

**GOVERNMENT OF JAMMU AND KASHMIR
INDUSTRIES AND COMMERCE DEPARTMENT
Civil Secretariat, Jammu/Srinagar**

Subject:- Pension case of Mr. M. L. Wali, Ex-General Manager, Industries & Commerce Department, PPO No 58-C/Provisional- final settlement of pension and gratuity reg.

**Government Order No: 41 -IND of 2021
Dated: 18.02.2021**

WHEREAS, Mr. M.L. Wali, ex-General Manager, DIC Kathua figured in case FIR No. 28/1990 P/S VOJ on account of corruption charges alleging abuse of official position and conferring of undue pecuniary benefits upon certain persons; and

WHEREAS, during the pendency of completing the investigation into the case by the Vigilance Organization, Mr. M.L. Wali, ex-General Manager retired on superannuation pension w.e.f 31.05.1991 (A.N); and

WHEREAS, sanction to the retirement on attaining the age of superannuation of the officer w.e.f 31.05.1991 (A.N) and allowing of provisional pension to him, in term of Article 168-D of J&K CSRs Vol-I read with Government Instructions thereunder, was accorded vide Government Order No 136-Ind of 1991 dated 14.05.1991 with the stipulation that gratuity will remain stopped till decision of the case by the Vigilance Organisation; and

WHEREAS, in response to a communication preferring the authorization of family pension in favour of Ms. Raj Rani Wali due to reported death of Mr M. L. Wali on 23.02.2008, the office of the Principal Accountant General vide letter no PNRJ-I/2/58-C/1286 dated 14.01.2011, addressed to Director I&C Jammu with copy endorsed to administrative department as well, requested for certain other documents besides a copy of the Government Order sanctioning the authorization of final pension and gratuity in favour of the beneficiary; and

WHEREAS, Ms. Raj Rani Wali, widow of Mr. M. L. Wali, ex-General Manager, separately filed a representation before the Industries

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& Commerce Department alongwith a copy of judgement announced by the Special Judge, Anti-Corruption, Jammu stating that her deceased husband has been exonerated from the charges leveled against him and requesting for the release of full pensionary benefits and gratuity; and

WHEREAS, the Hon'ble Court of Special Judge, Anti-Corruption, Jammu has announced the judgement dated 21.02.2009, concluding part of which is reproduced as under:-

"Appreciation of prosecution evidence on record fails to convince the judicial mind that there was a conspiracy hatched between the official of DIC and the suppliers to defraud the exchequer. There is no legal evidence to establish that sub standard material was accepted with oblique motive and the record relating to supply of material, meant for establishing income generation units for the schedule casts, was fabricated. Dishonest intention on the part of officials of DIC to confer pecuniary advantage upon the suppliers and upon themselves by abuse of official position is woefully missing. There is no evidence to establish that there was meeting of minds inter se the accused and corrupt or illegal means were adopted by the official of DIC to obtain pecuniary advantage. The evidence, being fragile and not inspiring confidence is insufficient to warrant conviction of surviving accused for the offences alleged against them. Prosecution case is doomed to fail.

The case is accordingly dismissed and the accused are acquitted of the charges framed against them."

WHEREAS, the representation of Ms. Raj Rani Wali has been pursued in the department and Director, Industries and Commerce Jammu was requested to intimate whether any appeal has been filed against the aforesaid judgement dated 21.02.2009; and

WHEREAS, the Director Industries and Commerce Jammu has forwarded the letter No ACB-FIR-128/1990-J-11293 dated 18.08.2020 of the Anti Corruption Bureau informing that an appeal was filed against the judgement dated 21.02.2009 but the same stands dismissed by the Hon'ble Court vide Order dated 10.02.2015 which has been accepted as final by the Anti Corruption Bureau; and

WHEREAS, in light of the above, it has been decided to accord administrative sanction to the authorization of final pension and gratuity in favour of Mr. M.L. Wali, ex- General Manager DIC Kathua

enabling release/authorization of the family pension in favour of his wife Ms. Raj Rani.

NOW, THEREFORE, sanction is hereby accorded to the authorization of final pension and gratuity in favour of Mr. Makhan Lal Wali, ex-General Manager, DIC Kathua.

By order of the Government of Jammu and Kashmir.

Sd/-

**(Manoj Kumar Dwivedi) IAS
Commissioner Secretary to Government**

No. IND/DIC-66/2019

Dated 18 - 02 - 2021

Copy to the:-

1. Principal Accountant General, J&K, Jammu. This is in reference to letter no PNRJ-I/2/58-C/1286 dated 14.01.2011.
2. Director, Anti Corruption Bureau, J&K, Jammu.
3. Director, Industries and Commerce, Jammu with the request to forward the final pension case of the deceased officer to Accountant General, J&K, Jammu.
4. Mst. Raj Rani Wali widow of Mr. Makhan Lal Wali, ex-General Manager, DIC Kathua.
5. Private Secretary to Commissioner Secretary to Government, Industries and Commerce Department for information.
6. Incharge website, Industries and Commerce Department.
7. Government Order file (w.3 s.c)/Stock file.

(Sanjeev Kumar)

Under Secretary to the Government