

**Government of Jammu & Kashmir**  
**Office of the Financial Commissioner (Revenue) J&K**

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**Subject:-**Involvement of Sh. Mohd Shabir, MTS, Tehsil Office, LohaiMalhar, District Kathua in Narcotic Drugs and Psychotropic Substance (NDPS) cases in FIRs No. 25/2021 u/s 8/21/22 and No.127/2023 u/s 8/20/21/22 of NDPS Act - Dismissal from service under Article 311(2) of the Constitution of India.

**Order No.:- 58- FC(Rev) of 2025**

**Dated:- 10 -07-2025**

1. Whereas, Sh. Mohd Shabir , MTS, Tehsil Office, LohaiMallhar, District Kathua, was involved in FIR No. 25/2021 u/s 8/21/22 of NDPS Act in connection with possession of 4.60 grams of Heroin-like substance at Chitta Morh near Seri Ghat and was arrested for narcotic- related crimes on 12-04-2021 and remained in judicial custody w.e.f 12-04-2021 to 20-04-2021 (09 days) ; and
2. Whereas, Deputy Commissioner Kathua vide e- file no. (7242433) has intimated that Sh. Mohd Shabir, MTS Tehsil Office, LohaiMalhar, was arrested by the Police Station Basohli in case FIR No. 25/2021 u/s 8/21/22 of NDPS Act and was placed under suspension by Additional Deputy Commissioner, Billawar vide Order No. ADC/Bir/2021-22/158-60 dated 23-04-2021 in terms of Rule-31 (2) of J&K Civil Services ( Classification, Control & Appeal) Rules, 1956, from the date the official was arrested i.e. 12-04-2021; and
3. Whereas, during the period of suspension, the official Sh. Mohd Shabir was again found in possession of 02 Grams of Heroin and 14 grams of Charas respectively, in the area of Patnala, Pallan, Phinter and was arrested by the Police Station Billawar on 04.09.2023 in connection with the case FIR No.127/2023 u/s 8/20/21/22 of NDPS Act dated 04.09.2023; and

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4. Whereas, Deputy Commissioner, Kathua vide Order No. 05/KTH of 2025 dated 03-01-2025 initiated Regular Departmental Action (RDA) in terms of Rule 33(4) of J&K Civil Services ( Classification, Control & Appeal) Rules, 1956, against Sh. Mohd Shabir, MTS and appointed Additional Deputy Commissioner, Billawar as Inquiry Officer to enquire into the charges leveled against the official who was found involved in two cases pertaining to Narcotic Drugs and Psychotropic Substance ; and

5. Whereas, Inquiry Officer vide no. ADC/Blr/2024-25/2088-90 dated 07-01-2025 has served chargesheet to Sh. Mohd Shabir MTS to furnish the written statement of defence within 07 days on the charges leveled against him. In response the charged official has submitted his written reply in defence on 14-01-2025 wherein he has maintained his innocence and has stated that his case is pending before the Hon'ble Court at the stage of prosecution witness; and

6. Whereas, considering all relevant facts on record the Inquiry Officer vide letter no. ADC/Blr/2024-25/2595 dated 12-03-2025, has submitted the detailed enquiry report alongwith following recommendations:-

***"Reply to the Article of Charges submitted by the said orderly are found unsatisfactory as he mentioned that he was framed as co-accused and wrongly implicated in false and frivolous FIR's. These acts of the Mohd. Shabir in which he was caught with possession of contraband substances twice doubts his integrity and his action in this manner is impatient to be a public servant as such it is recommended that stern action as warranted under rule 30 of J&K Civil Services (classification, control and appeal) Rules 1956 be initiated against Mohd. Shabir S/o Mohd Hanif MTS Tehsil office Lohai Malhar".***

7. Whereas, Deputy Commissioner, Kathua vide letter No.DCK/Adm/2024-25/2637-39 dated 25.03.2025 has held that the findings of the Inquiry Officer have conclusively established that Sh.Mohd Shabir, MTS has been involved in two separate cases of NDPS, which constitutes a serious misconduct and is unbecoming of a public servant. His conduct reflected a complete disregard for principles of integrity and ethics which

*[Signature]*





are direct violation of Rule 3 (1) (i) and (iii) of the J&K Government Employees Conduct Rules, 1971, and deserve a severe and exemplary disciplinary action to uphold the sanctity of the government service which may act as a deterrence in future; and

8. Whereas, Deputy Commissioner, Kathua vide letter dated 25-03-2025 has recommended that the penalty of dismissal from service under Rule-30 of J&K Civil Service (Classification, Control and Appeal) Rules, 1956, sub-rule (viii), be imposed on Sh. Mohd Shabir, MTS; and

9. Whereas, Divisional Commissioner, Jammu vide letter dated 601/RA/cc-7662385 dated 20.06.2025 has endorsed the recommendations of Deputy Commissioner, Kathua, for penalty of dismissal from service under Rule-30 of J&K Civil Service (Classification, Control and Appeal) Rules, 1956, sub-rule (viii) against ; and

10. Whereas, the case of Sh. Mohd Shabir, MTS Tehsil Office Lohai Malhar was placed before the Competent Authority for acceptance of report of Inquiry Officer and the recommendations of Deputy Commissioner Kathua and the Competent Authority has observed as under:-

*"The official has been involved in not one but two instances of recovery of contraband, second one while he was under suspension and both the cases are now under trial, with charges under NDPS Act established prima facie by the court. The replies to the Articles of Charges are evasive. IO's enquiry is elaborate and takes into account the factual position obtained from the police authorities. Deputy Commissioner's report is detailed, and holding that the charges are established conclusively, recommends dismissal. "; and*

11. Whereas, the Competent Authority has, taking into consideration the gravity of the charges which have been proved, the IO's report, and the recommendations of the Deputy Commissioner, and in exercise of the powers vested under Article 311(2) of the Constitution of India, decided to impose the penalty of dismissal from the service of the State which ordinarily disqualifies him from the future employment.



12. Now, therefore, it is hereby ordered that in terms of Article 311 (2) of the Constitution of India, Sh. Mohd Shabir S/o Mohd. Hanif R/o village Dhambra, MTS, Tehsil Office, LohaiMallhar, District Kathua, currently under suspension, is dismissed from service of the State with immediate effect. He is also disqualified from any future employment with the government.

**By order of the Financial Commissioner Revenue, J&K.**

  
(Dr. Tahir Firdous), JKAS  
Additional Commissioner (Central)  
Financial Commissioner (Rev.)  
J&K.

FCR-CORD/24/2024-06 (7386492)

Dated: 10.07.2025

**Copy to the:-**

1. Additional Chief Secretary to Hon'ble Chief Minister, J&K.
2. Director General of Police, J&K.
3. Principal Secretary to the Government, Home Department, J&K.
4. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
5. Joint Secretary (J&K), Ministry of Home affairs, Government of India, New Delhi.
6. Commissioner/Secretary to the Govt, GAD J&K.
7. Secretary to the Government, Revenue Department, J&K.
8. Divisional Commissioner, Jammu for information.
9. Deputy Commissioner, Kathua for information.
10. Director Archives, Archaeology and Museums, J&K.
11. PS to Financial Commissioner Revenue, J&K.
12. Sh. Mohd Shabir S/o Mohd. Hanif R/o Dhambra, Billawar Kathua.
13. I/c website.

