

Government of Jammu and Kashmir
Agriculture Production Department
Civil Secretariat, J&K, Srinagar

Subject: Settlement of the suspension period in favour of Shri Nazar Hussain, Ex-District Agriculture Officer, Rajouri.

Government Order No: 178 -Agri of 2018
Dated: 27 -06-2018

Whereas, Shri Nazar Hussain, the then District Agriculture Officer (Ext) Rajouri was placed under suspension vide Government Order No: 386- Agri of 2003 dated 08-12-2003 on the allegation of fraudulently drawing an amount of Rs 33000/- (Thirty three thousand only) out of his own G.P Fund account by forging the signature of the then Chief Agriculture Officer Rajouri ; and

Whereas, the case has again been examined in the department and Shri Des Raj Bhagat , the then Joint Director (Inputs) Agriculture, Jammu was appointed as Inquiry Officer for holding the depth enquiry into the alleged criminal charges against the delinquent officer ; and

Whereas, the Inquiry Officer while submitting the report suggested that the case needs deeper investigation by premier investigating agency so that facts pertaining to forgery can be established; and

Whereas , in light of the above report, the matter has been examined in the Department and another Inquiry Officer namely Shri Bashir Ahmad Dar , the then Joint Director of Agriculture SLUB was appointed as Departmental Inquiry Officer for conducting investigation into the matter vide Government Order No: 157- Agri of 2005 dated 07.06,,2005 ; and

Whereas, the Inquiry Officer while submitting his report recommended the reinstatement of the officer and posting against assignment having as financial transaction; and

Whereas, the Hon'ble Principal Session Judge Rajouri vide judgment dated 31.03. 2016 has interalia ordered as under :

"..... the net result of the above is that the prosecution has failed to prove its case against the accused as warranted under law, as such, the same deserves dismissal and hence dismissed. The accused stands acquitted of the charges leveled against him. His bail bond and personal bond stand

discharged. File be consigned to records after its due compilation".

Whereas, in light of the recommendations of the Inquiry Officer(s), and keeping in view Hon'ble Court orders, Shri Nazar Hussain was reinstated with immediate effect vide Government Order No: 246- Agri of 2006 dated 21.09.2006; and

Whereas, Director Agriculture, Jammu vide communication dated 22.08.2016 has stated that the officer has been paid only substance allowance @ 50% w.e.f 08/ 12/2003 to 20/ 09/ 2006, therefore the balance salary dues may be paid to the officer (retired) and also requested for settlement of treatment of suspension period of the said officer ; and

Whereas , the officer has been acquitted from all charges by the Hon'ble Court and has remained on duty during the period of suspension as he remained attached in the Directorate of Agriculture Jammu without availing any kind of leave as certificated and authenticated by Director Agriculture Jammu vide his office letter No. agri/ DAJ/Estt/PF-2/ 2017/ 8105 dated 29.11.2017; and

Whereas , moreover he has drawn subsistence allowance during the suspension period of 12/2003 to 9/2006 ; and

Whereas, in light of the above facts, the case has further been examined in the department and submitted to the authorities and it has been decided that the period of suspension in favour of Shri Nazar Hussain , the then District Agriculture Officer , Rajouri w.e.f 08/ 12/2003 to 20/ 09/ 2006 be treated as on " Duty".

Now, therefore, it is ordered that the period of suspension in favour of Shri Nazar Hussain, the then District Agriculture Officer, Rajouri w.e.f 08/12/2003 to 20/09/2006 is hereby treated as on "duty" in terms of Article 108(B) of the J&K, CSR Vol-I.

By Order of Government of Jammu and Kashmir.

Sd/-
(Muhammad Mehraj –ud-din Khan)
Commissioner/Secretary to the Government
Agriculture Production Department

No. Agri/gaz/ Legal/ 91/ 2016

Dated 27-06-2018

Copy to the :

1. Director Agriculture, Jammu
2. Director Archives , Archaeology and Museums, J&K, Srinagar



3. Pvt Secretary to the Commissioner/Secretary, Agriculture Production Department
4. Public Law Officer, Agriculture Production Department
5. Concerned Officer.
6. PA to Spl Secretary to the Government, Agriculture Production Department.
7. Incharge Website, Agriculture Production Department.
8. Government Order file (w.2.s.cs)
9. Stock file.

Rajani Bala

(Rajani Bala)

Under Secretary to Government
Agriculture Production Department