

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

Subject: Initiation of Regular Departmental Action against Shri Fateh Ali the then I/C Assistant Executive Engineer, Flood Control Division, Samba (presently under suspension) and Shri Ashok Kumar Sharma the then Junior Engineer, Flood Control, Sub-Division, Hiranagar, Samba (now retired) in case FIR No.RC0042020A0006 --Appointment of Inquiry Officer thereof.

**Government Order No: 40 -JK(JSD) of 2022
Dated:- 04.03.2022**

Whereas, CBI vide communication No.2837/RC:6(A)2020/CBI/ACB/JMU dated 11.12.2020 intimated that a written complaint was lodged by Shri Yash Paul S/o Shri Radhey Shyam R/o Ward No. 8, Hiranagar, District Kathua with SP. CBI ,ACB Jammu on 28.09.2020, alleged therein that Shri Fateh Ali, the then Assistant Executive Engineer, Flood Control Division, Samba deliberately not signing the Work Register and Bill Form pertaining to the construction/work done by the Firm of the Complainant in River Tarnah, Near Gou Shalla, Pathwal, Hiranagar, Kathua, due to which the payment has not been made by the department. The Complainant contacted Shri Fateh Ali, the then AEE for signing the Work Register and Bill Form, so that pending claims/bills are cleared, but Shri Fateh Ali, demanded bribe of Rs.20,000/- for signing the Work Register and Bill Form. During verification, it also revealed that Shri Ashok Kumar Sharma, the then Junior Engineer, Sub-Division, Hiranagar had also demanded bribe of Rs.20,000/- from the complainant on behalf of Shri Fateh Ali, which also proved the demand of illegal gratification by Shri Fateh Ali directly as well as through Shri Ashok Kumar Sharma, the then Junior Engineer. The Complainant did not want to pay the bribe and accordingly approached CBI for legal action against Shri Fateh Ali, the then AEE. Consequently, on the basis of said complaint and result of discreet verification conducted by CBI, case FIR No. RC0042020A0006 was registered under relevant sections of law and investigation taken up by the CBI, ACB, Jammu; and

Whereas, the case FIR No. RC0042020A0006 has been registered U/s 7 of PC Act 1988 against the accused Fateh Ali, the then Assistant Executive Engineer, PHE, Rajouri on the basis of complaint dated 28.09.2020 lodged by Sh.Yash Paul s/o Radhaey Shyam R/o Hiranagar, Distt. Kathua J&K; and

Whereas, on the recommendation of CBI, vide this department's U.O dated 01.02.2021 the case was referred to the General Administration Department for sanctioning of prosecution against Shri Fateh Ali the then I/C Assistant Executive Engineer, Flood Control Division, Samba (presently under suspension)

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and Shri Ashok Kumar Sharma the then Junior Engineer, Flood Control, Sub-Division, Hiranagar, Samba (now retired); and

Whereas, vide Government Order No.10-JK-GAD(Vig) of 2021 dated 18.02.2021 issued by General Administration Department prosecution have been sanctioned in respect of the above named two (02) officers, on the recommendation of CBI; and

Whereas, vide this department's letter dated 09.11.2021, Memorandum, Articles of Charges and Statement of Imputation have been served to the accused Officers through Chief Engineer, PHE, Jammu; and

Whereas, both the accused officers namely, Shri Fateh Ali the then I/C Assistant Executive Engineer, Flood Control Division, Samba and Shri Ashok Kumar Sharma the then Junior Engineer, Flood Control, Sub-Division, Hiranagar, Samba (now retired) have submitted their replies in defense on the charges sheet served upon them; and

Whereas, the case has been examined and the competent authority has decided to appoint an Inquiry Officer to enquire into the charges framed viz-a-viz reply furnished by the accused officers.

Now, therefore in terms of sub-rule (4) of rule 33 of the J&K Civil Services (Classification Control and Appeal) Rules 1956, Sh Gurcharn Singh, I/C Superintending Engineer, presently in the office of the Chief Engineer, PHE, Jammu is hereby appointed as Inquiry Officer to enquire into the charges framed against Shri Fateh Ali the then I/C Assistant Executive Engineer, Flood Control Division, Samba and (presently under suspension) and Shri Ashok Kumar Sharma the then Junior Engineer, Flood Control, Sub-Division, Hiranagar, Samba (now retired). Besides, Shri Bharat Vikas Sharma, I/C AEE Technical Officer to Executive Engineer, Irrigation Division Kathua shall be the Presenting Officer in the matter.

The Inquiry officer shall conduct an exhaustive enquiry and submit his report alongwith specific recommendation to the Government within 15 days positively from the date of issuance of this order.

By Order of the Government of Jammu and Kashmir.

Sd/-

(M. Raju) IAS

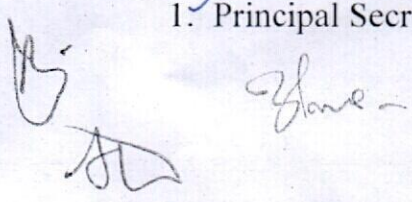
Commissioner/Secretary to the Government
Jal Shakti Department

No.JSD-HRM04/8/2021-A-PHE,I&FC (CC.No.48215)

Dated:- 04.03.2022

Copy for information to the:-

1. Principal Secretary to the Government, General Administration Department.



2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
3. Director , Anti Corruption Bureau, J&K
4. Chief Engineer, PHE Jammu.
5. Senior Superintending of Police, CBI, J&K.
6. Sh Gurcham Singh, I/C Superintending Engineer, presently in the office of the Chief Engineer, PHE, Jammu (**Inquiry Officer**), **alongwith copies of charge sheet, replies of the officers and other relevant documents are enclosed herewith for necessary action .**
7. Director, Archives, Archeology and Museums, J&K.
8. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
9. Shri Bharat Vikas Sharma, I/C AEE (Technical Officer to Executive Engineer), Irrigation Division Kathua (**Inquiry Officer**), **alongwith copies of charge sheet, replies of the officers and other relevant documents are enclosed herewit for necessary action.**
10. Private Secretary to the Commissioner/Secretary to the Government, Jal Shakti Department.
11. I/c Website.

Sharma
04.03.2022

(Bansi Lal Sharma)

Under Secretary to the Government,
Jal Shakti Department.

AS