



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

Subject: Initiation of RDA against Sh. Pirzada Afaq Ahmad, the then Executive Engineer, Tourism Department, Kashmir (Veri. No.SLK-24/2016).

Reference. O.M.No. GAD(Vig)12-RDA/2021 dated 17.03.2021.

Government Order No. 102 PW(R&B) of 2022
Dated: 17.03.2022

Sanction is hereby accorded to the appointment of Er. Rafeeq Ahmad Rafeeq, I/c Chief Engineer, PW(R&B) Department, Kashmir as Inquiry Officer to enquire into the allegations levelled against the subject.

Er.Firdous Ahmad Khushkhan, I/c Executive Engineer, Tourism Department, Kashmir (M&W Wing) shall be the Presenting officer.

The Inquiry Officer shall submit his report/findings to the Administrative Department along with recommendation within one month from the date of issuance of this order.

Any modification in posting shall not debar Inquiry Officer and Presenting Officer of performing their duties vide this order.

By order of the Government of Jammu and Kashmir

Sd/-
(Shailendra Kumar) IAS
Principal Secretary to the Government

Encls: 02 pages

No. PWD-RDA/33/2021-01-Department of PWD R&B (C.No.25339)

Dated 17.03.2022

Copy to the:-

1. Principal Secretary to the Government, General Administration Department.
2. Director Anti Corruption Bureau, J&K.
Er. Rafeeq Ahmad Rafeeq, Public Works(R&B) Department, Kashmir. The copy of memorandum along with article of charges/statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
3. Er. Firdous Ahmad Khushkhan, I/c Executive Engineer, Tourism Department Kashmir (M&W Wing). The copy of memorandum along with article of charges/ statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
4. Private Secretary to Principal Secretary to the Government, PW (R&B) Department.
5. Government Order file/Stock file/Monday Return.

Copy also to the Joint Secretary (J&K), Ministry of Home Affairs Government of India.

(Dr. Zeba Sultan)
Under Secretary to the Government
Public works (R&B) Department

(4)

Statement of imputation

During verification of Veri- No.24/2016, it surfaced that department of Tourism, M&W Wing has executed a total number of 292 works during year 2015-16. A total number of tendered works were 147 in number of Rs.2776.75 Lacs and out of 147 tendered works by M&W Wing of Tourism Department Kashmir 71 works have been given extensions of Rs.1087.72 Lacs without following the fresh tenders/codal formalities which should have followed for betterment and healthy competition. During the same period M&W Wing of Tourism Department has given direct agreements to 145 works without going for tenders and M&W Wing has cited different reasons for direct agreements and extensions, but the fact of matter is that the M&W Wing has violated all the codal formalities in gross and has gone for supplementries and direct agreements. During verification out of 292 executed works some works were checked by Engineering wing VOK now ACB Srinagar and the works have been shown existing/executed on ground. The M&W Wing has in some places changed the actual sight of works proposed and have again cited reasons for it.

The documents produced by the M&W Wing of J&K Tourism department Kashmir also shows that the works 292 in number were executed during the period 2015-16 and extensions on 71 tendered works were given by the M&W Wing to the tune of Rs.1087.72 Lacs on existing allotment of 1689.03 Lacs. Moreover the documents also states that 145 works out of 292 works were executed on direct agreements without following the tendering process to the tune of Rs.213.21 Lacs. By going for the extensions on tendered works and execution of works without tenders by M&W Wing has grossly violated all the procedures/codal formalities which should have otherwise done in the cases and the M&W Wing has shown different reasons for execution of such works which are not logically accepted.

The executive agencies have violated all the codal formalities while executing the works during year 2015-16.

Enquiry Officer

Article of Charges.

Annexure-I

Whereas, you (Er. Pirzada Afaq Ahmad s/o Pirzada Mohammad Mubarak s/o Pirzada Samad A/p Champora Sangar) were posted as Executive Engineer, Tourism Department Kashmir w.e.f May 2015 to September 2016

Whereas, during your posting as Executive Engineer Tourism Department, a total No. of 292 works have been executed.

Whereas, you have given direct agreements to 145 works worth Rs. 213.21 lakh.

Whereas, during your posting as Executive Engineer, Tourism Department you have tendered 147 works worth Rs. 1689.03 lakhs and have given extensions on 71 works worth Rs. 1087.72 lakh.

Whereas, while giving direct agreements on 145 works during your tenure as Executive Engineer, you have violated all codal formalities.

Whereas, while giving extensions to the tendered works you have again violated the codal formalities.

Whereas, you as Executive Engineer should have gone for tendering process instead of giving direct agreements on 145 works and extension on 71 works out of total 292 works.

In view of the above, you failed to maintain absolute honesty and integrity in discharge of official duty and has thus acted in a manner unbecoming of a public servant, thereby, violating the provisions of Rule (3) of the J&K Government Employees (Conduct) Rules 1971 for which disciplinary proceedings as contemplated under Rule 33 of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956 have been recommended to be initiated against you.

You are advised to furnish your reply to the charges within 21 days positively, failing which action as warranted under rules shall be initiated against you ex-parte.

Er. Pirzada Afaq Ahmad,
Then Executive Engineer,
Tourism Department, Kashmir

(Shahid Mahmood) KAS
Additional Secretary to the Government
(Chief Vigilance Officer)
Public Works (R&B) Department