

**Government of Jammu and Kashmir**  
**Jal Shakti Department**  
**Civil Secretariat, Jammu/Srinagar**

Subject: - Regular Departmental Action against Shri Fateh Ali, I/c Assistant Executive Engineer

**Government Order No. 58-JK(JSD) of 2025**  
**Dated: - 08.03.2025**

Whereas, on the recommendation of Central Bureau of Investigation in its report in Case RC0042020A0006 dated 28.09.2020, General Administration Department vide Govt. Order No 10-JK-GAD (Vig) of 2021 dated 18.02.2021, sanctioned prosecution against Shri Fateh Ali S/o Late Shri Haji Sultan R/o H.No.832, JMC, Janipur, Near Eidgah, Jammu, 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); and

2. Whereas the matter was based on a written complaint lodged by Shri Yash Paul, S/o Shri Radhey Shyam, R/o Ward No. 8, Hiranagar, District Kathua, with the SP, CBI, ACB, Jammu, on 28.09.2020 alleging that Shri Fateh Ali, the then Assistant Executive Engineer, Flood Control Division, Samba, was deliberately refusing to sign the Work Register and Bill Form related to the construction/work carried out by the complainant's firm in River Tarnah, near Gou Shalla, Pathwal, Hiranagar, Kathua; as a result, the department had not processed the payment. The complainant contacted Shri Fateh Ali, the then AEE, requesting him to sign the Work Register and Bill Form so that the pending claims/bills could be cleared, however, Shri Fateh Ali demanded a bribe of Rs. 20,000/- for signing the documents. During verification, it was also revealed that Shri Ashok Kumar Sharma, the then Junior Engineer, Sub-Division, Hiranagar, had demanded a bribe of Rs. 20,000/- from the complainant on behalf of Shri Fateh Ali. This further substantiated the demand for illegal gratification by Shri Fateh Ali, both directly and through Shri Ashok Kumar Sharma. Consequently, based on the complaint and the findings of the discreet verification conducted by the CBI, FIR No. RC0042020A0006 was registered under the relevant sections of law, and the investigation was taken up by the CBI, ACB, Jammu; and

3. Whereas, during the course of investigation conducted by the CBI, ACB, Jammu, a trap laying team was constituted headed by Shri Sham Datt, Deputy Superintendent of Police (Dy.SP) CBI, ACB, Jammu for laying a trap. The trap team assembled in the office of SP, CBI, Jammu and pre-trap proceedings were completed and signed by all present. Thereafter, the Complainant was made to call the accused Shri Fateh Ali from his Mobile Number and enquire about the location. Upon concluding pre-trap proceedings as well as recording conversation held between complainant and the accused Shri Fateh Ali, the trap team, Complainant and independent witnesses, etc. reached the pre-fixed spot i.e. Pizza Hut, Bahu Plaza, Jammu for laying a trap, where the accused Shri Fateh Ali, the then Assistant Executive Engineer, Flood Control Division, Samba was caught red handed by the Trap Team while demanding and accepting an illegal gratification of Rs. 20,000/- from the complainant in presence of independent witnesses, for signing the Work Register and Bill Form 24 pertaining to the Contract of the Protection Work at River Tarnah, near Gou Shalla, Pathwal, National Highway, Hiranagar, Kathua; and

4. Whereas, the investigation conducted by the Investigating Agency established that the accused Shri Fateh Ali, the then AEE and Shri Ashok Kumar Sharma, the then JE in their capacity as public servants, by corrupt and illegal means and by abusing their official positions, demanded and accepted a bribe amount of Rs. 20,000/ from the Complainant for signing the Work Register and Bill Form for the work done by the complainant and the said act of the accused public servants constitutes offences punishable under law; and

5. Whereas, consequent upon his arrest on 28.09.2020, vide Govt. Order No. 193-JK(JSD) of 2020 dated 05.10.2020, Shri Fateh Ali, the then AEE was placed under suspension; and

6. Whereas, Memorandum, Articles of Charges and Statement of Imputation were served to the accused Officers on 09.11.2021 with the direction to submit their reply in defense. The charged officer/official have submitted their written statement in defense; and

7. Whereas, as per the Rule 33 (4) of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956, vide Government Order No.40-JK(JSD) of 2022 dated 04.03.2022, Inquiry Officer was appointed, which was later amended vide G.O. No.40-JK(JSD) of 2022 dated 04.03.2022 and G.O. No. 152-JK(JSD) of 2022 dated 15.07.2022, to appoint a new Inquiry Officer, to conduct an in-depth inquiry into the charges framed 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). Besides, Shri Virender Singh, I/c AEE Irrigation Sub-Division Hiranagar was appointed as Presenting Officer; and

8. Whereas, the Inquiry Officer submitted the inquiry report and recommended as follows:-

*"The crux of the inquiry being that without the executed work having Administrative Approval accorded, Technical Sanction accorded and having no defined pipeline to make payment, the intentions of the complainant prima facie seem mala fide. The Officer has no record of dereliction of duties or accusations prior to this single episode whose conclusive outcome is awaited from Hon'ble Court and it is maintained that the accused Officer namely Sh. Fateh Ali needs to be continued in service till the Hon'ble Court delivers a judgment to the contrary. The recommendation however is for consideration of the Government and the findings recorded in the capacity as Enquiry Officer become infused while deciding by the Disciplinary Authority."*

*;and*

9. Whereas, the report of the Inquiry Officer was examined and vide this department's letter dated 08.02.2023, the Inquiry Officer was requested to revisit the report and furnish concrete findings after examining the records lying in the custody of CBI; and

10. Whereas, the Inquiry Officer vide No. CE/CID/PDC/ADM/829-30 dated 27.05.2024 has submitted the supplementary report and concluded as under: -

*Both the accused have indulged in practices which are not in sync with established Government conduct and prima facie an act of omission indeed has been taken*



*place as is evident from detailed investigation carried out, notwithstanding the outcome of judicial proceedings in foreseeable future.*

11. Whereas, the reply submitted by the charged officer/official and Enquiry Report submitted by the Inquiry Officer appointed vide Government Order No. 152-JK(JSD) of 2022 dated 15.07.2022 was placed before the Competent Authority who has decided to impose penalty of withholding one increment in terms of Rule 30 (iii) of J&K Civil Services (Classification, Control and Appeal) Rules, 1956.

12. Now, therefore, it is hereby ordered that penalty of withholding one increment in terms of Rule 30 (iii) of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 is hereby imposed upon Shri Fateh Ali, the then I/c Assistant Executive Engineer.

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

Sd/-

(Shaleen Kabra) IAS


**Financial Commissioner/Additional Chief Secretary,  
Jal Shakti Department**

No. JSD-HRM04/8/2021 (48215)

Dated:- 08.03.2025

Copy to the: -

1. Additional Chief Secretary to Hon'ble Chief Minister, J&K.
2. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
4. Commissioner/Secretary to the Government, General Administration Department, J&K.
5. Director Finance, Jal Shakti Department, J&K.
6. Chief Engineer, Jal Shakti (I&FC) Department, Jammu.
7. Chief Engineer, Jal Shakti (PHE) Jammu.
8. Director, Archives, Archaeology and Museums, J&K.
9. OSD to Hon'ble Minister, Jal Shakti Department, J&K.
10. Pvt. Secretary to the Financial Commissioner/ Additional Chief Secretary, Jal Shakti Department, J&K.
11. Concerned officer.
12. I/c Website.
13. Government Order file (w.2.s.cs)

  
(Sahil Mahajan) J&K A.S.  
**Under Secretary to the Government  
Jal Shakti Department**