



सत्यमेव जयते

GOVERNMENT OF JAMMU AND KASHMIR
SCHOOL EDUCATION DEPARTMENT
(HUMAN RESOURCE MANAGEMENT SECTION)
CIVIL SECRETARIAT, J&K

Subject: RDA case of Late Shri Mohammad Ashraf Chohan, the then CEO Poonch.

Reference: U.O No. GAD-VIGORDA/33/2023-02-GAD(7163147) dated 19.06.2023.

Government Order No: 199 - JK (Edu) of 2023

Dated: 06.07.2023.

Whereas, the General Administration Department Vide O.M No. GAD(Vig)90-RDA/2016 dated 21.11.2016 had forwarded a copy of letter No. VO-Veri PR-31/2014-13616-17 dated 29.09.2016 along with all the connected documents as received from the Vigilance Organization for initiation of RDA against Shri Mohammad Ashraf Chohan, then then CEO Poonch and others in accordance with J&K CCA Rules 1956; and

Whereas, vide letter No. Edu/Vig/33/2016 dated 09.03.2017, the aforementioned O.M of the General Administration Department was forwarded to Director School Education Jammu for seeking factual report in the matter; and

Whereas, vide letter No. DSEJ/22/5181 dated 27.05.2022, a report in this regard was received from Director School Education, Jammu. In the meantime, the department received a representation from family members of Late Mohammad Ashraf Chouhan (Deceased), retired I/c CEO (one of the delinquent officer in the aforementioned RDA case) wherein it was submitted that the deceased superannuated from the post of I/c CEO on 31.10.2013 and expired on 09.06.2017. The family members had accordingly requested for issuance of regularization order in favour of deceased namely Mohammad Ashraf Chouhan (CEO) which is pending since long; and

Whereas, the case has been examined and it was found that in the Departmental Promotion Committee meeting held in July 2019, Shri Mohd Ashraf chouhan was confirmed as CEO Posthumously and the effect was given from 01.11.2012, but the regularization order was not issued in his favour due to the reason that an RDA case is still pending against him along with some other officers/officials in case FIR No. 31/2014; and

Whereas vide letter No. Edu-HRM/35/2022-01 dated 25.05.2022, Director Anti Corruption Bureau, J&K Srinagar was request to furnish the present status of the case FIR No. PR-31-2014 and vide communication No. ACB/Veri-PR-31/2014-E-198035/13563-64 dated 25.07.2022, Anti Corruption Bureau conveyed that the subject verification No. PR-31/2014 was concluded with the initiation of RDA against Shri Mohd Ashraf Chouhan, then CEO Poonch and other officers/officials in question; and

Whereas, as per the Article 168-A of J&K CSR, the departmental proceedings shall be initiated before the officer's retirement from service or within a year from the date on which he was last on duty whichever is later. In the instant case, the officer has expired in the year 2017 and the RDA case has not been culminated yet in 2022 and accordingly the file was forwarded to General Administration Department for seeking advice in the matter; and

Whereas, vide U.O No. GAD-VIGORDA/33/2023-02-GAD dated 19.06.2023, the General Administration Department has conveyed as under:

"Since, no RDA has been initiated against Mr. Mohd Ashraf Chouhan, then CEO, Poonch in view of having already retired from services and further getting absolved of the charges leveled against him in view of his death, as such, his case is required to be closed.

The Department is, accordingly, advised to close the RDA case in respect of Mr. Mohammad Ashraf Chouhan, the then CEO Poonch (now retired/expired), in terms of Article 168-A of J&K CSRs r/w Article 168-D of the said rules and Government instruction thereunder, by issuing a speaking Government Order."

Whereas, the case has been further examined and it has been decided that Shri Mohd Ashraf Chohan, the then CEO Poonch (now deceased) be exonerated from all charges leveled against him in case verification No. PR-31/2014.

Now, therefore, in light of the aforementioned stated position as well as advice of the General Administration Department, Shri Mohd Ashraf Chohan, the then CEO Poonch (now deceased) is hereby exonerated of all charges leveled against him in case verification No. PR-31/2014.

By order of the Government of Jammu and Kashmir.

Sd/-

(Alok Kumar)IRS


Principal Secretary to the Government,
School Education Department.

No: Edu-HRM/35/2022-01(117654)

Dated: 06.07.2023.

Copy to the

1. Commissioner/Secretary to the Government, General Administration Department for information.
2. Director School Education, Jammu.
3. Director Finance, School Education Department.
4. Special Secretary to the Government (N), School Education Department
5. Private Secretary to Principal Secretary to the Government, School Education Department for information of Principal Secretary.
6. I/c Website, School Education Department.
7. Government Order file (w.2.s.c).


06.07.23

(Masood Ahmad Wani)

Deputy Secretary to the Government.

