

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

Subject: Case FIR No. 09/2021 P/S Anti Corruption Bureau, Baramulla.

Refer: Letter No's:-

- i) RTOK/MV/2024/0748 dated 29-05-2024 of RTO, Kashmir.
- ii) U.O. GAD-VIG0SP/141/2021-09-GAD (58547) dated 09-12-2024 of Finance Department.
- iii) GAD-VIG0SP/64/2021-09-GAD-Part(1) (7490334) dated 23-01-2025 of General Administration Department.

**Government Order No. 09 -JK (TR) of 2025**  
**Dated: 13 -02-2025.**

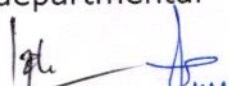
**WHEREAS**, a case FIR No. 09/2021 was registered in Police Station ACB Baramulla U/S 7 (c) of Prevention of Corruption Act 1988 and Section 120-B IPC against **Mukhtiar Ahmad Sofi**, the then I/c ARTO, Kupwara, Abdul Hamid Bhat and Khursheed Ahmad Kana, Motor Vehicle Inspectors on the basis of Joint Surprise Check conducted by the Anti Corruption Bureau into the allegations leveled against them and accused were arrested for investigation purpose; and

**WHEREAS**, after receiving the report from the Anti Corruption Bureau, J&K, the following officials were placed under suspension by the Authorities as per the orders mentioned against each:-

S. No.	Name of the Officer/official S/Shri	Designation	Name of the parent Department/Or ganization	Authority	Govt. Order/Order No.
1	Mukhtiar Ahmed Sofi	the then I/c ARTO, Kupwara	Motor Vehicle Department	Transport Department	58-JK(TR) of 2021 dated: 08-09-2021
2	Abdul Hamid Bhat	the then MVI	Motor Vehicle Department	Transport Commissioner, J&K	59-TC of 2021 dated: 08-09-2021
3	Khursheed Ahmad Kanna	the then Inspector	JKRTC (on deputation to MVD)	MD, JKRTC	JKRTC/GMA/PS/478 dated: 09-09-2021

**WHEREAS**, the General Administration Department vide Government Order No. 60-JK-GAD(Vig) of 2021 dated 12-11-2021, had also placed these officials under suspension in-terms of Rule 31 of the Jammu and Kashmir Civil Services (Classification, Control & Appeal), Rule, 1956. It has further ordered that the Transport Department shall initiate departmental proceeding (RDA) against the suspended

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officer/officials in-terms of extent rules. During suspension, they were attached in the office of Divisional Commissioner, Kashmir.

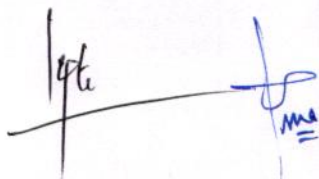

**WHEREAS**, vide Government Order No. 824-JK(GAD) of 2021 dated 04-09-2021, issued by the General Administration Department, inter-alia, Shri Mukhtiar Ahmad Sofi, the then I/c ARTO, Kupwara was attached in the office of Divisional Commissioner, Kashmir, with immediate effect, till further orders.

**WHEREAS**, vide Government Order No. 06-JK(TR) of 2022 dated 25-01-2022, subsistence allowance in terms of Article 108(A) of J&K, CSR Vol-I was released in favour of Shri Mukhtiar Ahmad Sofi, the then I/c ARTO, Kupwara.

**WHEREAS**, the Transport Department vide Government Order No. 75-JK(TR) of 2021 dated 01-12-2021, Shri Sajid Yehaya Naqash (JKAS), the then RTO, Kashmir was appointed as Inquiry Officer to conduct enquiry into the conduct and charges leveled against the Officer/officials of office of ARTO, Kupwara within a period of one month, who vide letter No. RTOK/MVD/P&S/2022/40/299 dated 12-09-2022 had submitted the enquiry report to the Transport Commissioner, J&K, which was in-conclusive and in the meantime the Officer was transferred vide Government Order No. 129-JK(GAD) of 2023 dated 31-01-2023 and in his place Syed Shahnawaz, JKAS was posted as Regional Transport Officer, Kashmir and was appointed as Enquiry Officer vide Government Order No. 48-JK(TR) of 2023 dated 23-06-2023 to conduct enquiry into the conduct and charges leveled against the Officer/officials of office of ARTO, Kupwara; and

**WHEREAS**, the Anti-Corruption Bureau vide letter No: ACB-FIR-09/2021-K-11389-90 dated 03-09-2023, has forwarded the draft article of charges, statement of imputations and gist of evidence in respect of FIR No: 09/2021, P/S ACB Baramulla, and vide letter dated 29.08.2023 the same was forwarded to Inquiry Officer to conclude the enquiry within a stipulated time period; and

**WHEREAS**, the Inquiry Officer vide letter No. RTOK/MV/2024/0748 dated 29-05-2024 has submitted the enquiry report and recommended a penalty as per Rule 30 (iii) of Jammu and Kashmir (Classification Control and Appeal) Rules, 1956 to the extent of withholding of one increment with cumulative effect for allowing a non official person to be involved in sensitive processes; and

