

**Government of Jammu and Kashmir
Industries & Commerce Department
Civil Secretariat, Jammu/Kashmir.**

Subject: Settlement of suspension period of S. Deedar Singh, retired Senior Supervisor, JK KVIB.

Reference: Letter No.KVIB/Adm/PF-369/J/4463-34 dated: 27.09.2024.

**Government Order No. 19 -JK(IND) of 2025
Dated: 13 -02-2025**

Whereas, Shri Deedar Singh, Senior Supervisor, KVIB Jammu was caught red handed by the vigilance organization, Jammu on 20.01.2014 while accepting the bribe of Rs. 5000/- from one Shri Parveen Kumar S/o Shri Rattan Lal R/o VPO Gajansoo, Jammu in lieu of early sanctioning of loan and FIR No. 4/2014 U/s 161 RPC and section 5(2) of J&K PC Act was lodged against the official; and

Whereas, the official was placed under suspension vide Order No. KVIB/391 dated: 25.02.2014 issued by Secretary/CEO, J&K KVIB; and

Whereas, the suspension case of S. Deedar Singh, Senior Supervisor was placed before the Review Committee constituted vide Government Order No: 180-IND of 2017 dated: 11.07.2017 alongwith the two other non-gazetted employees of the J&K KVIB; and

Whereas, the Review Committee in its meeting held on 08.09.2017 while deliberating upon the suspension cases of these officials has recommended reinstatement of the S. Deedar Singh, retired Sr. Supervisor with immediate effect, subject to the following conditions:

1. That the official may not be given any field or key position as he may influence the offices/officials of the J&K KVIB.
2. That the official shall not be given any benefit of promotion and shall work in his own pay and grade till outcome of the trial.
3. That the period of the suspension shall be decided after the outcome of the trial court.
4. That the official shall not be transferred.


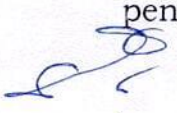
Whereas, S. Deedar Singh, Senior Supervisor, KVIB, Jammu was reinstated with immediate effect vide order No: KVIB/329 of 2017 dated 14.11.2017, issued by KVIB, with stipulated conditions mentioned above; and

Whereas, the Hon'ble Court of Additional Session Judge (Anti Corruption) Jammu while adjudicating upon the case No. 11075/2017 titled State through Police Station Vigilance Organization, Jammu Vs S. Deedar Singh S/o Bhagat Singh R/o Sector 1/P, Preet Nagar, Trikuta Nagar, Jammu (FIR No. 04/2014 P/S VOJ), has pronounced the judgement dated 29.04.2024, operative part of which is reads as under:-

".....So on an overall appreciation of evidence on record, in the context of the elucidation of law pertaining to proof of the ingredients of Sections 5(1)(d) r/w 5(2) and 4-A of PC Act as adverted to herein-above, I am of the considered opinion that the prosecution has failed to produce any cogent and convincing evidence, so as to prove the demand and acceptance of the amount as bribe, beyond any reasonable doubts, presumption cannot be raised against the accused merely on the strength of the recovery of tainted money from possession of the accused. The law on the subject is clear that mere recovery by itself cannot prove the charge of the prosecution against the accused voluntarily accepted the money knowing it to be bribe. In the instant case, as discussed above, there is no cogent evidence on record to establish that the accused had demanded or voluntarily accepted the money. The circumstance in which it was recovered is not sufficient to prove the guilt of the accused. **The evidence of complainant is found not trustworthy on the demand and acceptance, the case of the prosecution falls in the category of doubtful cases. Therefore, in light of the discussion made above and keeping in view the aforementioned judgements of the authoritative Hon'ble Apex Court, the Challan is dismissed and accused is acquitted of the charges levelled against him. His bail bonds shall stand discharged. The case property be disposed of after the expiry of appeal period.**"

Whereas, the official meantime attained the age of superannuation on 31.05.2021 and upto this period he was drawing provisional pension as per the rules in vogue; and

Whereas, the Review Committee while recommending the reinstatement of S. Deedar Singh, Sr. Supervisor KVIB Jammu in its meeting held on 08.09.2017 among other conditions have submitted that the period of the suspension of the official shall be decided after outcome of the trial Court pending before it; and



Whereas, the trial court vide its judgement dated 29.04.2024 has acquitted Shri Deedar Singh, retired Sr. Supervisor, J&K KVIB from the charges leveled against him; and

Whereas, JK KVIB vide letter dated 27.09.2024 has forwarded the case of S. Deedar Singh, retired Sr. Supervisor to this department and sought further instructions in the matter; and

Whereas, the case was examined in the department and vide letter 26.11.2024, Secretary/CEO, J&K Khadi and Village Industries Board was requested to intimate as to whether the official has attended the office during his suspension period; and

Whereas, Secretary, KVIB vide letter No. KVIB/Adm/PF/J/6410 dated 16.12. 2024 has intimated that Shri Deedar Singh, retired Sr. Supervisor had attended the office (District office, Jammu) regularly during his suspension period i.e w.e.f 20.01.2014 to 14.11.2017 and during the said period the official was drawing subsistence allowances, however, he was in vigilance custody from 20.01.2014 to 22.01.2014. The Secretary, KVIB while submitting the said report to this department as recommended that suspension period of S.Deedar Singh, retired Sr.Supervisor w.e.f 20.01.2014 to 14.11.2017 may kindly be treated as on duty; and

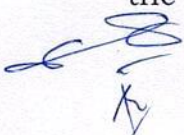
Whereas, the case has been examined in terms of Article 108-B of J&K CSRs Vol-I, which provides as under:-

i. When a Government servant who has been dismissed, removed, compulsorily retired before attaining the age of superannuation or suspended is reinstated by the authority competent to order the reinstatement shall consider and make a specific order :-

a) Regarding the pay and allowance to be paid to such Government servant for the period of his absence from duty; and

b) Whether or not the said period shall be treated as a period spent on duty.

ii. Where the authority mentioned in sub-rule (i) is of opinion that the Government servant has been fully exonerated or in the case of suspension, that is was wholly unjustified the Government servant shall be given the full pay and allowances to which he would have been entitled had he not been dismissed, removed, compulsorily retired before attaining the age of superannuation or suspended, as the case may be. The period of absence from the duty shall be treated as period spent on duty.



Now, therefore, in light of above narrated circumstance and facts, sanction is hereby accorded to treatment of suspension period of S. Deedar Singh, retired Senior Supervisor w.e.f 20.01.2014 to 14.11.2017 as the period spent on duty.

By order of the Government of Jammu & Kashmir.

Sd/-
(Vikramjit Singh) IPS
Commissioner/Secretary to the Government

No:IC-KVIB/21/2024-02

Dated: 13.02.2025

Copy to the: -

1. Joint secretary (J&K), Ministry of Home Affairs, Government of India.
2. Commissioner/Secretary to the Government, General Administration Department.
3. Director, Archives, Archaeology and Museums, J&K.
4. Secretary/CEO, J&K Khadi and Village Industries Board for information and necessary action.
5. Private Secretary to the Commissioner/Secretary to the Government, Industries & commerce Department.
6. Shri Deedar Singh, retired Sr. Supervisor, JK KVIB.
7. In-charge Website, Industries and commerce.
8. Government Order file/stock file.



Under Secretary to the Government