



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

Subject: Initiation of Regular Departmental Action Against Shri Nissar Ahmad Kakapori then Assistant Executive Engineer, R&B, Baramulla and Shri Ishtiyah Ahmad, then Junior Engineer REW Baramulla (Veri-ABP-53/2014)

Government order No: 228-PW(R&B) of 2020
D a t e d: 11-08-2020

Whereas, the General Administration Department vide O.M No. GAD(Vig)166-RDA/2017 dated 16.05.2019 forwarded a copy of letter No. VO-Veri-ABP-53/2014-19188-89 dated 27.11.2017 of Vigilance organization (now Anti Corruption Bureau) along with allied documents viz. draft Article of Charges, Statement of Imputations, Gist of Evidence etc to this Department for consideration of the recommendations of the Vigilance Organization i.e Initiation of Regular Departmental Action against Shri Nissar Ahmad Kakapori then Assistant Executive Engineer, R&B, Baramulla and Shri Ishtiyah Ahmad, then Junior Engineer REW Baramulla, in terms of J&K Civil Services (Classification Control & Appeal) Rules, 1956.

Whereas, vide letter No.PW(R&B) HRM/17/2019-Vig. dated 02.07.2019, Article of charges, Statement of imputation and Gist of evidences were served to the accused engineers through the Chief Engineer, Public Works(R&B) Department, Kashmir. In response the delinquent Officer/official submitted replies of article of charges to this department for further action.

Whereas, vide Government Order No.13-PW(R&B) of 2020 dated 20.01.2020, an inquiry officer was appointed for conducting an enquiry in respect of allegations levelled against the accused officer/Official.

Whereas, vide endorsement No.16040 dated 22.02.2020, the inquiry officer submitted his enquiry report which indicates as below:

"that Sh. Nissar Ahmad Kakapori was not the Assistant Executive Engineer in the year 2014 but was posted as Executive Engineer, R&B Division Baramulla vide Government Order No. 89-PW(R&B) of 2014 dated 28.02.2014. The Assessment of flood damaged structures was not to be conducted by the Executive Engineer instead a committee of Revenue officials, after identifying the damaged structure would utilize the service of JE, AEE already nominated for the purpose for categorization of damaged structures as fully, severely or partially damaged and it is recommended that the officer/official may be exonerated from the charges levelled against them and matter may be disposed off."

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

"a) the Executive Engineer and JE be exonerated and RDA initiated against them be closed and consigned to records for the reason of their non involvement in the issue."

b) Action needs to be initiated against the Revenue Authorities who have projected wrong information related to beneficiaries without proper application of procedure and without maintaining honesty and integrity for which the said part needs to be referred to Administrative Secretary, Revenue Department for further course of action."

Now, therefore, in view of the above explained position and upholding the recommendations of the Development Commissioner (Works)/inquiry Officer, the charges levelled against Shri Nissar Ahmad Kakapori then Assistant Executive Engineer, R&B, Baramulla and Shri Ishtiyah Ahmad, then Junior Engineer REW Baramulla 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

No: PW(R&B) HRM/17/2019-Vig
Copy to the:-

Dated: 11.08.2020

1. Commissioner/Secretary to the Government, General Administration Department.
This is with the reference to his O.M.NO. GAD(Vig)166-RDA/2017 dated 16.05.2019
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, Kashmir.
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) KAS
Deputy Secretary to the Government