



**Government of Jammu and Kashmir**  
**Housing and Urban Development Department.**  
**Civil Secretariat, Srinagar / Jammu**

Subject:- Cancellation of the engagement and regularization orders in respect of Casual labourers working in Municipal Committee, Vijaypur.

**GOVERNMENT ORDER NO. 283 -HUD of 2018**

**D A T E D : 28 .09. 2018**

Whereas, the then Director Urban Local Bodies, Jammu and Executive Officer Municipal Committee, Vijaypur had engaged following persons as casual labourers in Municipal Committee Vijaypur on the dates as mentioned against each:-

S. No.	Name , Parentage and address	Date of Engagement as Casual / Need basis	Desig-nation
1.	Vijay Kumar S/o Darshan Kumar R/o Santokh Vihar Jammu.	3/7/2010	Asstt. Tax Collector
2.	Gulzar Singh S/o S. Balkar Singh, R/o Sector 8 Nanak Nagar Jammu	13/9/2010	Junior Asstt.
3.	Mulkh Raj S/o Sat Paul R/o Chak Murara	15/8/2010	Khilawarzi Asstt.
4.	Ravi Kant S/o Sat Paul R/o Chak Murar Tehsil Bishnah, Jammu	12.06.2010	Khilawarzi Asstt.

Whereas, Director Urban Local Bodies, Jammu in less than a year had regularized these casual/Need based labourers without any authority to do so and with out any Government Policy in this regard;

Whereas, on account of a Vigilance Inquiry in the matter of 14 illegal appointments as per FIR No. 08/2014, the salary of these four persons was stopped;

Whereas, first three appointees namely Vijay Kumar, Gulzar Singh and Mulk Raj filed SWP No. 56/2016, wherein the Hon'ble Court vide its order Dated 07.03.2016 directed as under:

**“.....Pending enquiry/investigation and appropriate orders to be passed thereupon, the petitioners shall be paid their salary due to them and in future also.”**

Whereas, the petitioners also filed a contempt (SWP) No. 252 of 2016, whereupon this department advised Director Urban Local Bodies, Jammu to release the salary/wages.

*Handwritten signature and date: 28/09/2018*

Whereas, another person Sh. Ravi Kant, also prayed for release of his salary through SWP No. 2350/2016 and the Hon'ble Court passed directions dated 27.10.2016 for release of his salary.

Whereas, there are many Supreme Court judgments to the effect that the order(s) issued by an authority, without following due process of recruitment, is/are void abinitio and without force of law.

Now, therefore, in view of the above background, it is hereby ordered that the regularisation orders Dated 03.07.2012, 01.07.2012, 22.08.2012 and Dated 27.07.2011 respectively issued by Director Urban Local Bodies, Jammu and Executive Officer Municipality Committee, Vijaypur are void abinitio and services of the following casual labourers are hereby terminated with immediate effect:-

S.No.	Name , Parentage and address
1.	Vijay Kumar S/o Darshan Kumar R/o Santokh Vihar Jammu.
2.	Gulzar Singh S/o S. Balkar Singh, R/o Sector 8 Nanak Nagar Jammu
3.	Mulkh Raj S/o Sat Paul R/o ChaK Murara
4.	Ravi Kant S/o Sat Paul R/o Chak Murar Tehsil Bishnah, Jammu

**By Order of the Government of Jammu & Kashmir.**

**Sd/-**

**(K.B Agarwal) IAS**

**Financial Commissioner**

**Housing & Urban Dev. Department**

**No:-HUD/LSG/ULBJ&K/03/2018- Part-II**

**Dated: 28 .09. 2018**

Copy to the:-

1. Commissioner/Secretary to Govt., General Administration Department. He is requested to initiate the Inquiry against the then Director, Urban Local Bodies, Jammu as to under what authority of the Govt. the services of aforementioned four persons were regularized in less than two years of their engagement as casual workers/labourers.
2. Director Urban Local Bodies, Jammu. He is requested to kindly release the pending salary/wages of Shri Ravi Kant, Casual Labourer upto the date of termination of his services.
3. Senior Law Officer, H&UDD for further necessary action.
4. Pvt. Secretary to Financial Commissioner, H&UDD
5. Concerned.
6. Government order file(w.2.s.c.).



**(Syed Nazir Ahmed)**

**Under Secretary to Government**

**Housing & Urban Dev. Department**



