

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu/Srinagar

Subject: Action against Shri Sudershan Mehta, the then I/c Dy.SP (now retired) for violation of Sub-rule 2 of Rule 21 of J&K Government Employees (Conduct) Rules, 1971.

Reference:

- (i) Government Order No. 213-Home of 2022 dated 06.07.2022.
- (ii) Inquiry report submitted by the Inquiry Officer, vide No.PG/DG/Prisons/367 dated 14.09.2022.

Government Order No. 403-Home of 2022
Dated: 16.11.2022

Whereas, Director General of Police, J&K, vide communication dated 13.06.2018, forwarded a copy of complaint against Shri Sudershan Kumar Mehta, the then I/c Dy.SP(now retired), filed by one Shri Desh Rattan Dubay, received through the erstwhile J&K State Vigilance Commission. In the ibid communication, the PHQ, J&K brought to the notice of Home Department that a factual report obtained from the ADGP, Home Guards/Civil Defence has prima-facie revealed that Shri Sudershan Kumar Mehta, the then I/c Dy.SP (now retired) has accepted the full-time assignment of Joint Secretary, Jammu & Kashmir Cricket Association (JKCA) in different spells between 2003 to 2016, without seeking prior permission of the Government as was required in terms of Sub-rule 2 of Rule 21 of J&K Government Employees (Conduct) Rules, 1971 and for drawing remuneration from Jammu and Kashmir Cricket Association at the same time, he was drawing salary from the Government Exchequer as a Police Officer; and

Whereas, while the issue was still under examination in the Home Department, Shri Sudershan Kumar Mehta, the then I/c Dy.SP, retired from Government service on 31.05.2021; and

Whereas, the Home Department, after the retirement of the Officer, examined the issue in detail in terms of Article 168-A of Jammu and Kashmir Civil Service Regulations (CSRs), and also in consultation with the General Administration Department. Accordingly, a decision was taken to initiate departmental proceedings against Shri Sudershan Kumar Mehta, the

then I/c Dy.SP (now retired), as the period of one year was still not over from the date of his retirement, for accepting the assignment of Joint Secretary, JKCA without prior permission of the Government and for drawing remuneration from JKCA; and

Whereas, the Home Department with the approval of the Competent Authority initiated the departmental action and Shri Sudershan Kumar Mehta, the then I/c Dy.SP (now retired) was served a charge-sheet vide Memorandum No. Home-PG/247/2021(56418) dated 12.05.2022 along with Statement of Imputation of misconduct in support of Articles of Charge. The officer was given an opportunity to submit his written statement of defence along with an option to appear in person as well; and

Whereas, Shri Sudershan Kumar Mehta, the then I/c Dy.SP (now retired) neither submitted any written statement nor expressed his desire to appear in person within the stipulated time period; and

Whereas, the Home Department vide Government Order No.213-Home of 2022 dated 06.07.2022, appointed an Inquiry Officer to conduct an in-depth inquiry into the charges framed against Shri Sudershan Kumar Mehta, the then I/c Dy.SP (now retired). The Inquiry Officer submitted his report on 14.09.2022, mentioning clearly that Shri Sudershan Kumar Mehta the then I/c Dy.SP (now retired) accepted the assignment of Joint Secretary, JKCA without prior permission of the Government as was required in terms of Sub-rule 2 of Rule 21 of J&K Government Employees (Conduct) Rules, 1971 and had at the same time, also accepted remuneration from JKCA while drawing salary from Government Exchequer as a Police Officer. The report of the Inquiry Officer concluded categorically that Shri Sudershan Kumar Mehta violated the provisions of the J&K Government Employees (Conduct) Rules, 1971; and

Whereas, the inquiry report submitted by the Inquiry Officer was placed before the Competent Authority and the Competent Authority after taking into account all the facts related to the case, came to the conclusion that the amount which Shri Sudershan Kumar Mehta, the then I/C Dy.SP (now retired) drew as remuneration from JKCA should be recovered from his pension, in terms of Article 168-A of J&K CSRs, as the Officer was drawing regular salary from the Government exchequer as a Police Officer during the same period.

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Now, therefore, it is hereby ordered that the amount which Shri Sudershan Kumar Mehta, the then I/C Dy.SP (now retired) has drawn as remuneration from Jammu and Kashmir Cricket Association, shall be deducted from his pension, in terms of Article 168-A of Jammu and Kashmir Civil Service Regulations, 1956.

It is further ordered that the Financial Advisor/Chief Accounts Officer, PHQ, J&K, shall take necessary steps to ensure deduction from the pension of the retired Officer.

By Order of the Government of Jammu & Kashmir.

Sd/-

(Raj Kumar Goyal) IAS
Financial Commissioner/
Additional Chief Secretary

No. HOME-PG/152/2022-08 (CC217683)

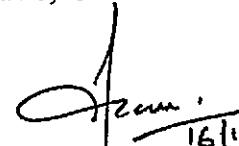
Dated:16.11.2022

Copy to the:

1. Director General of Police, J&K.
2. Principal Accountant General, J&K, for information and further necessary action.
3. Director, Archives, Archaeology & Museums, J&K.
4. Additional Secretary to the Hon'ble Lieutenant Governor, J&K.
5. Financial Advisor/CAO, PHQ. He shall take up the matter with the concerned quarter for further necessary action.
6. Secretary, Jammu and Kashmir Cricket Association.
7. Private Secretary to the Chief Secretary, J&K.
8. Private Secretary to FC (ACS), Home Department.
9. Shri Sudershan Kumar Metha, the then I/c Dy.SP (now retired).
10. Incharge Website, Home Department.
11. Government Order file/Stock file.

Copy also to:

Additional Secretary, (JKL), Ministry of Home Affairs, Government of India.


16/11/2022
(Dr. Arvind Karwani) JKAS
Additional Secretary to the Government