



Government of Jammu & Kashmir
School Education Department,
Civil Secretariat, J&K

Subject:- Initiation of RDA against Sh. Nazir Ahmad Dar then CEO Budgam, Shri Sheikh Muhammad Afzal then CEO Budgam and the then Shri Syed Altaf, Jr. Assistant in CEO Office Budgam.

Reference: O.M. No. GAD(Vig) 71-RDA/2017, dated 10.08.2017, received from the General Administration Department.

Government order No: 287-JK(EDU) of 2024
Dated:- 29-07-2024

WHEREAS, the General Administration Department vide O.M No. GAD(Vig)71-RDA/2017, dated 10.08.2017 forwarded a copy of communication No. VO-ABP-06/2015-9725-26 dated 09.06.2017 along with supporting documents as received from the Director, Vigilance Organization(now ACB) J&K for initiation of Regular Departmental Action against Shri Nazir Ahmad Dar then CEO Budgam, Shri Sheikh Mohd. Afzal, then CEO Budgam & Shri Syed Altaf the then Jr.Assistant in CEO office Budgam, in accordance with J&K Civil Services (Classification, Control & Appeal) Rules, 1956;

AND WHEREAS, it was alleged that the subject public servants have committed irregularities in the recruitment process of Class IV in District Budgam in the year 2014;

AND WHEREAS, vide this Department's letter No. Edu/GAZ-A/02/2015 dated 20.09.2017, Director School Education, Kashmir was requested to serve the charge sheet containing articles of charge, statement of imputation, gist of evidence upon the subject public servants;

AND WHEREAS, Director School Education, Kashmir was further requested to examine the replies furnished by the subject public servants and thereafter to submit the same to the Administrative Department with recommendations;

AND WHEREAS, Director School Education, Kashmir vide his letter No. DSEK/IMW/AG-Bug/2017/407 dated 27.03.2018 forwarded the replies tendered by the subject public servants to this Department for necessary action;

AND WHEREAS, on further examination of the case, the department arrived at a conclusion that the case requires an in-depth inquiry and accordingly vide Government Order No. 738-Edu of 2018 dated 13.06.2018 Dr. G. Nabi

100, JKAS Director, School Education, Kashmir was appointed as Inquiry Officer with the direction to submit Inquiry report to the Administrative Department within a period of one month along with his recommendations;

AND WHEREAS, the Inquiry Officer vide communication No. DSEK/IMW/RDA/2018/1519-20 dated 24.12.2018 furnished the inquiry report in the case, which revealed that the then CEO Budgam had diverted an amount of Rs 23000/- out of the revenue generated on account of sale of application forms for the advertised post, and incurred the same on refreshment provided while conducting certain official activities. The amount was remitted back into the Treasury on 13.05.2015 and 02.07.2015 i.e. after a gap of 15 months;

AND WHEREAS, the Inquiry Officer has made the following recommendations:-

"Going by the afore-stated position, it is an undisputed fact that there is no loss to state exchequer given that the amount stands remitted to the Treasury, and keeping in view the fact that Shri Nazir Ahmad Dar, the then CEO Budgam has attained superannuation in the month of November, 2018, it is recommended to take a lenient view in the matter against Shri. Nazir Ahmad Dar, the then CEO Budgam (now retired);

AND WHEREAS, the Inquiry report further reveals that the allegations against Shri Mohammad Afzal Sheikh, the then CEO Budgam and Shri Syed Altaf, the then Jr. Assistant, have not been established;

AND WHEREAS, after examining the Inquiry Report the Director School Education, Kashmir was asked that in view of the delay in remittance of Rs. 23080/- to the treasury, interest may be charged from the officer on the parameter of consumer loan interest rate as charged by the banks and same be deposited in Government account;

AND WHEREAS, Director School Education, Kashmir vide letter No. DSEK/IMW/RDA/2018/2037 dated 20.05.2019, submitted a copy of challan amounting to Rs 3900/- paid in the Government Treasury as interest upon the stated amount;

AND WHEREAS, from the above discourse following things emerge:-

1. The charges against Muhammad Afzal Sheikh, the then CEO Budgam and Shri Syed Altaf, the then Jr. Assistant in CEO's office Budgam have not been substantiated.
2. No loss to public exchequer has been made and during the course of inquiry no malafide has been noticed, although there has been procedural dereliction on part of Mr Nazir Ahmad Dar, the then CEO Budgam, who has retired on superannuation in 2018.
3. The amount has been fully reimbursed in the treasury along with interest.

NOW THEREFORE, in view of the above and the recommendations of Director School Education, Kashmir the charges leveled against Sh. Nazir Ahmad Dar, the then Chief Education Officer, Budgam, now retired and Sh. Sheikh Muhammad Afzal, the then Chief Education Officer, Budgam and Sh. Syed Altaf, then Jr. Assistant in CEO Office Budgam, are hereby dropped and the case is hereby closed at the departmental level.


By order of the Government of Jammu and Kashmir.

Sd/-
(Alok Kumar), IRS
Principal Secretary to the Government.

No: Edu-HRM/122/2022-01(159436)
Copy to the :-

Dated: 29.07.2024

1. Commissioner Secretary to the Government, General Administration Department for confirmation of Action Taken/ findings of the Department.
2. Joint Secretary (J&K and Ladakh), Ministry of Home Affairs, Government of India.
3. Director, School Education Kashmir.
4. Chief Education Officers, concerned.
5. OSD to the Hon'ble Advisor (B).
6. Pvt. Secretary to Principal Secretary to the Government, School Education Department.
7. I/C Website, School Education Department.
8. Government Order file/Monday Return.


(Peer Zahid Ahmad) JKAS
Deputy Secretary to the Government.