



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

Subject: Initiation of Regular Departmental Action against Er.Mohammad Yousuf Bhat, the then Assistant Executive Engineer, R&B Division Shopian (**Verif-ABP-15/2015**).

Government Order No: **169** PW(R&B) of 2021  
Dated: **03**. .05.2021

Whereas, the General Administration Department vide O.M.No.GAD(Vig)69-RDA/2018 dated 12.12.2018 along with communication No.VO-Veri-ABP-15/2015-15490-92 dated 04.10.2018 of Vigilance Organization(now ACB) and other papers has forwarded to this department wherein it has been alleged that embezzlement of Government money in some post restoration works of 2014 floods by R&B division Shopian had occurred and therefore recommended for Initiation of Regular Departmental Action against the above officer in terms of Civil Services (Classification Control & Appeal) Rules, 1956 with the approval of Disciplinary authorities.

Whereas, the Article of Charges, Statement of Imputation and gist of evidence was served to the above accused officer through Chief Engineer, PW(R&B) Department, Kashmir vide letter No. PW(R&B) HRM/54/2018-Vig dated 24.06.2019.

Whereas, the delinquent officer submitted his reply of article of charges and vide Government Order No.430-PW(R&B) of 2019 dated 10.10.2019, Er. Parveez Ahmad Qadimi, I/c Superintending Engineer, PW(R&B) Circle Pulwama-Shopian was appointed as Inquiry Officer to enquire into the matter.

Whereas, the Inquiry Officer vide Communication No.SE/PS/4919 dated 13.01.2020, reported that the restoration works so executed after the devastation flood of September, 2014 by the R&B Div.Shopian were physically verified at site by the physical verification committee in consonance with the revised SOP for combating disasters issued vide Government Order No.RV/ER/08 of 2015 dated 10.01.2015 and are covered in the list of physical verification. Thus the allegations of embezzlement of Government money leveled against the officer, Er.Mohammad Yousuf Bhat Assistant Executive Engineer does not carry any weight. The grant of extension of the executed works was not the domain of Assistant Executive Engineer. It was mainly the Executive Engineer concerned who approved the revised proposals but has been exempted from the charges due to his retirement from the Government Services on 30.11.2016. As the said AEE is also on the verge of superannuation and is retiring on 31.08.2020, a lenient view needs to be taken in his case as well after taking into account the aforementioned cogent reasons and the case against him may be closed. However, the officer is required to be careful in discharging his duty in light of the rules and regulations and follow the requisite codal formalities to avoid any such incident in future.

Whereas, the case file alongwith Enquiry report referred to DC (W) for expert comments. The DC(W) has furnished his comments as:-

*"The instant RDA against Shri Mohd Yousuf Bhat the then AEE(R&B) division Shopian is the outcome of the communication of Vigilance Organization vide No. VO-Veri-ABP-15/2015-15490-92 dated 04.10.2018 regarding embezzlement of Government money in some post restoration works of 2014 floods by R&B division Shopian.*

The delinquent officer is accused of not executing an allotted component of work i.e lifting of plate girder bridge from Kalampora and fixing the same at Km 1<sup>st</sup> of Batapora road including all carriages loading and unloading for an allotted amount of Rs 82,500/- and an amount of Rs 46,400/- has been booked for engaging JCB for diversion at the site. Further, the allegations of granting extensions have been levelled against the said officer in some works of R&B division Shopian.

Vide Government Order No. 430-PW(R&B) of 2019 dated 10.10.2019, Shri Parvaiz Ahmad Qadimi I/C Superintending Engineer PW(R&B) circle Pulwama-Shpian was appointed as inquiry officer. The inquiry officer in his report has submitted that the plate girder bridge from Kalampora could not be lifted because of the resentment of the people of that area and that the approaches of the bridge were damaged by 2014 floods. However, instead of that, a bailey bridge from Zainpora was lifted and installed at the said location. The Inquiry officer has further reported that the amount drawn on account of engagement of JCB has been found genuine owing to the necessity of diverting huge flow of water at the site. Regarding, extension it is reported that among all the works under question in the instant RDA, three works have been accorded extensions by the then Executive Engineer of R&B Division Shopian, who has not been included a delinquent in the RDA, being a retiree, in light of the existing rules and procedures".

The Development Commissioner has opined that this office agrees with the opinion of the Inquiry officer and recommended that the allegations leveled against the accused officer be dropped.

Now, therefore, in view of the above given position and by upholding the recommendations of Development Commissioner (Works), the allegations levelled against Er. Mohammad Yousuf Bhat, the then Assistant Executive Engineer, R&B Division Shopian are dropped and case is hereby closed.

By order of the Government of Jammu and Kashmir

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government

Dated: 03.05.2021

No. PW(R&B) HRM/54/2018-Vig

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs Government of India.
2. Commissioner/Secretary to the Government, General Administration Department. This is with the reference to his O.M.No.GAD(Vig) O.M.No.GAD (Vig)69-RDA/2018 dated 12.12.2018.
3. Development Commissioner (Works), PW(R&B) Department, J&K, Jammu.
4. Director, Anti Corruption Bureau, J&K, Jammu.
5. Director Archives, Archaeology & Museum, J&K Jammu.
6. Chief Engineer, Public Works(R&B) Department, Jammu/Kashmir.
7. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
8. Concerned officers/officials.
9. Private Secretary to Principal Secretary to the Government, Public Works (R&B) Department.
10. I/c Website.
11. Government Order file/Stock file.

(Shahid Mahmood)KAS  
Additional Secretary to the Government