

**GOVERNMENT OF JAMMU & KASHMIR,
FINANCE DEPARTMENT (ACCOUNTS & TREASURIES),
CIVIL SECRETARIAT, JAMMU/ SRINAGAR.
(www.jkdat.nic.in)**

Subject:- Re-instatement of Mr. Mohammad Ashraf Ahanger, I/C Chief Accounts Officer (Ex. DTO Kupwara) and Mr. Suhail Hassan Shah, the then Accounts Assistant District Treasury Kupwara (Under suspension).

Government Order No. 01 - F of 2022

Dated: 03 .01.2022

Whereas, on 05.2.2020 a complaint was lodged by one Sajad Hussain Shah, (Contractor) before Deputy Commissioner Kupwara against Sh. Mohammad Ashraf Ahanger, the then District Treasury Officer, Kupwara, presently attached in the office of Director Accounts & Treasuries, Kashmir, on the charges of corruption and for initiation of disciplinary action against the officer.

Whereas, the complainant in support of his complaint produced a video clip, wherein the contractor is shown paying money to one Mr. Suhail Hassan Shah, then Accounts Assistant, District Treasury Kupwara, who accepted it on behalf of the then District Treasury Officer, as alleged by the complainant in his complaint.

Whereas, Deputy Commissioner Kupwara, taking cognizance of the complaint, placed Mr. Suhail Hassan Shah, the then Accounts Assistant District Treasury Kupwara, under suspension vide Order issued under endorsement No. ADDCK/3199-3203 dated 10.02.2020 and, reported the case to Divisional Commissioner Kashmir vide No. DCK/PS/2020/293-96 dated 20.02.2020, recommending suspension of Mr. Mohammad Ashraf Ahanger, the then District Treasury Officer Kupwara.

Whereas, the Divisional Commissioner Kashmir vide Order No.DIV.COM/K/569 of 2020 dated 22.02.2020, placed Mr.Mohammad Ashraf Ahanger, the then District Treasury Officer, Kupwara, under suspension and attached him in the office of Director Accounts & Treasuries Kashmir.

Whereas, Director Accounts & Treasuries, Kashmir, taking stern note of the case placed Mr. Suhail Hussain Shah, the then Accounts Assistant, District Treasury Office, Kupwara, under suspension vide Order No. 53-Acctts of DATK of 2020 dated 22.02.2020, and attached him in the office of Director Accounts & Treasuries, Kashmir.

Whereas, the case was examined in the Finance Department, and in order to have fair assessment from the ground, the Department vide G.O No. 97-F of 2020 dated 12.03.2020 decided to get the case enquired into, by the Provincial Level Enquiry Committee headed by Director, Accounts & Treasuries, Kashmir, and till

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3/1/2022

completion of inquiry Mr. Mohammad Ashraf Ahanger, the then DTO Kupwara, shall remain attached in the office of Director Accounts & Treasuries Kashmir.

Whereas, the Provincial Level Enquiry Committee conducted detailed inquiry and submitted its report vide No. DATK/PS/144 dated 5.6.2020, on the basis of available information and the statements recorded thereof.

Whereas, the Provincial Level Enquiry Committee in its report, recommended that the video clip does not depict direct transaction of money with Mr. Mohammad Ashraf Ahanger, the then District Treasury Officer Kupwara, and the categorical refusal of allegations by the then District Treasury Officer Kupwara, the Treasury staff have also refused the allegations in their statements as well.

Whereas, certain discrepancies were noticed in the report submitted by the Provincial Level Enquiry Committee, and vide No. DGAT/CAE/245-126 dated 14.12.2020, the Committee was asked to conduct fresh inquiry in the case.

Whereas, the Provincial Level Enquiry Committee conducted fresh inquiry and submitted its report vide No. DATK/PS/617 dated 1.2.2021, whereof the Committee concluded that the complainant has exaggerated the whole issue without having or providing any plausible evidence in support of his complaint or against the then District Treasury Officer, Kupwara.

Whereas, the Committee also observed that the complainant has changed his statements, while stating that the transaction shown in the video clip was a personal affair with Mr. Suhail Hassan Shah (Suspended Accounts Assistant), and he has never indulged in any corrupt practice, and he has no objection if Mr. Mohammad Ashraf Ahanger, Ex-District Treasury Officer Kupwara, is reinstated.

Whereas, noticing incoherence in the allegations, changed statement of the complainant and Mr. Suhail Hassan Shah, (Suspended Accounts Assistant), the Finance Department vide G.O No. 162-F of 2021 dated 21.05.2021 appointed Mr. Imtiyaz Ahmad Wani, Director Finance Animal Sheep Husbandry/ Agriculture & Production Department as inquiry officer to conduct enquiry into the case and submit report with specific recommendations.

Whereas, the Inquiry officer conducted in-depth inquiry of the case and has submitted the report vide No. ASH/PS/DF/01/2021 dated 10.09.2021, with the following conclusion / recommendations in the matter:-

“For lack of discipline and for not following Treasury Code fully, in the Treasury Office, Mr. Mohammad Ashraf Ahanger may be posted on some non-sensitive vacancy for a minimum period of three years and minimum two increments should be withheld in favour of the suspended Accounts Assistant for using his office building and official position for transaction of doubtful nature.”

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3/1/2022

Whereas, the findings and recommendations of the Provincial Level Enquiry Committee, and the Inquiry report submitted by the Enquiry Officer were examined by the department, and it was decided to uphold the recommendations of the Inquiry Officer for re-instatement of Mr. Mohammad Ashraf Ahanger, the then District Treasury Officer Kupwara and Mr. Suhail Hassan Shah, the then Accounts Assistant District Treasury Kupwara, and reprimand both of them in terms of Service Conduct Rules, to desist in future from practices, ambiguous in nature.

Now, therefore, it is hereby ordered that:-

- a) Sh. Mohd Ashraf Ahanger, I/C Chief Accounts Officer (the then District Treasury Officer Kupwara) and Sh. Suhail Hassan Shah, the then Accounts Assistant (Auditor District Treasury Kupwara), are re-instated with immediate effect treating the period of suspension / attachment w.e.f 22.02.2020 as leave whatever kind due.
- b) Withholding of two periodical increments of Sh. Suhail Hassan Shah, (suspended Accounts Assistant) with effect from the date of suspension/ attachment, for use of office building for the transactions ambiguous in nature.
- c) Posting of Mr. Mohd Ashraf Ahanger, the then DTO Kupwara against non-sensitive post for a minimum period of three years.

By order of the Government of Jammu and Kashmir.

Sd/-

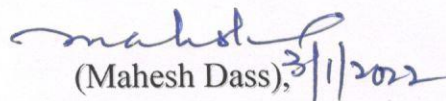
(Atal Dulloo), IAS,
Financial Commissioner,
(Addl. Chief Secretary),
Finance Department.

Dated 03 .01.2022.

NO: DGAT/PS/CAE0PF/52/2021/01-102

Copy for information to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, GoI, New Delhi.
3. Director, Accounts & Treasuries, Kashmir.
4. Private Secretary to Financial Commissioner (Addl. Chief Secretary), Finance Department.
5. Concerned officer/official.
6. Government order file (w2scs).


(Mahesh Dass), 3/1/2022
Director General,
Accounts & Treasuries,
Finance Department.