GOVERNMENT OF JAMMU AND KASHMIR
JAL SHAKTI DEPARTMENT
CIVIL SECRETARIAT, JAMMU/ SRINAGAR

******

Subject: - Regular Departmental Action against Shri Nazir Ahmad Malik, the then Gauge Reader and I/c Patwari in Ziladar office Hajin, I&FC Division Sumbal in case FIR No. 17/2022 P/S ACB, Baramulla - Cancellation of Order No. 161-E of 2025 dated 06.03.2025 issued by the Chief Engineer, I&FC, Kashmir, and appointment of Inquiry Officer thereupon.

Government Order No. 159-JK (JSD) of 2026
Dated:- 16.09.2026

Whereas, Shri Nazir Ahmad Malik, Gauge Reader, was placed under suspension in connection with sanction of prosecution for commission of offense punishable U/s 7 of the Prevention of Corruption Act, 1988, in case FIR No. 17/2022 P/S ACB, Baramulla; and

2. Whereas, vide Order No. 161-E of 2025 dated 06.03.2025, issued by the Chief Engineer, I&FC Kashmir, Shri Nazir Ahmad Malik was ordered to be reinstated in service with immediate effect, subject to the following conditions:

i. Three annual Increments, after the date of his arrest, be kept withheld till the final verdict of the Hon'ble court.
ii. No sensitive posting involving any monetary dealing be given to the official till his retirement; and

3. Whereas, it has been observed that the Chief Engineer, I&FC Kashmir has issued this order on the basis of report of an Enquiry Committee constituted by him for examining the allegations against the charged official. This is in violation of the Rule 33(4) of J&K (Classification, Control & Appeal) Rules 1956 which requires conduct of inquiry by appointing an Inquiry Officer. Moreover, the powers to reinstate any official placed under suspension after being caught red handed while demanding and accepting illegal gratification (Trap Case) vests with the government which takes a decision based on recommendations of a review committee chaired by the Chief Secretary, constituted vide Government Order No. 1390-JK(GAD) of 2023 Dated 17.11.2023. Therefore, not only the order of the Chief Engineer is de hors of the Rules but also without due authority/ competence; and

4. Whereas, in terms of Sub-rule (4) of Rule 33 of the Jammu and Kashmir Civil Services (Classification, Control & Appeal) Rules, 1956, the inquiry is to be conducted by the disciplinary authority itself or, if it considers it necessary so to do, it may appoint an Inquiry Officer for the purpose.

5. Now, therefore:

(i) In view of the circumstances stated hereinabove, Order No. 161-E of 2025 dated 06.03.2025 issued by the Chief Engineer, I&FC Kashmir is cancelled and held to be void ab initio**; and**
(ii) Sanction is hereby accorded to the appointment of Shri Shakeel-ur-Rehman, I/c Superintending Engineer, Hydraulic Circle Kupwara/Handwara as the Inquiry Officer

to enquire into the charges framed and served upon Shri Nazir Ahmad Malik, the then Gauge Reader and I/c Patwari in Ziladar office Hajin, I&FC Division Sumbal in case FIR No. 17/2022 P/S ACB, Baramulla. Besides, Shri Aasif Ali Bhat, Assistant Executive Engineer, Irrigation Sub-Division Hajin, Irrigation & Flood Control Division Sumbal shall be the Presenting Officer in the case. The Inquiry Officer shall conduct an exhaustive enquiry and submit detailed report/findings alongwith specific recommendations to the Government within 15 days positively from the date of issuance of this Order.

By Order of the Government of Jammu and Kashmir.

Sd/-
(Shaleen Kabra) IAS
Financial Commissioner (ACS)
Jal Shakti Department

No. JSD-HRM04/18/2023-A-JSD (7333136) Dated:- 16.09.2026

Copy to the:

Ministry of Home Affairs (Attn: Additional Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi).

Copy also to the:

1. Office of the Hon'ble Lieutenant Governor, J&K (through Principal Secretary to the Hon'ble Lieutenant Governor, J&K).
2. Office of the Hon'ble Chief Minister, J&K (through Additional Chief Secretary to the Hon'ble Chief Minister, J&K).
3. Office of the Hon'ble Minister, Jal Shakti Department, J&K (through OSD to Hon'ble Minister, Jal Shakti Department, J&K).
4. Office of the Chief Secretary, J&K (through PS).
5. Office of the Financial Commissioner (ACS), Jal Shakti Department (through PS).

Copy also to the:

1. Commissioner/Secretary to the Government, General Administration Department.
2. Director, Anti-Corruption Bureau, J&K.
3. Deputy Commissioner, Bandipore.
4. Secretary Technical, Jal Shakti Department, J&K.
5. Chief Engineer, I&FC Kashmir.
6. Concerned.

Copy also to the:

Director, Archives, Archaeology and Museums, J&K.

Copy also to the:

1. Director Finance, Jal Shakti Department, J&K.
2. All Gazetted Officers of Jal Shakti Department, J&K.
3. Incharge website, Jal Shakti Department, J&K.
4. Monday Return file (w.2.s.c).
5. Government order file.

(Sahil Mahajan) JKAS
Under Secretary to the Government
Jal Shakti Department