



Government of Jammu and Kashmir  
**Directorate of Employment**

Auqaf Complex, 2<sup>nd</sup> Floor, Gandhi Nagar Jammu

Ph. No. 0191-2430064  
Fax No. 0191-2438440

website: jakemp.nic.in

e-mail: diremp222@gmail.com

Subject: Appeal filed by M/s. Shaheen Group of Engineers and Construction ( SHG),  
Budgam against Assistant Director Employment, DE&CC, Budgam.

**ORDER No: 33 -ED of 2019**

**Dated: 21 .01.2019**

The case was taken up on 19.12.2018.

1. M/s. Shaheen Group of Engineers and Construction, Budgam herein after called the Appellants were registered as a Self Help Group with District Employment and Counselling Centre, Budgam.
2. District Employment & Counselling Centre, Budgam herein after called defendant, received a complaint that one of its group member namely Mr. Mehraj Ahmad Dar S/o. Ab. Gaffar Dar R/o. Humhama Budgam is working in JK Public School, Humhama as Teacher, which is in contravention to the guidelines of Self Help Group of Engineers Scheme, under which the Self Help group was registered with the defendant, as is provided in clause 5.6 of the guidelines,  
*" No member of a SHG shall, after its registration and issuance of SHG card, seek employment in any Government/ Semi Government Department/ Agency, Autonomous or Private Body/Institution/ Company as long as he/ she is or continues to be a member of SHG, nor shall he/ she take work contracts in Government/ semi Government /Autonomous Bodies in his individual capacity during the tenure of his membership".*
3. The defendant as per clause 8.2 of the guidelines put the registration of appellants under suspended animation and issued a show cause notice to Self Help Group on 25.09.2018 which the Self Help Group has not bothered to reply at all. Further, District Employment & Counselling Centre, Budgam in order to check the veracity of the complaint sought a report from Principal JK Public School, Humhama and the Principal, JK Public School Humhama vide No. JKPS/18-4488-18 dated: 26.09.2018 conveyed to the defendant that Mr. Mehraj Ahmad Dar S/o. Ab. Gaffar Dar R/o. Humhama Budgam is working as teacher in their School from 07.06.2017. The report from Principal J K Public School, Humhama ascertained the genuiness of the compliant.

4. On 03.10.2018, M/s. Shaheeen Group of Engineers and Construction, Budgam aggrieved by the decision of Assistant Director, DE&CC, Budgam filed an appeal before Joint Director Employment, Kashmir ( First Appellate Authority) against suspension order issued by the Assistant Director, DE&CC, Budgam. Joint Director Employment, Kashmir as First Appellate Authority called both the parties and heard the case on 01.11.2018 and dismissed the appeal filed by Self Help Group by passing an order on 06.11.2018, by which the suspension order issued by Assistant Director, DE&CC, Budgam is upheld, after concluding that the Appellants have failed to explain their position regarding working of one of its members in JK Public School, Humhama which amounts to breach of clause 5.6 of guidelines of Self Help Group of Engineers scheme.
5. The Appellants filed 2<sup>nd</sup> and final Appeal before this authority on 13.11.2018 to challenge the decision of First Appellate Authority i.e Joint Director Employment, Kashmir.
6. Both the parties were called in this office on 19.12.2018 and heard. From the perusal of documents submitted in support of the claim by each party and the verbal arguments that were thrown during the proceedings, it has been found that the Self Help Group has failed in adhering to the rules governing the Self Help Group of Engineers Scheme, which tantamounts to violation, particularly of clause 5.6 of the guidelines. However, the resolution for withdrawal of Mr. Mehraj Ahmad Dar S/o. Ab. Gaffar Dar R/o. Humhama Budgam from basic membership of Self Help Group as submitted to DE&CC, Budgam prior to the compliant does not attract merit as it is devoid of any seal and signature and seems to have been prepared in haste manner, and apparently with some malice in the act of getting it delivered to DE&CC, Budgam.

Therefore, the case does not qualify for any condonation or benign intervention by this authority and as such the suspension order issued by Assistant Director, DE&CC, Budgam is upheld.

(Yash Paul Suman) KAS

**Director Employment/  
Final Appellate Authority**

No: Diremp/SHG/2018/40/2706-88

Dated: 21.01.2019

Copy for information and necessary action to the:

1. Joint Director Employment, Kashmir.
2. Assistant Director, DE&CC, Budgam.
3. M/s. Shaheeen Group of Engineers and Construction, Budgam.
4. Officer order file.