

Government of Jammu and Kashmir,
Transport Department, Civil Secretariat,
J&K.

Subject: Conclusion of RDA against Mr. Bhumesh Sharma, Ex-ARTO.

Refer: Letter No. TC/JK/RDA/2024/911 dated 15-10-2024.

Government Order No. 03 -JK (TR) of 2025
Dated: 17 -01-2025.

WHEREAS, a case FIR No.13/2002 was registered in P/S VOJ against Shri Z.M. Samnani, Ex-ARTO, Jammu and others in connection with illegal registration of five (05) Trucks/Chassis without conducting of their physical inspection by the Board of Inspection (BOI), Jammu during the period these trucks were under body fabrication at a workshop outside the Jammu and Kashmir; and

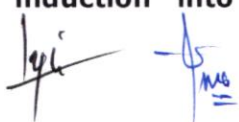
WHEREAS, Shri Bhumesh Sharma at that point of time was posted as in-charge Board of Inspection, Jammu and being a public servant, required to maintain absolutely and integrity in the discharge of his official duties and do nothing unbecoming of a government employee and issued fitness certificates in respect of five (05) trucks/chassis on 15-09-2000 without conducting physical checkup/inspection of these trucks in pursuance to the rule 44 and 47 of Motor Vehicles Act/Rules; and

WHEREAS, on 17-08-2004 acting upon several complaint of malpractices/irregularities in the offices of RTOs/ARTOs, the Vigilance Organization (now ACB) conducted Joint Surprise Check (JSC) across Jammu and Kashmir and during which various irregularities, malpractices, procedural discrepancies were noticed, inter-alia, the office of Shri Bhumesh Sharma (BOI, Jammu) was also raided and the officer was found un-authorizedly absent; and

WHEREAS, the General Administration Department vide letter No. GAD-VIGORDA/195/2022-02-GAD dated 28-11-2023 has sought the status of the case alongwith all the documents relating to RDA case viz. draft articles of charge, statements of imputation and gist of evidence etc. in respect of Mr. Bhumesh Sharma, JKAS, in case FIR No. 13/2002 and JSC No. JSC-SLK-58/2004 and any other matter pending against the officer in Transport Department; and

WHEREAS, a meeting was held under the Chairmanship of Commissioner/Secretary to the Government, General Administration Department on 16-05-2024 wherein the following decision was taken:-

"After thorough discussion, the chair instructed the Transport Commissioner and the representative of the Transport Department to expedite the submission of action taken reports for FIR No. 13/2002 and JSC-SLK-58/2004. These reports concern the period when Mr. Bhumesh Sharma was part of the J&K Transport Services, prior to his induction into the Jammu and Kashmir Administrative



Services. The chair stressed the importance of resolving these issues quickly, noting that the matter is currently sub-judice. Moreover, the representative of the ACB was requested to provide assistance to the Transport Department by way of providing documents related to the case, if any required by the department."

WHEREAS, as per the above decision, the matter was accordingly taken up with the Director, Anti Corruption Bureau, J&K, to provide all the requisite/supporting documents related to the FIRs/JSC registered/pending in the Vigilance Organization against Shri Bhumesh Sharma, Ex-ARTO, as all record of the Department including the personal file of the officer was deluged due to flash floods in Kashmir in 2014, who vide letter ACB-FIR-13/2002-J-6675 dated 30-05-2024 has furnished the requisite necessary documents related to the case; and

WHEREAS, consequently vide Government Order No.50-JK(TR) of 2024 Dated 03-06-2024, Shri Rajinder Singh Tara, JKAS, the then Transport Commissioner, J&K, was appointed as "Inquiry Officer" amended vide Government Order No. 72-JK(TR) of 2024 dated 09-09-2024, Shri Ajaz Abdullah Saraf, Additional Transport Commissioner, J&K, was appointed as "Inquiry Officer" to conduct an in-depth inquiry into the RDA/allegations leveled against Shri Bhumesh Sharma, Ex-ARTO; and vide Government Order No. 52-JK(TR) of 2024 dated 19-06-2024, Shri Vinay Samotra, JKAS, Joint Transport Commissioner, J&K, was appointed as "Presenting Officer" of the said enquiries; and

WHEREAS, vide this Department's letter TRPT-MVD0N/79/2023-02-TPT dated 08-07-2024 and 14-07-2024, the draft Article of Charges, Statement of Imputation (Brief facts and Gist) and Copy of letter No. ACB-FIR-13/2002-J-6675 dated 30-05-2024, duly signed by the Administrative Secretary, Transport Department was forwarded to the Transport Commissioner, J&K and Presenting Officer to serve same to the Ex-ARTO on behalf of the Administrative Department; and

WHEREAS, the officer has submitted the replies of the notices (Article of Charges, Statement of Imputation and Gist of Evidence) on 12-07-2024 and 16-07-2024, which is summarized as under:

(I) Case FIR No. 13/2002 (P/S VOJ):

The charges levelled against him are baseless and absurd, as a settled issue is being raked up after 22 years. He has claimed that the issue of the subject matter of enquiry relating to registration of five new trucks without their prior clearance by Board of Inspection has since been settled on the following grounds: -

1. That the five trucks (bearing Registration No. JKON-1711, 1741, 1751, 1761 and JKON-1781) were registered by the then ARTO Shri Z.M. Samnani. After the Registration Certificates issued by the said authority on 14.09.2000,