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**WHEREAS**, the matter was taken up with the General Administration Department for comments/opinion, owing to the fact that these officials were placed under suspension and attached with the Office of Divisional Commissioner, Kashmir by the General Administration Department vide Government Order No. 60-JK(GAD) of 2021 dated 12-11-2021; and

**WHEREAS**, the General Administration Department vide U.O. No. GAD-VIG0SP/141/2021-09-GAD (58547) dated 09-12-2024 has opined as under: -

***"Returned. Upon conclusion of the departmental action with imposition of penalty, it is the prerogative of the Transport Department to examine and take a view on the recommendations made by the Inquiry Officer in the case and take decision with the approval of the Competent Authority, and conclude the RDA case by issuing speaking Government Order accordingly.***

***As regards suspension of the officers in-question, Minutes of the Meeting of Review Committee on Suspensions held so far, have ready been shared with the Department, however, a copy is again enclosed herewith.***

***The Department is advised to proceed in the matter accordingly."***

**WHEREAS**, the cases of employees of Transport Department were also placed before the Committee for review suspension cases constituted vide Government Order No. 1390-JK(GAD) of 2023 dated 17-11-2023 and the meeting of the committee was held on 08-01-2025. The decision of the Committee is as under: -

***"The Committee, while taking note that the matter is under investigation with the Investigating Agency, besides, the recommendations of Inquiry Officer in the departmental proceedings are under examination with the department for imposition of penalty commensurate to their misconduct, recommended re-instatement of the officer/officials of Transport Department. The Committee further directed that ACB shall conclude the investigation in the matter and submit its report to GAD, expeditiously."***

*AP*

*JK*  
*MM*

**WHEREAS**, Rule-30 of J&K, Civil Services (Classification, Control and Appeal) Rule, 1956 provides as under:-

**"Punishment.** The following penalties may, for good and sufficient reason and as hereinafter provide, be imposed upon members of a service, namely;

1. Censure;
2. Fine not exceeding one month's pay;
3. Withholding of increments and/or promotion;
4. Reduction to a lower post and/or a lower time-scale;
5. Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;
6. "Premature retirement on proportionate pension other than that specified in rule 226 (2) of Jammu and Kashmir Civil Service Regulations.
7. Removal from the service of the State which does not disqualify from future employment;
8. Dismissal from the service of the State which ordinarily disqualifies from future employment."

**Now**, therefore, in view of the facts elucidated above and in pursuance of the decision of the Committee for Review of Suspension cases coupled with recommendation of the Inquiry Officer appointed vide Government Order No. 48-JK(TR) of 2023 dated 23-06-2023, and with the approval of the Competent Authority, sanction is hereby accorded to the reinstatement of the following officials in consonance with the provision of the Rule 31 (3) Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules 1956 with immediate effect suspended vide Government Order No. 60-JK-GAD(Vig) of 2021 dated 12-11-2021: -

S. No.	Name of the Officer/official S/Shri	Designation	Name of the parent Department/Organization
1	Mukhtiar Ahmed Sofi	the then I/c ARTO, Kupwara	Motor Vehicle Department
2	Abdul Hamid Bhat	the then MVI in the O/o ARTO, Kupwara	Motor Vehicle Department
3	Khursheed Ahmad Kanna	the then Inspector in the O/o ARTO, Kupwara	JKRTC (on deputation to MVD)

The reinstatement of these Officer/officials subject to the following conditions: -

- i. Imposition of penalty of withholding of one increment with cumulative effect upon these officer/officials for allowing a non official person to be involved in sensitive processes as per Rule 30

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- (iii) of Jammu and Kashmir (Classification Control and Appeal) Rules, 1956
- ii. They shall dispose of the official work without any complaint and warned against repetition of any kind of dereliction of duties in future.
- iii. They shall be warned to remain careful in future and should not have basis of their actions/decisions on assumptions/presumptions while discharging the official duties.

It is further ordered that the RDA initiated against the officer/officials is hereby dropped subject to the outcome of the writ petition(s), if any, pending before the Competent Court(s) of Law and outcome of the final investigation initiated by the ACB.

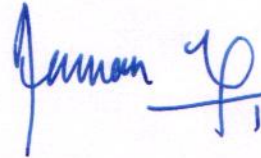
By order of the Government of Jammu and Kashmir.

Sd/-  
**(Niraj Kumar) IAS**  
Secretary to the Government,  
Transport Department.

No. TRPT-MVDON/67/2021-02-TPT (54832)  
Copy to the:-

Dated: 13 -02-2025.

1. Commissioner/Secretary to the Government, General Administration Department with the request to confirm the action taken by this Department
2. Joint Secretary (JK & Ladakh), Ministry of Home Affairs, Government of India.
3. Director, Anti Corruption Bureau, J&K.
4. Divisional Commissioner, Kashmir.
5. Managing Director, JK, RTC.
6. Transport Commissioner, J&K.
7. OSD with Hon'ble Minister, CAPD, Transport Department, Science and Technology, Information Technology, Youth Services & Sports and ARI & Training Department for Information of the Hon'ble Minister .
8. Regional Transport Officer, Kashmir.
9. Private Secretary to Chief Secretary, J&K.
10. Private Secretary to Secretary to the Government, Transport Department.
11. Concerned Officer/officials.
12. Incharge Website.

  
13.02.25.

(Raman Sharma) JKAS  
Under Secretary to Government,  
Transport Department.

