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Government of Jammu and Kashmir
Public Works (R&B) Department
Civil Secretariat, Srinagar
(HRM Branch)

Subject: Initiation of RDA against Mr. Ghulam Nabi Ahanger, the then Executive Engineer (R&B) Division Kishtwar.

Government order No. 242 PW(R&B) of 2020
Dated: 28-08-2020

Whereas, the General Administration Department vide O.M No. GAD(Vig)26 -RDA/2018 dated 13.03.2018 requested the department that ATR of OM dated 23.04.2019 regarding Initiation of Regular Departmental Action against Sh. Mohammad Ashraf Gilkar, the then Executive Engineer and Sh. Ghulam Nabi Ahanger, the then Executive Engineer PW(R&B) Division, Kishtwar, be furnished; and

Whereas, vide letter No.PW(R&B) HRM/12/2019-Vig. dated 29.03.2019, Commissioner/Secretary to the Government General Administration, Department was requested to provide record of the instant case. In response to that, the General Administration Department vide OM No. GAD(Vig)26-RDA/2018 dated 15.05.2019 forwarded a copy of letter No. VO-Veri-UD-12/2014-4414-16 dated 20.03.2018 alongwith Article of Charges, Statement of Imputations and gist of evidence for initiation of Regular Departmental Action against the delinquent public servants, in terms of J&K Civil Service (Classification, Control & Appeal) Rules, 1956 with the approval of the Disciplinary Authority; and

Whereas, vide letter No. PW(R&B)/HRM/12/2019-Vig dated 19.06.2019 Memorandum alongwith Article of Charges and Statement of imputation was served upon both the accused engineers through Chief Engineer PW(R&B) Jammu and in response to which Mr. Ghulam Nabi Ahanger, the then Executive Engineer (R&B) Division Kishtwar submitted requisite reply but the reply of Mr. Mohammad Ashraf Gilkar has not been

received as the said officer has retired on superannuation from the Government Service; and

Whereas, vide Government Order No.544-PW(R&B) of 2019 dated 31.12.2019, Sh. Sadiq Ahmed Wani, I/c Superintending Engineer, PW(R&B) Batote was appointed as Inquiry Officer for conducting an enquiry in respect of allegations levelled against the accused engineer; and

Whereas, vide letter No. PMGSY/SE/B/4815-18 dated 05.02.2020, the inquiry officer submitted his enquiry report which indicates as below:

It is observed that there is no fault on part of the then Executive Engineer PW(R&B) Division Kishtwar, Mr. Ghulam Nabi Ahanger in execution and making payment for the work executed by him departmentally on cherihar-Bunjwar road”.

Whereas, the case was also referred to the Development Commissioner (Works) for expert comments who has conveyed as below:-

- “i. The Vigilance Organization has established that the Codal Provisions have been violated by the Executive Engineers of R&B Division Kishtwar in execution of the works under question. But this action is shown done only after no response was received by Executive Engineer after putting it to tenders nine times.*
- ii. No loss to state exchequer has been established by the Vigilance organization in any of the work.*
- iii. The approval of works done by SE requires the approval of his next higher authority i.e Chief Engineer R&B Jammu. In the instant case the said action has not been found done.*
- iii. The report of Verification conducted by the Vigilance Organization now ACB in the year 2014*

AF

[Signature]

and its allied documents like SOI & DAC are observed flimsy and the same has got now delayed for more than five years".

Now, therefore, in view of the above explained position and the recommendations of the Inquiry Officer and Development Commissioner (Works) are accepted. The charges levelled against Mr. Ghulan Nabi Ahanger, the then Executive Engineer (R&B) Division Kishtwar are hereby dropped and the case is closed. However, the concerned engineer is hereby warned to remain careful in future while discharging official duties by strictly adhering the rules and regulations in vogue, in letter & spirit.

By order of the Government of Jammu and Kashmir.

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government

No: PW(R&B) HRM/12-2019-Vig

Dated **28**-08-2020

Copy to the:-

1. Commissioner/Secretary to the Government, General Administration Department. This is with the reference to his O.M No. GAD(Vig)26 -RDA/2018 dated 13.03.2019 .
2. Joint Secretary (J&K) Ministry of Home Affairs Government of India.
3. Development Commissioner (Works), PW(R&B) Department.
4. Director, Anti Corruption Bureau, J&K, Srinagar.
5. Director Archaeology & Archives, J&K Srinagar.
6. Chief Engineer, R&B, Jammu
7. Director Finance, PW(R&B) Department.
8. OSD to Advisor (B) to Hon'ble Governor, J&K.
9. Private Secretary to Principal Secretary to Government, Public Works (R&B) Department
10. Government Order file/Stock file.
11. I/c Website

(Shahid Mahmood) IAS

Deputy Secretary to the Government