.12;

Whereas, Accounts Section of this Directorate vide U.O.No. DFCS&CAJ/J/Accts/2020-21/1418 dated 26.02.2021 has intimated that there is nothing outstanding against Sh. Ashok Kumar, Ex-Senior Assistant;

Keeping in view of the above and as recommended by the Divisional Level Departmental Promotion Committee in its meeting held on 20.04.2012, sanction is hereby accorded to the promotion of **Sh. Ashok Kumar S/o Sh. Behari Lal** from the post of **Senior Assistant / Storekeeper** carrying Pay Band Rs. 5200-20200 with Grade Pay Rs. 2800/- (pre-revised) to the post of **Tehsil Supply Officer/Head Assistant** carrying Pay Band Rs. 9300-34800 with Grade Pay Rs. 4220/- (pre-revised) w.e.f. 01.08.2010 on the terms and conditions mentioned below:

1. The effect of the sanction shall be strictly as per the J&K Financial Volume Code-I and Finance Department Circular No. A/23(08)-I-B-184 dated 18.02.2021.
2. The Order of Promotion is issued without prejudice to the seniority claim of other Officials in whose case posts have been kept reserved in terms of GAD OM No. GAD/MTG/RB-IV/04/2016 dated 21/06/2016.
3. This Order is issued subject to outcome of writ petition (s) pending, if any, in the competent Court of Law and having bearing on the subject matter.
4. That at any stage, if it comes out or is brought to the notice of the Department about recovery/shortage of the promoted official, his promotion and consequent benefits shall be deemed to have been withdrawn abinitio.

Sd/-
Director
FCS&CA, Jammu

No: - 102/DPC/2019/1027-1033

Dated: -05-04-2021

Copy to the:-

1. Commissioner / Secretary to Government, FCS&CA, Department, J&K Civil Secretariat, Jammu for favour of kind information.
2. Chief Accounts Officer, FCS&CA, Jammu for information and necessary action.
3. Deputy Director (F&R)/(P&S)/(Supplies), FCS&CA Department, Jammu for information and necessary action.
4. Assistant Director, FCS&CA, Jammu City Circle-II for information and necessary action.
5. Concerned for information.
6. Office Order file/Stock file.
7. Personal File.

Deputy Director (Supplies)
FCS&CA Department
Jammu