

Government of Jammu & Kashmir
Housing & Urban Development Department
Civil Secretariat: Jammu/Srinagar.

Subject: Complaint against Executive Officers of Municipal Council, Anantnag.

Reference: U.O. No. GAD-VIGOSP/28/2021-02-GAD(e-office) dated 07.07.2021 of the General Administration Department.

Government Order No. 119-JK(HUD) of 2021
Dated: 06-08-2021

Whereas, in view of various complaints of irregularities of financial procedures, building permissions and other issues received from different quarters an enquiry was ordered to be conducted in to the affairs of Municipal Council, Anantnag, by the Director, Urban Local Bodies vide No. DULB/Estt/84-II/588 of 2019 dated:23.04.2019; and

Whereas, said Inquiry Committee submitted its report with the observations that there has been complete mismanagement in the council and no rules have been followed conducting important and vital business of the council. The Building Permission applications have been dealt casually. Number of Building Permissions have been issued without approval of the Chairman of the Council. The Khilafwari/Building Permission staff has exhibited utter negligence towards their legitimate duties and an illegal/unauthorized practice of compounding the unauthorized structures has been undertaken in connivance with the field staff thereby defeating of the objective of transparency and fair practices. Further to this, no Cash Book in Form of FC-3 has been maintained and more irregularities and misconduct was observed by the Inquiry Committee;

Whereas, another committee constituted by the Divisional Commissioner, Kashmir also observed mismanagement, Financial indiscipline and violation of Codal formalities etc. and submitted its report with the recommendations that a special audit of the accounts of the MC, Anantnag be got conduct through Accountant General's Office or Finance Department and recoveries, if any, recommended be effected from the responsible officials; and

Whereas, the matter was examined in the Administrative Department and in view of the findings/ recommendations of the Director, Urban Local Bodies, Kashmir and the Committee constituted by the Divisional Commissioner, Kashmir, the matter was taken up with General Administration Department for advicc; and

Whereas, the General Administration Department vide above referred has returned the case file. The operative part is reproduced as under:-

"Returned. The matter has been considered in General Administration Department and with the approval of the Competent Authority, the Housing & Urban Development is advised as under:-

- i. To impose major penalty commensurate to misconduct-reduction to a lower post and the minimum stage in the time scale on the following delinquent employees of ULBK:-

- Sarfaraz Ahmad Bhat, In-charge Executive Officer, Municipal Committee, Ganderbal (Formerly In-Charge Executive Officer, MC Anantnag).
- Shabir Ahmed Wani, In-charge Chief Executive Officer, Municipal Committee, Pahalgam (formerly In-charge Chief Executive Officer, MC, Anantnag).
- Syed Nayeem Rizvi, Executive Officer, Municipal Committee, Bandipora (formerly Executive Officer, MCV, Anantnag).
- Ghulam Mohi-ud-din Malik, Executive Officer, Municipal Committee Anantnag.

ii. The above four employees be reinstated by giving them non/sensitive postings and be kept under surveillance by the Director ULBK for one year. This will be without prejudice to the final outcome of investigation by ACB. The intervening period of suspension be decided as leave whatever kind due.

Now, in view of the approval of the Competent Authority conveyed by the General Administration Department, sanction is hereby accorded to imposition of penalty in terms of Rule-33 of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules 1956, commensurate to misconduct, and the minimum stage in the time scale on the following delinquent employees of Urban Local Bodies Kashmir as under:-

S.No.	Name of the employee	Substantive post held by the employee	Reduction to the post (i.e. cadre wherefrom the employee was promoted to the substantive post)
1.	Sarfaraz Ahmad Bhat, In-charge Executive Officer (Presently under suspension)	Revenue Officer	Tax Inspector
2.	Shabir Ahmed Wani, In-charge Chief Executive Officer (Presently under suspension)	Executive Officer	Assistant Sanitation Officer
3.	Syed Nayeem Rizvi, Executive Officer (Presently under suspension)	Executive Officer	Food Inspector
4.	Ghulam Mohi-ud-din Malik, Executive Officer (Presently under suspension)	Executive Officer	Legal Assistant

Jee Sanction is also accorded to the reinstatement of the above four Public Servants with immediate effect. The intervening period of suspension shall be treated as on leave whatever kind due in their favour.

By order of the Government of Jammu and Kashmir.

Sd/
(Dheeraj Gupta) IAS
Principal Secretary to the Government
Housing & Urban Development Department

No. HUD-LSG0LBK/24/2021(C.No.15776)

Dated: 06.08.2021

Copy to the:

- Principal Secretary to the Hon'ble Lieutenant Governor, for information.
- Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
- Commissioner/Secretary to the Government, General Administration Department.
- Director, Urban Local Bodies, Kashmir with the advise to place the services of the aforementioned four employees on non-sensitive posts and be kept under surveillance for one year. This will be without prejudice to the final outcome of investigation by Anti Corruption Bureau.

Jee