

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

Subject:- Initiation of Regular Departmental Action against the public servant namely Shri Rajinder Kumar Gupta, the then Executive Engineer, Jal Shakti (PHE) Division Akhnoor (presently posted in the Irrigation Division No. 1, Jammu) – Appointment of Inquiry Officer thereof.

Government Order No. 101-JK(JSD) of 2024

Dated:- 10.05.2024

Whereas, Shri Rakesh Kumar Sharma filed a contempt petition before the Hon'ble Central Administrative Tribunal, Jammu for non implementation of order dated 25.01.2021. Shri Rajinder Kumar Gupta, the then Executive Engineer, Jal Shakti (PHE) Division, Akhnoor filed statement of facts before the same, wherein he has stated at (para C) that the applicants from S. No. 1 to 3 have pending wages amounting to Rs. 7.12 Lacs, and these pending wages will be paid to the applicants as and when the additional funds demanded from the Higher Authorities are received; and

Whereas, the matter was examined by the Chief Engineer, Jal Shakti (PHE), Jammu who found that no muster sheets are available in respect of the applicants, which is a pre-requisite condition for drawing wages as NBCL under the proper head; and

Whereas, the incumbent Executive Engineer, Jal Shakti (PHE) Division Akhnoor has filed a fresh compliance report in the Hon'ble CAT on 10-02-2024 stating that "the cases of the petitioners have been considered and the answering respondents have passed a speaking order in this regard in which it was submitted that:-

"the applicants have already been engaged as CP Workers in Jal Shakti (PHE) Division Akhnoor in lieu of the land donated to the Department as per the SRO 520 Dated: 21-12- 2017 under rule 11(B) (Land Donors) further it is submitted that there is no government policy for regularization of CP worker under SRO 520 and as per the record available in the Office of Jal Shakti (PHE) Division Akhnoor, no muster sheets are available in respect of the applicant which is pre requisite condition for drawing wages as NBCL under proper head. Further it is submitted that the applicant is presently getting his wages regularly.

Whereas, on the basis of records furnished by the Chief Engineer, Jal Shakti (PHE), Jammu, vide this department's Memorandum dated 22.03.2024, Article of Charges and Statement of Imputations were served upon Shri Rajinder Kumar Gupta, the then Executive Engineer, Jal Shakti (PHE) Division Akhnoor (presently posted in the Irrigation Division No. I, Jammu); and

Whereas, Shri Rajinder Kumar Gupta, submitted the reply to the charges leveled against him; and

Whereas, the reply/written statement submitted by the charged officer, was examined in the department and the Competent Authority has decided to conduct an exhaustive enquiry into the allegations leveled against the charged officer thorough an Inquiry Officer;

Now therefore, in terms of Rule 33 (4) of J&K Civil Services (Classification, Control & Appeal) Rules, 1956, Shri Ashwani Khajuria, JKAS, Special Secretary to the Government, Jal Shakti Department is hereby appointed as Inquiry Officer to enquire into the charges framed against Shri Rajinder Kumar Gupta, the then Executive Engineer, (PHE) Division Akhnoor (presently posted as Executive Engineer, Irrigation Division No. 1, Jammu). Besides, Shri Rajiv Kumar, Assistant Executive Engineer, Jal Shakti (PHE) Sub-Division Akhnoor shall be the Presenting Officer in the case.

The Inquiry Officer shall conduct an exhaustive enquiry and submit his report/findings alongwith specific recommendations to the Government within 15 days positively from the date of issuance of the Order.

By order of the Government of Jammu and Kashmir.

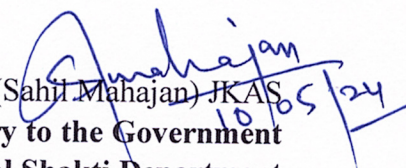
Sd/-
(Shaleen Kabra) IAS
**Financial Commissioner (Additional Chief Secretary),
Jal Shakti Department**

No: JSD-HRM04/11/2024-A (C. No.7420015)

Dated: 10.05.2024

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
2. Commissioner/Secretary to the Government, General Administration Department.
3. Director, Anti Corruption Bureau, J&K.
4. Director, Archives, Archaeology and Museums, J&K.
5. Shri Ashwani Khajuria, JKAS, Special Secretary to the Government, Jal Shakti Department (**Inquiry Officer**) *alongwith copies of charge sheets, replies of the delinquent officers and all other relevant documents.*
6. Chief Engineer, Jal Shakti, (PHE) Department Jammu.
7. Chief Engineer, Jal Shakti, (I&FC) Department Jammu
8. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
9. Concerned Officer.
10. Shri Rajiv Kumar, Assistant Executive Engineer, Jal Shakti (PHE) Sub- Division Akhnoor (**Presenting Officer**) *alongwith copies of charge sheets, replies of the delinquent officers and all other relevant documents.*
11. Private Secretary to the Financial Commissioner (ACS), Jal Shakti Department.
12. I/c Website.
13. Government Order file (w.2.s.cs).


(Sahil Mahajan) JKAS
**Under Secretary to the Government
Jal Shakti Department**