



Government of Jammu And Kashmir  
Consumer Affairs and Public Distribution Department  
Civil Secretariat, J & K Jammu

Subject: - WPPIL NO-09/2012 Titled Sheikh Mohammad Shafi Vs Union of India and others.

Government Order No. 25 - CAPD of 2016  
D a t e d : 19 -02 - 2016

Whereas, the General Administration Department vide OM No. GAD(Vig) 48-RDA 2013 dated 28-03-2014 has sought action taken report regarding enquiry bearing no Veri-BK-35/09 dated 17-09-2009 against Mushtaq Ahmad Turray Assistant Director, CAPD Kupwara with allegation of misappropriation/selling of Kerosene Oil in black market to fake license holders; and

Whereas, pursuant to the OM Dated 28-03-2014 read with O.M. Dated: 09-04-2014 of GAD, this department had asked Director CAPD Kashmir to furnish a detailed report in order to apprise the GAD; and

Whereas, the Director CAPD, Kashmir vide communication dated 06-05-2014 furnished a detailed report that on 06-04-2012 Shri Mushtaq Ahmad Turray was charge sheeted and was also asked to suspend the license of 8 Kerosene Oil who are involved in misappropriation/selling of Kerosene Oil in black marketing; and

Whereas, vide Government Order No. 84-CAPD of 2015 dated 11-08-2015 Shri Mohammad Qasim Ganai (KAS), Joint Director (Administration) Consumer Affairs and Public Distribution Department was appointed as enquiry officer with the direction to enquire in respect to alleged selling of K.Oil through black market to fake license holders by Shri Mushtaq Ahmad Turray the then Assistant Director, Baramulla and also enquire genuineness of the K.Oil license; and

Whereas, the above said officer has submitted its report vide No. DCAPDK/Adm/B-X-52/Kup/K.Oil-Enquiry dated 16-10-2015 with the findings as under:-

"Mr. Mushtaq Ahmad Turray Ex-Assistant Director, Kupwara against whom the departmental enquiry has been sought to be initiated under CCA rules has since retired

from the active service and expired too and as such the applicability of service rules cease to operate against the airing officer".

Whereas, as regards the cancellation of 8 Kerosene Oil Licenses under question, the Assistant Director, Kupwara has suspended the licenses of the said 8 K. Oil license dealers, out of which three have been cancelled as found fake and rest five are retired now as found legal because they are un-employed and their performance is satisfactory.

Now, therefore, in view of the above stated facts and circumstances, late Shri. Mushtaq Ahmad Turray is hereby exonerated from the allegations leveled against him as he has expired now and action in terms of law/rules against the fake license holders have been taken accordingly, by resorting to the findings of the enquiry report on the subject matter.

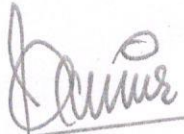
By the Order of Government of Jammu and Kashmir.

Sd/-  
(Saurabh Bhagat)IAS  
Secretary to Government.  
Consumer Affairs & P.D  
Department  
Dated: 19 -02-2016

No:- CAPD/Legal/39/2014

Copy to :-

1. Commissioner/Secretary to Government General Administration Department for information.
2. Director CAPD, Kashmir.
3. Private Secretary to Secretary to Government, CAPD department for information of Secretary.
4. Government Order file.
5. In charge Website.

  
(Javaid Ahmad Reshi)

Under Secretary to Government  
Consumer Affairs & P.D Department