



**Government of Jammu and Kashmir
School Education Department
Civil Secretariat, Jammu/Srinagar**

Subject: Complaint against Mr. Mohd Sharief Dedhar, I/c Chief Education Officer- Reinstatement thereof.

Reference: 1. Minutes of the meeting of Suspension Review Committee held under chairmanship of Administrative Secretary, School Education Department on 31.05.2024.
2. Central Administrative Tribunal, Srinagar Bench's order dated 26.02.2024 and order dated 14.08.2024 passed in Original Application No. 909/2023, titled Mohd. Sharief Dedhar Vs School Education Department; Compliance thereof.

Government Order No:- 394-JK (Edu) of 2024

Dated:- 27.09.2024

WHEREAS, vide Government Order No. 139-JK(Edu) of 2023 dated 30.05.2023, Mr. Mohd Sharief Dedhar, I/c Chief Education Officer was placed under suspension and attached in the office of Director School Education, Kashmir on allegations of bigamous marriage; and

WHEREAS, the Director, School Education, Kashmir was requested to furnish the findings of the Inquiry Committee constituted at the Directorate Level in pursuance of Order No. 120-DSEK of 2023 dated 02.05.2023; and

WHEREAS, the Director School Education, Kashmir vide letter No. DSEK/PS/138 dated 03.07.2023 submitted the inquiry report of the Committee constituted in terms of Order No. 120-DSEK of 2023 dated 02.05.2023;

WHEREAS, after examining the inquiry report, the case was placed before the Suspension Review Committee, which met on 19.10.2023 under the chairmanship of Principal Secretary to Government, School Education Department, and the Committee in the instant case decide as under:-

1. To return the inquiry report submitted by the Director, School Education, Kashmir with the directions to re-inquire the same as to whether the alleged officer has sought permission from the Government to contract 2nd marriage. The report shall be submitted to the department within a period of 15 days.
2. Release subsistence allowance under rule in favor of the officer, if not already paid.

WHEREAS, pursuant to the above decisions, the department took up the matter with Director, School Education, Kashmir vide this department letter dated 18.01.2024 requesting appropriate action in the matter, under rules; and

WHEREAS, Director School Education, Kashmir vide letter No. DSEK/PS/13 dated 31.01.2024 has submitted that bigamy could not be proven, and in

such circumstances, there was no requirement for seeking permission from the Government from the alleged officer because none of them remained wedded wives to him simultaneously. Thus, the desired report is re-submitted, with the remarks that the officer in question be re-instated so that his services could be utilized in the department, given the current dearth of officers.

WHEREAS, the case was further examined and placed before the Suspension Review Committee, which met on 31.05.2024 under the chairmanship of then Administrative Secretary, School Education Department, and the Committee in the case decided as under:-

1. The committee on the basis of inquiry report submitted by Director School Education, Kashmir vide letter dated 31.01.2024 conveyed that the bigamy could not be proved, as none of them remained in a wedlock with him simultaneously. The committee recommended reinstatement of the officer, so that his services could be utilized given the dearth of officers in the department.
2. The suspension review committee unanimously recommended to reinstate Sh. Mohd Sharief Dedhar, Joint Director, SCERT with immediate effect with a strict warning to remain careful in future. It was recommended that the said officer shall be transferred to a non-sensitive post, without any DDO Powers
3. The period of suspension of the officer shall be treated as on duty under rules on production of attendance certificate.

WHEREAS, the department sought the attendance report of the said officer vide letter dated 24.06.2024. However, in response, Director, School Education, Kashmir vide letter dated 03.07.2024 has furnished the attendance reports of the officer which reveals that the officer has attended the office of Directorate of School Education, Kashmir regularly;

WHEREAS, in the meantime, the officer approached the Hon'ble CAT and filed O.A No. 498/2024 titled Mohammad Sharief V/s UT of J&K & Ors before Hon'ble CAT. Srinagar.

WHEREAS, The Hon'ble Central Administrative Tribunal, Srinagar Bench vide order dated 14.08.2024 passed the following directions:-

"...In view of the first enquiry report dated 15.06.2023 and the second enquiry report dated 31.01.2024 and the decision of the review committee made on 31.05.2024 applicant is entitled for reinstatement as has been done in case of other officers in terms of order dated 22.07.2024, 29.07.2024 and 26.07.2024 passed for reinstatement.

In view of the first enquiry report dated 15.06.2023 and second enquiry report dated 31.01.2024, respondents are directed to pass an appropriate order to reinstate the applicant within a period of 02 weeks from the date of receipt of certified copy of this order.

With these directions, the OA is disposed of. No costs.."

WHEREAS, in light of the above, the case was examined in the Department and submitted to the competent authority for seeking approval pursuant to the decisions taken and court orders.

NOW, THEREFORE, sanction is hereby accorded to the:-

- i. Reinstatement of Mr. Mohd Sharief Dedhar, I/c Chief Education Officer presently under suspension and attached in the office of Director, School Education, Kashmir with immediate effect with a strict warning to remain careful in future, while performing his legitimate duties.
- ii. The period of suspension of the officer is treated as on duty, under rules.

By order of the Government of Jammu and Kashmir.

Sd/-

(Alok Kumar) IRS
Principal Secretary to the Government
School Education Department

No. Edu-NG K/136/2023-01 (7115899)

Dated: 27.09.2024

Copy to the :-

1. Joint Secretary, J&K Ministry of Home Affairs, Government of India.
2. Director, SCERT J&K.
3. Director, School Education, Kashmir with the request to release the pending salary of the officer against any available vacancy under rules and also submit the proposal of posting of the said officer to any non-sensitive post without DDO Powers, as per the decision of the Suspension Review Committee.
4. Concerned Officer.
5. Private Secretary to Principal Secretary to the Government, School Education Department.
6. Incharge Website, School Education Department.
7. Government Order File (w.2.s.c).
8. Stock File.

(Thannaji Bhat)
Under Secretary to the Government
School Education Department

27-09-2024

