



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

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Subject:-Complaint alleging irregularities in MGNREGA Scheme in Halqa Babkhipora of Block Kunzer, Baramulla.

Government Order No: 177 -RD&PR of 2022
Dated: 14-07-2022

Whereas, Vigilance Organization (now ACB) vide communication No VO/Veri-BK-21/2012-10904-06 Dated 06-08-2014 stated that a verification conducted into the allegations of irregularities in MGNREGA Scheme in Halqa Babkhaipora of Block Kunzer has revealed that during year 2010-11 and 2011-12, Sh Maqsood Ahmad the then VLW Halqa Babkhaipora, Block Kunzer, Sh Nazir Ahmad, the then SO Planning, Block Kunzer and Sh. Ghulam Mohammad Sofi the then Inspector, Block Kunzer had misused their official position by furnishing fake utilization certificate in respect of two beneficiaries causing a loss of Rs 97,000/- to the state exchequer. Sh Maqsood Ahmad was also found to have committed various irregularities by providing more than 100 days to households in violation of guidelines of MGNREGA Scheme, besides exceeded the ratio of labour components in some works. ACB has instructed this Department to initiate Regular Departmental Action (RDA) against Sh Maqsood Ahmad, the then VLW Halqa Babkhaipora, Sh Nazir Ahmad, the then SO Planning, Block Kunzer and Sh. Ghulam Mohammad Sofi the then Inspector, Block Kunzer, Baramulla. Anti Corruption Bureau also forwarded the draft article of charges, statement of imputation and gist of evidence against the delinquent officials; and

Whereas, draft article of charges, statement of imputation and gist of evidence was forwarded to Director Rural Development, Kashmir on 16-2-2018 followed by reminder dated 30-7-2018, 25-1-2019, 17-9-2020, 21-1-2021 and 23-01-2021, with the request to serve the same upon the concerned officials and also enquire into the matter after receiving requisite reply from the delinquent officials and furnish the report along-with specific recommendations to this Department.

Whereas, in response the Director Rural Development Kashmir vide communication No. DRDK/E-Complt/02/15/Kun/Bla/5943-44 Dated 05-05-2022 intimated that the matter was forwarded to Assistant Commissioner (Development) Baramulla vide his office letter dated 30-10-2015 for conducting a thorough enquiry into the matter and to submit its report to his office within a week's time; and

Whereas, in response ACD Baramulla vide letter dated 27-8-2018 furnished a report and intimated that Block Development Officer, Kunzer has stated that draft Article of charges were served upon the delinquent officials. However only one official namely Sh. Gh Mohammad Sofi, the then Panchayat Inspector Block Kunzer furnished the reply to Article of Charges. The remaining two officials namely Sh. Maqsood Ahmad MPW and Sh. Nazir Ahmad Kumar the then SO (Plg) failed to

furnish the reply. The BDO Kunzer further intimated that out of two beneficiaries one person namely Sh. Gh Hassan Bhat R/O Gundripora has sold his property (residential House) and settled somewhere in Srinagar. The other beneficiary namely Mst Sakeena R/O Mehmoodpora has constructed her house now. Accordingly, it was recommended that this portion of complaint may be and the cost of only one IAY unit of Sh Gh Hassan Bhat R/O Ghundripora amounting Rs 48500/- is recoverable from below mentioned officials:-

S.No	Name of the official	Designation	Place of posting in 2018	Amount to be recovered
01	Nazir Ahmad Kumar	SO(plg)	DIC Baramulla	Rs 24250/-
02	Maqsood Ahmad	MPW	Block Tangmarg (special duty Sherabad Khore)	Rs 24250

Whereas, Sh. Nazir Ahmad Kumar SO(Plg) at that time was not working in Rural Development and Panchayat Raj and was posted in DIC Baramulla. Accordingly DRDK vide letter dated 19-9-2018 took up the matter with Director General (E&S) Srinagar for obtaining reply to Article of charge and statement of imputation from the delinquent official. However no response was received from Director General (E&S) Srinagar; and

Whereas, Director Rural Development Kashmir vide letter dated 22-2-2021 directed ACD Baramulla to furnish the reply of delinquent officials to the Article of Charges/Statement of imputations;

Whereas, in response ACD Baramulla vide letter dated 23-2-2021 forwarded the reply to Article of Charges furnished by all the three officials and further and reported that the recoverable amount of Rs 48500/- has been recovered from the erring officials alongwith interest and credited in PMAY (G) account No 0210010200003172 of the office of ACD Baramulla maintained at J&K Bank TP Baramulla as per details:-

S.No	Name of the official	Designation	Place of posting in 2018	Amount to be recovered
01	Nazir Ahmad Kumar	SO(plg)	DIC Baramulla	Rs 17000/-
02	Maqsood Ahmad	MPW (retired)	Block Tangmarg (special duty Sherabad Khore)	Rs 20000/-
03	Gh Mohammad Sofi	Panchayat Inspector (retired)	Retired as I/C BDO from Block Narwari	16000/-
			Total	53000/-

Whereas, Director, Rural Development, Kashmir recommended that penalty of censure be imposed on Sh Nazir Ahmad Kumar, the then SO (Plg) as he is the only one official in active Government Services out of the three erring officials involved in the case. Furthermore reported that the recoverable amount of Rs 53000/- has been recovered from the erring officials and credited in PMAY

(G) account No 0210010200003172 of the office of ACD Baramulla maintained at J&K Bank TP Baramulla.

Whereas, since the recovery from the delinquents officials have been effected and credited in PMAY (G) account No 0210010200003172 of the office of ACD Baramulla maintained at J&K Bank TP Baramulla. Moreover, the Director has intimated that Sh Gh Mohammad Sofi Panchayat Inspector and Sh. Maqsood Ahmad MPW have retired from services from Block Narvay and Block Sherabad Khore respectively. Now, the instant RDA case in respect of all 03 officials needs to be closed.

Whereas, subsequently the instant RDA case has been examined in the Department and it has been decided to close the case in respect of the delinquent officials as recoverable amount of Rs 53000/- has been recovered from the erring officials and credited in PMAY (G) account No 0210010200003172 of the office of ACD Baramulla maintained at J&K Bank TP Baramulla; and

Now, therefore, keeping in view of the above findings/recommendations of the Director, Rural Development, Kashmir, the Regular Departmental Action case against Sh Maqsood Ahmad the then VLW Halqa Babkhaipora (**retired**), Sh Nazir Ahmad the then SO Planning, Block Kunzer and Sh Gh Mohammad Sofi the then Panchayat Inspector, Block Kunzer (**retired**), is hereby closed with the imposition of penalty of '**Censure**' on Sh. Nazir Ahmad, the then SO (Plg), Block Kunzer in terms of Rule 30 (1) of J&K Civil Service (Classification, Control & Appeal) Rules, 1956.

By order of the Government of Jammu and Kashmir.

Sd/-

(Mandeep Kaur), IAS

Commissioner/Secretary to the Government

Dated. 14.07.2022

No. RDD-GAZ/38/2022 (189091)

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 Principal Secretary to the Government, Department of Rural Development and PR.
6. Concerned officer/officials.
7. I/c Website.
8. Government order file/Monday return file (W.3. S.Cs).

(Mohammad Rajab Malik)

Under Secretary to the Government.