

GOVERNMENT OF JAMMU AND KASHMIR
INDUSTRIES AND COMMERCE DEPARTMENT
Civil Secretariat, Jammu

Subject: Initiation of RDA against Mr. Nazir Ahmad Dar, the then Assistant Extension Officer, Mr. Mohd. Ashraf Bhat, the then Jr. Assistant, Mr. Shakeel Ahmad Khan, the then Accountant/ Storekeeper, Mr. Mufti Mohammad Ishaq, the then Accountant/Storekeeper, Mr. Ghulam Qadir Hajam, the then Accountant/Storekeeper, Mr. Nisar Hussain Wani, the then Assistant Director, Mr. Mr. Ali Mohd. Din, the then Assistant Director, Handloom Development Department, Pulwama (In case FIR No. 05/2000 P/S VOK).

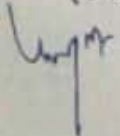
- Ref:**
- (i) Letter No. DHD/Estt.2787/4115 dated 23.04.2019 from Director Handloom Development Department, J&K.
 - (ii) O.M No GAD (Vig) 03-RDA/2017 dated 22.01.2020 from General Administration Department (Vigilance).

Government Order No. 80 - IND of 2020
Date: 27-4-2020

WHEREAS, the Vigilance Organisation registered a case FIR No 5/2000 PS/VOK after verification of a written complaint lodged by the inhabitants of village Lelhar Pulwama alleging misappropriation of an amount of Rs. 2.20 lakhs, drawn as subsidy, by one Mr. Ghulam Rasool Bhat, a Government employee, in connivance with the officers/officials of the Handloom Development Department;

AND WHEREAS, the Vigilance Organisation vide letter No. VO-FIR-05/2000-K-408 dated 09.01.2017 informed that after completing the investigation of the case, a final report (Ikhititami) was produced in the Hon'ble Court. The Court agreed with the investigation conducted in the matter and directed for referring the matter to the concerned department for initiation of Regular Departmental Action against the delinquent officials/officers;

AND WHEREAS, the General Administration Department vide O.M No. GAD (Vig) 03-RDA/2017 dated 22.02.2017 requested for initiation of departmental action against the delinquent officers/officials of the Handloom Development Department in terms of J&K Civil Services (Classification, Control and Appeal) Rules, 1956;



AND WHEREAS, the Director Handloom Development Department appointed Ms. Nargis Suriya, KAS, Joint Director Handloom Development Department Kashmir as Inquiry Officer for conducting an enquiry into the matter;

AND WHEREAS, the Inquiry Officer furnished the enquiry report to Director Handloom Development Department who while forwarding the same to the Administrative Department vide communication No. DHD/Estt/2787/4115 dated 23.04.2019 read with DHD/Estt/2787/2017/4909 dated 13.03.2018 recommended acceptance of the enquiry report with modification that in view of the established negligence on part of the officers/officials, the in-service officials be reprimanded with denial of one annual increment in pay;

AND WHEREAS, it was decided to accept the recommendation of Director Handloom Development Department. As such, one increment due to Mr. Mohammad Ashraf Bhat, Senior Assistant, Handloom Development Department, figuring in case FIR No. 05/2000 P/S VOK, was withheld for a period of two years in terms of Rule 30 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules vide Government Order No.252-IND of 2019 dated 13.11.2019;

AND WHEREAS, no disciplinary action was considered against the following officials, figuring in case FIR No. 05/2000 P/S VOK, who had already retired from the active service:

| S.No | Name of accused Officer/Official | Date of retirement |
|------|--|--------------------|
| 1 | Nisar Hussian Wani, then Asstt. Director, Handloom | 31.09.2016 |
| 2 | Ali Mohammad Din, then Asstt. Director Handloom | 31.05.2001 |
| 3 | Nazir Ahmad Dar, then Asstt. Extension Officer. | 31.12.2013 |
| 4 | Shakeel Ahmad Khan, Accountant cum Storekeeper | 31.12.2017 |
| 5 | Mufti Mohammad Ishaq, Accountant cum Storekeeper | 31.01.2017 |
| 6 | Ghulam Qadir Hajam, Accountant cum Storekeeper | 30.06.2019 |

AND WHEREAS, the General Administration Department to whom a copy of the aforesaid Government Order was forwarded, noted the findings of the department in respect of all the officials except Mr. Ghulam

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Qadir Hajam, Accountant cum Storekeeper (figuring at S.no 6 of the matrix above) and observed vide O.M dated 22.01.2020 that in terms of Article 168-A (ii) of J&K CSRs Vol-I, the recommended action i.e RDA is still possible against the retired official and requested to initiate action against Mr. Ghulam Qadir Hajam, then Accountant-cum-Storekeeper;

AND WHEREAS, the matter has been examined further and it has been found that since the departmental proceeding is said to be initiated against the public servant with the servicing of charge-sheet, Mr. Ghulam Qadir Hajam, then Accountant-cum-Storekeeper is still liable to be proceeded on with the action (RDA) because the memorandum of articles of charge duly supported with the statement of imputation was served upon him, in the year 2017, while he was in service;

AND WHEREAS, keeping in view the relevant details related to the case and the fact that Mr. Ghulam Qadir Hajam, Accountant cum Storekeeper (now retired) has been found negligent in the performance of his duties by the Inquiry Officer, it has been decided to impose a minor penalty upon the official and 'Censure' him.

NOW, THEREFORE, Mr. Ghulam Qadir Hajam, Accountant-cum-Store Keeper, Handloom Development Department, now retired, shall be deemed to have been 'Censured' on 30.06.2019 i.e on the day he retired on superannuation, in terms of Rule 30 (i) of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956.

By order of the Government of Jammu and Kashmir.


**Sd/-
(Manoj K. Dwivedi), IAS
Commissioner / Secretary to the Government**

NO: IND/HL/07/2017

Dated: 27.04.2020

Copy to the:

1. Joint Secretary (J&K), MoHA, GoI, New Delhi.
2. Secretary to the Government, GAD
3. Director Handloom Development Department, J&K, Jammu
4. Director, Archives, Archeology and Museums, J&K
5. Pvt. Secretary to the Principal Secretary to Govt., I&C Department
6. Incharge Website, I&C Department
7. Govt. Order File (w.2.s.c).
8. Monday Return/Stock File.


**(Sanjeev Kumar)
Under Secretary to the Government**