



सत्यमेव जयते

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

Subject:- Departmental enquiry against Sh. Gowhar Ayub, the then Junior Engineer J&K Police Housing Corporation, appointment of Inquiry officer thereof

Government Order No. 302 - PW(R&B) of 2023
Date: 25.07.2023

Sanction is hereby accorded to the appointment of Er. Ravinder kumar, I/c Executive Engineer, PW(R&B) Division Kishtwar, as Inquiry Officer to enquire into the allegations levelled against the subject.

Er.Sanjay Rathore, I/c Assistant Executive Engineer, Sub-Division, Kishtwar 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: 03 pages

No. PWD-HRM1/55/2023-05-PWD R&B DEPARTMENT (C.No. 7187414) Dated 25.07.2023

Copy to the:-

1. Commissioner/ Secretary to the Government, General Administration Department.
2. Director Anti Corruption Bureau, J&K.
3. Er. Ravinder Kumar, I/c Executive Engineer, PW(R&B) Division Kishtwar. 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. Er.Sanjay Rathore, I/c Assistant Executive Engineer, Sub-Division, Kishtwar. 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.
5. Private Secretary to Principal Secretary to the Government, PW (R&B) Department.
6. Government Order file/Stock file/Monday Return.

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


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

Draft Article of Charges

Whereas you (Er. Gowhar Ayub), JE Police Housing Corporation J&K are hereby charged of following violations:-

Whereas, you remained posted as Junior Engineer, Police Housing Corporation J&K during the year April, 2020 to December-2022.

Whereas, during your posting of as Junior Engineer Er. Gowhar Ayub, while functioning in J&K Police Housing Corporation as Junior Engineer on deputation basis from Public Works (R&S) Department J&K, during the period April, 2020 to December, 2022, in collusion with the executing Contractor M/S A.L. Construction, unauthorisedly allowed execution of an item of work namely ACP Cladding in the under construction building of 25 bedded Sub District Hospital Atholl Paddar (Balance Work) worth Rs. 23 lacs approximately in-spite of the fact that said item was not an allotted item in favour of the Contractor.

Whereas, you then Junior Engineer neither moved any proposal seeking prior approval of the competent authority for execution of the item of work namely ACP Cladding before execution of work nor submitted any proposal for obtaining post facto approval of the competent authority even after execution of this item of work.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 days time from the date of receipt of the Article of charges failing which it shall be presumed that you have nothing to say in your defense.


(Dr. Zeba Gulaman) IAS

Under Secretary to the Government
Public Works R&S Department.

Er. Gowhar Ayub
The then Junior Engineer
Police Housing Corporation, J&K

DRAFT

STATEMENT OF REPUTATION IN SUPPORT OF ARTICLE OF CHARGE AGAINST SH. GOWHAR AYUB, JUNIOR ENGINEER.

Sh. Gowhar Ayub, was working as a Junior Engineer in JK Police Housing Corporation on deputation basis from Public Works (R&B) Department J&F between the period April, 2020 to December, 2022. While supervising projects under execution in District Kathua, he had been entrusted with the task of supervising work pertaining to Construction of 25 bedded Sub District Hospital Athol Pabbler Kathua.

An allotment for an amount of Rs. 269.53 lacs (excluding Agency Charges) had been made by MD, JK PHC vide letter No. Admn/2021/2870-72 dated 11.6.2021 in favour of MS A.L. Construction. Sh. Gowhar Ayub, Junior Engineer in collusion with the Contractor of MS A.L. Construction got executed an item of work namely ACP Cladding in the said building unauthorisedly in spite of the fact that the said item was not included in the items allotted vide aforementioned allotment dated 11.6.2021.

Sh. Gowhar Ayub, Junior Engineer signed the Works Register authenticating execution of work under his supervision.

Based on the aforementioned authenticated Work Register a bill has been raised worth Rs. 23 lacs approximately in respect of this item namely ACP Cladding which is not an allotted item and is beyond the scope of allotment letter dated 11.6.2021.

Sh. Gowhar Ayub, Junior Engineer did not move any proposal seeking approval of the competent authority for execution of this item of work either before start of execution of this item or even after completion of execution of the said item of work.

Thus, Sh. Gowhar Ayub, Junior Engineer in collusion with the executing agency MS A.L. Construction has put JK PHC in a position where executing Contractor MS A.L. Construction is claiming payment of Rs. 23 lacs against work done claim.

Aforementioned act of Sh. Gowhar Ayub, Junior Engineer is in violation of Rule _____ of JK Employees' Civil Services Conduct Rules 1971 and he is liable for departmental action for this misconduct.

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

Computer No. 718/18
No. PWD-HRM1/55/2023-05-PWD R&B DEPARTMENT
Dated: 27/05/2023


Memorandum

The Government proposes to hold an enquiry against you, the then Junior Engineer Police Housing Corporation J&K. The substance of the imputation of misconduct in respect of which enquiry is proposed to be held is set out in the enclosed statement of Articles of charges as Annexure-1

You, the then Junior Engineer Police Housing Corporation required to submit your reply within 21 days from the date of issuance of this memorandum a written statement of defence and also to state whether you desire to be heard in person.

You are further informed that if you do not submit your written statement of defence on or before the date specified above, further action as warranted under rules shall follow ex-parte.

The receipt of this memorandum may be acknowledged.


(Dr. Zeba Suleman)
Under Secretary to the Government
Public Works R&B Department
