

GOVERNMENT OF JAMMU AND KASHMIR
HEALTH & MEDICAL EDUCATION DEPARTMENT
HUMAN RESOURCE MANAGEMENT BRANCH
Civil Secretariat, J&K, Jammu.

Subject: Accord of sanction of the prosecution of the accused public servant, namely Dr. Deepak Kapoor S/o Sh. Shadi Lal Kapoor H.No. 11 Bakshi Nagar, Jammu, the then Medical Officer Epidemiology for commission of offences punishable under section 5(1)(d) r/w (2) of the J&K Prevention of Corruption Act, Samvat 2006 an 120-B RPC in case FIR No. 19/2011 P/S VOJ – Appointment of Inquiry Officer thereof.

Government Order No. 38 -JK(HME) of 2020
Dated: 14.01.2021

WHEREAS, vide Government Order No. 8-GAD(Vig) of 2017 dated 06.02.2017, prosecution was sanctioned against Dr. Bushan Anand, the then Assistant Accounts Officer, Director Health Services, Jammu and Dr. Deepak Kapoor, the then Medical Officer, Epidemiology for commission of offences punishable under Section 5(1)(d) r/w 5(2) of the J&K Prevention of Corruption Act, Svt 2006 and 120-B RPC in case FIR No. 19/2011 P/S VOJ;

AND WHEREAS, vide O.M. No. HME/HRM/21/2017 dated 18.07.2017, charge sheet was served upon to Dr. Deepak Kapoor, the then Medical Officer, Epidemiology, Jammu;

AND WHEREAS, Director, Health Services, Jammu vide letter No. DHS/GS/5266 dated 12.08.2017 forwarded the reply/written statement of defense submitted by Dr. Deepak Kapoor, the then Medical Officer, Epidemiology, Jammu;

AND WHEREAS, the reply submitted by the accused officer was examined in the department and it was decided to enquire the matter by appointing an Inquiry Officer;

AND WHEREAS, vide Government Order No. 599-HME of 2017 dated 25.10.2017, Dr. Chander Parkash, the then Assistant Director (Health Education Bureau) in the office of Directorate of Health Service Jammu was appointed as Inquiry Officer to conduct an in-depth enquiry against Dr. Deepak Kapoor, the then Epidemiology, Jammu, Directorate of Health Service Jammu;

AND WHEREAS, the Inquiry Officer, vide letter No. DFW/JK/Est/Gaz/5304 dated 27.10.2020, has furnished his enquiry report with the following opinion:-

"Dr. Deepak Kapoor was one of the member, has verified the supplies of Kits in reference to terms and conditions of the supply orders, hence cannot be held alone responsible for any deviation from the established standards and guidelines.

Since the matter is pending before the Hon'ble High Court as such, the Inquiry Officer has recommended to wait for the verdict of the Hon'ble High Court".

AND WHEREAS, Dr. Deepak Kapoor filed a writ petition before the Hon'ble High Court bearing No. CRM(M) No. 140/2020 titled "Deepak Kapoor Vs Union Territory of Jammu and Kashmir and Ors" seeking quashment of FIR No. 19/2011, P/S VOJ, which is sub-judice in the Hon'ble High Court;

AND WHEREAS, the report submitted by the Inquiry Officer has been examined in the department and it was found that the opinion of the Inquiry Officer is ambivalent;

AND WHEREAS, Dr. Chander Parkash, the Inquiry Officer has retired on superannuation as I/C Director, Family Welfare, MCH and Immunization J&K;

AND WHEREAS, it has been felt that the charges leveled against Dr. Deepak Kappor, the then Medical Officer shall be enquired afresh by some senior officer.

Now, therefore, in terms of sub-rule (4) of Rule 33 of the J&K Civil Services (Classification, Control and Appeal), Rules 1956, Sh. Mohd Rafiq, Director Finance, Health & Medical Education Department is appointed as Inquiry Officer to enquire into the charges framed against Sh. Deepak Kapoor, the then Medical Officer, Epidemiology, Jammu. Chief Account Officer, Directorate of Family Welfare, J&K is appointed as Presenting Officer.

The Inquiry Officer shall complete the enquiry and submit the enquiry report to the Government within 21 days from the date of issuance of this order.

By order of the Government of Jammu and Kashmir.

Sd/-

(Atal Dulloo) IAS

Financial Commissioner

Health & Medical Education Department

Dated: 14-01-2021

No. HME/HRM/21/2017

Copy to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary, (J&K), Ministry of Home Affairs, Government of India.
3. Commissioner/Secretary to the Government, General Administration Department.
4. Director, Archives, Archaeology & Museums, J&K, Jammu.
5. Sh. Mohd Rafiq, Director Finance, Health & Medical Education Department, Inquiry Officer.
6. OSD with Advisor (B) to Hon'ble Lieutenant Governor.
7. Chief Account Officer, Directorate of Family Welfare, J&K, Presenting Officer.
8. Private Secretary to the Financial Commissioner, Health & Medical Education Department.
9. Government Order file/Stock file/Website HME.

(Javaid Ahmad Malik)

Under Secretary to the Government
Health and Medical Education Department