

**Government of Jammu and Kashmir**  
**Public Works (R&B) Department**  
**Civil Secretariat, Srinagar/Jammu**  
(HRM Section)

Subject: Initiation of simultaneous RDA against Er. Ghulam Hassan Rather, the then Assistant Executive Engineer, R&B Special Sub-Division Uri, for commission of offences punishable U/S 7 of the Prevention of Corruption Act, 1988, in Case FIR No. 29/2022 P/S ACB, Baramulla.

**Government Order No. 269 PW(R&B) of 2024**

**Dated: 12.09.2024**

**WHEREAS**, the General Administration Department, vide Government Order No. 38-JK-GAD(vig) of 2023 dated 07.07.2023, accorded sanction to the prosecution of the delinquent Engineer and intimated that instant case was registered on the basis of a written complaint lodged by one Waseem Raja Bhat S/o Ghulam Mohidin Bhat R/o Summer Bugh, Lasjan, Srinagar C/o Altaf Construction against Ghulam Hassan Rather, the then Assistant Executive Engineer, R&B, Special Sub Division, Uri stating therein that a work titled "Construction /widening of road from main road Choolan to Daragutlian upto Bosian" under R&B Special Sub-Division, Uri had been allotted to M/S Altaf Constructions Kanihama Nowgam, Srinagar and the complainant has been executing said work on behalf of said firm from last two years;

**AND WHEREAS**, the General Administration Department vide ibid Government Order also advised the PW(R&B) Department to initiate consequential action against the accused;

**AND WHEREAS**, the case was examined in the Department and vide this Department's letter dated 18.10.2023, Articles of Charge in the form of Memorandum was served upon the delinquent engineer for seeking his response to the charges;

**AND WHEREAS**, the reply submitted by the engineer was examined in the Department and it was decided to appoint an Inquiry Officer in the matter to inquire into the charges vis-a-vis replies furnished by the accused engineer;

**AND WHEREAS**, vide Government Order No. 524-PW(R&B) of 2023 dated 26.12.2023 Er. Narinder Kumar, I/c Superintending Engineer, PWD, Zone North Kashmir was appointed as Inquiry Officer to enquire into the charges served upon the delinquent engineer;

**AND WHEREAS**, the Inquiry Officer furnished his report vide No. SE/R&B/CSN/PS/3968-72 dated 09.07.2023, which was examined in the Department

and it has been found that the Inquiry Officer has not conducted a fair inquiry based on the principles settled under rules/guidelines/advisories governing the subject;

**AND WHEREAS**, the Inquiry Report submitted by the Inquiry Officer vide ibid letter dated 09.07.2023, being not in consonance with J&K Civil Service (CCA) Rules 1956, has not been accepted and it has been decided to appoint a fresh Inquiry Officer in the matter.

**Now, therefore**, in terms of sub-rule (4) of Rule-33 of the Jammu & Kashmir Civil Services (Classification, Control & Appeal) Rules, 1956, **Er. Atul Bali**, Incharge Chief Engineer, DIQC, J&K, is hereby appointed as Inquiry Officer to enquire into the charges served upon Er. Ghulam Hassan Rather, the then Assistant Executive Engineer, R&B Special Sub-Division Uri.

The Inquiry shall be subject to the following :

- a. The Inquiry Officer shall submit the report within 30 days.
- b. The Inquiry Officer shall examine the charges served upon the delinquent engineer and his response /other related facts and submit clear findings as to whether the charges sustain or otherwise with reasons.
- c. The Inquiry Officer shall provide an opportunity of being heard to the charged engineer and record the statement of all other stakeholders, if necessary, before finalizing the report.
- d. The Inquiry Officer shall follow the principle of the simultaneous disciplinary proceedings outlined in the advisories notified by the General Administration Department in the Circular No(s). 49-GAD of 2018 dated 12.12.2018, 06-JK(GAD) of 2020 dated 03.02.2020 and 24-JK(GAD) of 2021 dated 17.07.2021.

Er. Rais Aslam Makhdoomi, I/c Executive Engineer, PW(R&B) Division, Baramulla, shall be the Presenting Officer in the matter.

The Inquiry shall not be affected by the transfer of any of the Officers i.e. Inquiry Officer and Presenting Officer, who shall submit the report as per the above terms of reference.

By order of the Government of Jammu and Kashmir.

Sd/-  
**(Bhupinder Kumar)**, IAS  
Secretary to the Government.


Encs: \_\_\_\_\_ pages.

No. PWD-HRM1/97/2023-05 (C.No. 7233093)

Dated 12.09.2024

Copy to the:-

1. Commissioner/Secretary to the Government, General Administration Department.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Director Anti-Corruption Bureau, J&K, Jammu.
4. Er. Atul Bali, Incharge Chief Engineer, DIQC, J&K. Copy of the 'Memorandum' served on the accused officer along with the Articles of charges and other allied documents are enclosed herewith for perusal and further necessary action.
5. Er. Rais Aslam Mukdomi, I/c Executive Engineer, PW(R&B) Division Baramulla.
6. Concerned.
7. Private Secretary to Secretary to the Government, Public Works (R&B) Department.
8. Government Order file/Stock file/Monday Returns file.

  
(**Namrita Bhan**), JKAS  
Under Secretary to the Government

12.09.2024  
11