



Government of Jammu & Kashmir
Department of Rural Development & Panchayati Raj
Civil Secretariat, Jammu/Srinagar

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Subject:-Joint surprise check of works executed by Rural Development Department, Block Devsar District Anantnag (ACB-APB-SC-04/2005).

Government Order No. 160-RD&PR of 2022

D a t e d: 24 -06 -2022

Whereas, after receiving the representation of Sh. Manzoor Ahmad Zargar, the then Junior Engineer, Block Devsar Kulgam by this Department whereunder he has intimated that during his posting in Block Devsar, a joint surprise check (JSC) was conducted by Anti Corruption Bureau (ACB) in the year 2005-06 and some observations were made against him by the Anti Corruption Bureau. Accordingly the instant matter was taken up with the Director Rural Development Kashmir on 09.09.2021 with the request to furnish the relevant record, enquiry report (if any) alongwith other documents to this Department; and

Whereas, in response the Director Rural Development Kashmir vide communication No. DRDK/Estt-Complt/14/21/Anantnag/53902-03 Dated 27-10-2021 intimated that the Project Officer Wage Employment (ACD) Kulgam vide letter No ACDK/Estt/2021-22/5674-75 dated 07-10-2021 has furnished some records/documents and enquiry report of the instant case, which stands simply forwarded by the said Directorate to this Department for kind perusal and necessary action; and

Whereas after thorough examination of these documents/enquiry report, it is revealed that the State Vigilance Organization, J&K Srinagar (now Anti Corruption Bureau) in the year 2005 forwarded a copy of communication No SVO/APB/JSC-4/2005-14029-31 Dated 20-10-2005 to this Department and reported that during the course of a joint surprise check conducted by State Vigilance Organization (now ACB), the record pertaining to construction of school building and Panchayat Ghar at Nowpora were scrutinized and a spot verification carried out. During the spot verification conducted by Joint Surprise Check team it has been found that:-

- i. Poplar wood has been used in ceiling joints against sanctioned provisions of Fir (Budloo) in 03 rooms building at Nowpora.
- ii. Similarly, Rs. 2190/- have been billed against provision of Kail wood while actually Poplar wood has been used in Cornice during construction of Panchayat Ghar Nowpora.

Whereas, Anti Corruption Bureau has also reported that Sh. Manzoor Ahmad Zargar, Junior Engineer of Rural Development Department, Block Devsar has been found responsible for both these lapses involving loss to the state exchequer and request that appropriate action under Service Conduct Rules may be initiated against him. Besides the above the extra cost incurred be recovered from the contractor; and

Whereas, thereafter, the then Director, Rural Development Kashmir vide communication No DRDK/E-Complt/1/06/20305-06 Dated: 03-03-2006 forwarded a copy of charge sheet to the Executive Engineer, REW Anantnag with the request to serve upon the same to Sh Manzoor Ahmad Zargar, Junior Engineer Block Devsar and furnish the report/comments in pursuance of the report of Vigilance Commissioner. However, the Executive Engineer, Rural Engineer Wing (REW), Anantnag vide communication No.REWA/2006-007/44 Dated 15-04-2006 copy addressed to the Director Rural Development, Kashmir and submitted the following comments:-

- i. In ceiling joints the popular wood has been used but not paid in the bill. The item has not been allowed by the Junior Engineer and in turn the mates have been asked to remove the same and replace with Budloo wood as is contained in approved estimates. As such no payment on this account has been effected.
- ii. Regarding the use of Poplar wood in cornice, there is no such mention of type/species of wood in the sanctioned estimates. Lumsum provision of amalgamated items vide item No 31 of the sanctioned estimate costing of Rs 8000/- has been shown with further noting that sub-items of A-31 shall be paid as per actual during the execution. Here it is to submit that cornice used in room ceilings is an ornamental entity and would not effect the structural stability of the building in case any other species is used. The Junior Engineer concerned has put in the bill the use of Kail wood against the use of poplar cornice but at the same time has been allowed a rate of Rs 06/- only per Rft which is for less than the rate provided in SSR in respect of Kail wood (Rs 12/RFT approx). The mentioning of Kail species in cornice seems to be an

error committed by the Junior Engineer as is evident from the rate which has been allowed (Rs 06/Rft instead from Rs 12/- RFT). This is a lapse on part of the Junior Engineer concerned but seems absolute un-intentional and as such there is no loss of exchequer.

Whereas, Executive Engineer, Rural Engineer Wing (REW), Anantnag, had requested that a lenient view in respect of the official concerned keeping in view his Un-intentional involvement in the case may be taken.

Whereas, soon after, the Director Rural Development vide communication No.DRDK/Complt/106/2626-28 dated 12-05-2006 take up the matter with the Executive Engineer, REW Anantnag, with the request to recover an amount of **Rs. 2190/-** incurred on execution of the work from the concerned contractor/mate and remit the same to the concerned Treasury and issue warning to the concerned Junior Engineer to remain very cautions and careful while discharging his legitimate duties. Further, as per the documents provided, it was established that an amount of Rs. 2190/- had been recovered from the concerned contractor/Mate. But, with regard to issuance of warning to the Sh Manzoor Ahmad Zargar, Junior Engineer, it is not known by this Department as to whether the warning stands issued to the delinquent Engineer or otherwise as no documentary proof in this regard has been furnished by the Director Rural Development Kashmir; and

Whereas, the case was again examined in the Department, Director Rural Development, Kashmir on 29.11.2021 was requested to furnish a copy of documentary evidence with regard to issuance of warning to the delinquent Engineer, namely Shri Manzoor Ahmad Zargar, the then Junior Engineer Block Devsar, alongwith photocopy of the Service Book wherein the entry of same has been recorded /reflected to this Department within 05 days positively for taking further necessary action; and

Whereas, now Director, Rural Development, Kashmir vide communication No. DRDK/E-Complt/14/21/Kul-Ang(e.office)65897 dated 12.01.2022 has furnished the attested Photostat copy of the Service of Shri Manzoor Ahmad Zargar, the then Junior Engineer Block Devsar, wherein the entry with regard to issuance of warning to the said Junior Engineer has been recorded; and

Whereas, the findings of the Anti Corruption Bureau as well as report of Executive Engineer, Anantnag has been examined in the Department and it has been decided to close the case in respect of Sh. Manzoor Ahmad Zargar, the then Junior Engineer Block Devsar as the recoverable amount has been recovered from the concerned contractor/mate and remitted the same to the concerned Treasury and the entry in this regard has been made in the service books of Shri Manzoor Ahmad Zargar, the then Junior Engineer Block Devsar.

Now, therefore, keeping in view of the above, the instant Joint Surprise Check **(ACB-APB-SC-04/2005)** against Sh. Manzoor Ahmad Zargar, the then Junior Engineer Block Devsar is hereby closed.

By order of the Government of Jammu and Kashmir.

sd/-

(Mandeep Kaur) IAS

Commissioner/Secretary to the Government

No. RDD-REW/43/2021 (e.office)

Dated: 24-06-2022

Copy to the:-

1. Principal Secretary to the Government, General Administration Department.
2. Joint Secretary (J&K) Ministry of Home Affairs, Government of India, New Delhi
3. Director, Anti Corruption Bureau, J&K, Jammu.
4. Director, Rural Development, Kashmir.
5. Pvt. Secretary to Commissioner/Secretary to the Govt. Department of Rural Development and Panchayati Raj.
6. Concerned official.
7. Government order file (w.3.S.C)/Monday return/Stock file.
8. Incharge Website.


(Mohammad Rajab Malik)

Under Secretary to the Government