Government of Jammu and Kashmir
Civil Secretariat: Home Department

Subject: Departmental inquiry against Mr. Ramesh Kumar Bhat, the then ASP, Nowshera, presently posted as Additional Secretary, Technical, Secretariat of State Road Safety, Council, J&K.

Reference: O.M.No. GAD(Vig)23-SP/2016 dated 20.01.2017 and dated 22.03.2017 received from General Administration Department. dated 20.01.2017 and 22.03.2017 received from General Administration

Government Order No. || Home of 2019
Dated: 31.01.2019

Whereas, the General Administration Department, in terms of communication No. GAD(Vig)23-SP/2016 dated 20.01.2017, had in the backdrop of investigation report of Vigilance Organization in case FIR No. 28/2010 P/S VOJ, inter-alia, intimated that the then Sub-Inspector, Incharge Police Post, Lamberi was allegedly involved in demanding and accepting an amount of Rs. 20,000/- as bribe from the complainant, for which the prosecution sanction as envisaged under law had been sanctioned by the said department; and

2. Whereas, in the aforementioned letter, the General Administration Department also sought Regular Departmental Action against Mr. Ramesh Kumar Bhat, the then ASP, Nowshera for having exhibited poor supervision during his duty in relation to the said incident. It was further intimated that the initiation of the Regular Department Action against Mr. Ramesh Kumar Bhat, has met the approval of the Competent Authority; and

3. Whereas, on receipt of aforementioned communication, the matter was examined in the Department and by virtue of communication No. Home/Gaz/PB-I/12/2017/3427 dated 11.08.2017, a Memorandum of Articles of Charge accompanied by the Statement of Imputations was served upon the delinquent officer; and
4. Whereas, the officer, in terms of his communication dated 19.09.2017, submitted his reply to the charge sheet in terms whereof he had refuted the charges and requested for dropping the same; and

5. Whereas, the reply submitted by the officer was considered and it was observed that the matter is required to be examined through an independent inquiry as envisaged under Rule 33 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956. Accordingly, vide Government Order No. 1626-Home of 2017 dated 13.11.2017, Mr. S.Ahfadul Mujtaba, IPS, the then IGP Armed, Kashmir was appointed as the Inquiry Officer to conduct an inquiry into the charges framed against the delinquent officer; and

6. Whereas, Mr. S.Ahfadul Mujtaba, IPS, the then IGP Armed, Kashmir, in terms of his communication dated 24.11.2017, inter-alia, intimated that he was posted as officer in-charge of Police Station, VOJ when the instant case FIR No. 28/2010 P/S VOJ was registered and accordingly, recused himself from conducting the entrusted inquiry; and

7. Whereas, the matter was further examined in the department and with the approval of the Competent Authority and in supersession of Government Order No. 1626-Home of 2017 dated 13.11.2017, Mr. Mubarak Ahmad Ganaie, IPS, the then IGP, Railways, J&K was appointed as the Inquiry Officer, vide Government Order No. 62-Home of 2018 dated 15.01.2018, to conduct an inquiry into the charges framed against the delinquent officer; and

8. Whereas, the Inquiry Officer after the completing the inquiry in the instant matter submitted his report to the Home Department in terms of his communication No. RPHQ/CS/Clt-13/2018/4480 dated 25.04.2018; and

9. Whereas, on examination of the report of the Inquiry Officer, it was observed that the Inquiry Officer has arrived at the conclusion that the charges framed against the delinquent officer, after having been enquired, have not been established during the course of the departmental enquiry. The Inquiry Officer had accordingly, recommended the exoneration of the officer; and

10. Whereas, the report/recommendation of the Inquiry Officer was placed before the Competent Authority, for acceptance and
exoneration of the delinquent officer of all the charges framed against him in the departmental inquiry; and

11. Whereas, the Competent Authority approved the proposal referred to at para 10 above.

12. Now, therefore, with the approval of the Competent authority, the inquiry instituted vide Government Order No. 62-Home of 2018 dated 15.01.2018 against Mr. Ramesh Kumar Bhat, the then ASP, Nowshera, now Additional Secretary, Technical, Secretariat of State Road Safety, Council, J&K, is hereby closed and the officer is exonerated of all the charges framed against him in the instant inquiry.


Sd/-
(R.K. Goyal) IAS
Principal Secretary to Government,
Home Department

No: Home/PB-I/Gaz/12/2017 Dated: 31.01.2019

Copy to the: -
1. Principal Secretary to Hon’ble Governor.
2. Director General of Police, J&K.
3. Commissioner/Secretary to Government, General Administration Department.
4. Director, Anti-Corruption Bureau, J&K.
5. Concerned Officer.
6. Director Achieves, Archaeology & Museums, J&K.
7. OSD to Hon’ble Advisor (K).
8. Private Secretary to Principal Secretary to Government, Home Department.
9. Incharge website, Home Department.

(Syed Yasin Fanoos) RAS
Under Secretary to Government,
Home Department