

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

Subject:- Initiation of Regular Departmental Action against Shri Bashir Ahmad Dar, the then Executive Engineer, PHE Division Handwara in Pre-litigation application titled Mohd Abdullah Mir V/s Executive Engineer, PHE Division Handwara. – Appointment of Inquiry Officer thereof.

**Government Order No. 120-JK(JSD) of 2024**  
**Dated: 04.06.2024**

Whereas, the Chief Engineer, PHE Kashmir has informed that during the year 2002-03, the then Executive Engineer, Jal Shakti, PHE Division Handwara had constructed a Water Treatment Plant at Langate in the year under NRDWP and the land was acquired from one Shri Fateh Mir S/o Rustum Mir R/o Langate under survey NO. 2677 measuring 04 kanal and 05 Marlas and the revenue abstracts were submitted to the Tehsildar Handwara. The land owner namely Shri Fateh Mir S/o Rustam Mir R/o Langate passed away in the year 2005 and his legal heirs namely Shri Mohd. Abdullah Mir & his Sister has taken over the possession of moveable and immovable property;

Whereas, in the year 2011 Tehsildar Handwara reported that the land is under occupation of PHE Department but has not been mutated in favour of the Department. Owing to the death of land owner, the land has been inherited to Mr. Mohd Abdullah Mir S/o Haji Fatah Mir R/o Langate hereinafter the present owner. The land abstracts stands already forwarded to the concerned Tehsildar for accord of orders for mutation of the land in favour of PHE Division Handwara so that compensation is paid to the land owner but till date the land has not been mutated in favour of the department. Subsequently, the land owner preferred to file an application before the Legal Services Authority Handwara and the case was referred to Lok Adalat for conciliation and adjudication. In the Lok Adalat/National Lok Adalat held at Court Complex Handwara on 21.10.2022, the following has been decided:-

At the instance of the parties the above titled pre- litigation matter was referred to the Lok Adalat for conciliation and adjudication. The matter was taken up today the 21st October 2022. As agreed by the parties, the following compromise was arrived at amicably. The Department of PHE (Jal Shakti) non-applicant shall pay an amount of rupees 90 Lacs (ninety lakhs) to the applicant as compensation for land of the applicant under survey No: 3677 measuring 04 Kanal and 05 Marlas at Langate under the occupation of the non- applicant (PHE Division Handwara) within a period of six months, failing which the department shall be liable to pay the interest @ 8%.

Whereas, the present Executive Engineer was summoned to Hon'ble Court for personal appearance and said officer was directed to pay off the claim and in negotiation the officer has been given one month period for clearance of this liability otherwise it was directed that all the official accounts will be frozen besides stoppage of salary of the division.



Whereas, the case was examined in the department and accordingly, the concerned Chief Engineer was requested to identify the officer responsible for passing of order by the Lok Adalat and to the furnish charge sheet. On the basis of charge sheet furnished by the concerned chief engineer against Mr. Bashir Ahmad Dar, the then Executive Engineer, Jal Shakti, PHE Division Handwara (presently posted as Executive Engineer, Irrigation & Flood Control Division, Shopian). Accordingly, the memorandum alongwith chargesheet and statement of imputation have been served upon him vide O.M No. JSD-HRM04/21/2023-HRM(CC No. 7376718) dated 22.04.2024.

Whereas, Shri Bashir Ahmad Dar, the then Executive Engineer Jal Shakti (PHE) Division Handwara (presently posted as Executive Engineer, Irrigation & Flood Control Division, Shopian) has submitted the reply against the charges. Whereas, after examining the reply/written statement submitted by the delinquent officer, the competent authority has decided to conduct an exhaustive enquiry into the allegations leveled against the delinquent officers;

Now therefore, in terms of Rule 33 (4) of J&K Civil Services (Classification, Control & Appeal) Rules, 1956, Shri Naresh Kumar, I/c Chief Engineer, Irrigation & Flood Control, Kashmir is hereby appointed as Inquiry Officer to enquire into the charges framed against Shri Bashir Ahmad Dar, the then Executive Engineer Jal Shakti (PHE) Division Handwara (presently posted as Executive Engineer, Irrigation & Flood Control Division, Shopian). Besides, Shri Sharief-ud-Din, Assistant Executive Engineer (Technical Officer to Executive Engineer), PHE Division Kupwara shall be the Presenting Officer.

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.**

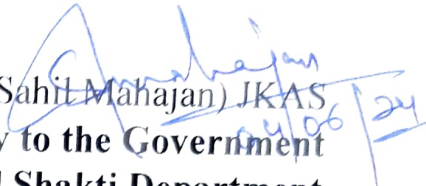
No: JSD-HRM04/22/2023-A (C.No.7376718)

Dated: 04.06.2024

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, Jammu.
4. Director Archives, Archeology and Museums, J&K.
5. Shri Naresh Kumar, I/c Chief Engineer, Irrigation & Flood Control, Kashmir  
**(Inquiry Officer) alongwith copies of charge sheets, replies of the delinquent Officers and relevant documents.**
6. Chief Engineer, Jal Shakti, (PHE) Department Kashmir.

7. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
8. Concerned Officers.
9. Shri Sharief-ud-Din, , Assistant Executive Engineer (Technical Officer to Executive Engineer), PHE Division Kupwara (**Presenting Officer**) **alongwith copies of charge sheets, replies of the delinquent officers and all other relevant documents.**
10. Pvt. Secretary to the Financial Commissioner (ACS), Jal Shakti Department.
11. I/c Website.
12. Government Order file (w.2.s.cs).

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