

**GOVERNMENT OF JAMMU AND KASHMIR  
JAL SHAKTI DEPARTMENT  
CIVIL SECRETARIAT, JAMMU/SRINAGAR**

Subject: - Withdrawal of benefits accrued under SRO-14 of 2016 dated 15.01.2016 (M.Tech.).

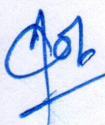
**Government Order No.16-JK (JSD) of 2022  
Dated. 25.01.2022**

Whereas, an Enquiry has been initiated vide Government. Order No.97-PW (Hyd.) of 2016 dated 28.03.2016 in the department after the issuance of the SRO-14 dated 15.01.2016 on receiving number of objections from the aggrieved quarters;and

Whereas, in the meanwhile a service writ petition bearing No.SWP No.734/2016 titled *Muzamil Hussain Rafiqui and Ors. Vs State and Ors* was filed in the matter. The petitioners have sought quashment of Government Order 97-PW(Hyd.) of 2016 dated 28.03.2016 and for consideration of their cases in terms of SRO-14 dated 15.01.2016. The Hon'ble High Court has passed the following interim directions vide its order dated 05.04.2016:

**"Notice, it is provided that while respondents would continue with the enquiry ordered vide Government Order No. 97-PW (Hyd.) of 2016 dated 28.03.2016, they shall maintain status quo in respect of SRO-14 of 15.01.2016 till next date before the Bench."**

Whereas, pursuant to the interim directions passed by the Hon'ble High Court of Jammu and Kashmir and Ladakh at Srinagar and in continuation to the already initiated inquiry in the matter vide Government. Order No. 97-PW (Hyd.) of 2016 dated 28.03.2016, the department again vide Government Order No.178-JK(JSD) of 2021 dated 01.09.2021, appointed Special Secretary to the Government, Jal Shakti Department, as an Inquiry Officer to complete the inquiry regarding the legality and circumstance under which SRO-14 of 2016 dated 15.01.2016 had been issued.

 Whereas, Special Secretary to the Government, Jal Shakti Department (Inquiry Officer) vide communication No. PS/ SPL/SECY/JSD/2021/02 dated 26.11.2021 submitted the Inquiry report in the department.



Whereas, as per the records available, in the department, it is found that there are three Engineers who have been granted the benefits under the SRO-14 dated 15.01.2016, they are as under: -

- (I). In the year 2015, before prior issuance of the said SRO the Department vide Govt. Order No.338-PW (Hyd.) of 2015 dated 15.12.2015, Sh. Muzamil Ahmad Rafiqui placed as I/C AEE in his own pay and grade ; and
- (II). In the year 2018 due to misrepresentation of facts regarding the SRO-14 and despite interim direction passed by the Hon'ble High Court of J&K at Srinagar in case titled **Muzamil Ahmad Rafiqui & others Vs State & others**, officers down the line have mooted the proposal to the authorities and subsequently the Department has issued Govt. Order No. 26-PW (Hyd.) of 2018 dated 11.01.2018, whereby Ghulam Nabi Bhat has been placed to look after the charge of post of Executive Engineer and thereafter followed Govt. Order No. 59- PW (Hyd.) of 2018 dated 06.02.2018, whereby Sanjay Kakroo has been placed to look after the charge of post of Executive Engineer in his own pay and grade.  
In this regard a detailed report has already been submitted to the General Administration Department for disciplinary proceedings against the erring officers for concealing and misrepresenting the facts.

Whereas, the Competent Authority on the basis of enquiry report submitted by the Inquiry Officer vide communication No.PS/SPL/SECY/JSD/2021/02 dated 26.11.2021 has decided that the benefits, accrued under the SRO-14 of 2016 dated 15.01.2016 of all categories to be withdrawn immediately.

Now, therefore, in view of the report of the Inquiry Officer, and as per approval of the Competent Authority, the benefits conferred under SRO-14 of 2016 dated 15.01.2016, in respect of the following officers as I/C Executive Engineers and I/C Assistant Executive Engineer respectively by virtue of Government order No's as shown against each shall be deemed to have been withdrawn ab-initio: -

S.No	Name of the Engineer S/Shri	Reference of Govt. order and date.
1.	Ghulam Nabi Bhat	26-PW(Hyd.) of 2018 dated 11.01.2018
2.	Sanjay Kakroo	59-PW(Hyd.) of 2018 dated 06.02.2018
3.	Muzamil Ahmad Rafiqui	338-PW(Hyd.) of 2015 dated 15.12.2015

Sd/-

(M.Raju) IAS

Commissioner/Secretary to the Government  
Jal Shakti Department

No. JSD-LS02(1)/72/2021 (C.No. 50257)

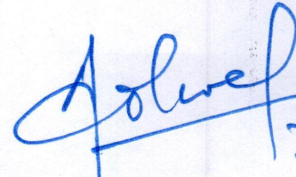
Dated: 25.01.2022

Copy to the: -

1. Principal Secretary to the Government, General Administration Department.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs.



4. Additional Advocate General, J&K High Court.
5. Director, Archives, Archaeology and Museums, J&K.
6. All Chief Engineers.
7. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
8. Secretary, J&K WRA.
9. PS to Commissioner/Secretary to the Government, Jal Shakti Department.
10. Concerned officers.
11. I/C Website.
12. Govt. Orderfile/Stockfile/w.2SC.

 25/01/22

(Arun K. Kotwal) JKAS  
Additional Secretary to the Government,  
Jal Shakti Department