



*Government of Jammu and Kashmir,
Housing & Urban Development Department,
Civil Secretariat Jammu/Srinagar

Subject: Financial irregularities/misusing of official position by Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar

Ref: WPPIL No. 09/2012, MP No: 02/2016, 04/2016, titled Sheikh Mohd Shafi & another versus Union of India and Others.

Government Order No. 156- HUD of 2018
Dated 19. 04 . 2018

Whereas a number of complaints were received in the department against Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar alleging there in the misuse of official position by him;

Whereas in order to verify the allegations levelled against Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar an Inquiry Committee was constituted by the Housing & Urban Development Department vide Government Order No: 178-HUDD of 2015 dated 14-07-2015 consisting of the following officers:-

1. Managing Director, J&K Housing Board
2. Additional secretary to Government Housing & Urban development Department.
3. Joint Director (P&S) H&UDD.

The terms of reference of committee were as under:-

- i) The committee will look into the entire gamut under which these works were executed and also whether the requisite codal formalities were fulfilled before execution of works or not.
- ii) The committee will also look into cause of liability which has reportedly accrued due to execution of works and also ascertain whether the requisite approval of the competent authority was obtained before the execution of the works.
- iii) The committee will also conduct the physical verification of works on random basis to test check the quality and quantity of works so executed viz-a-viz amount spent/liability accrued.

- iv) The committee will furnish its report within fifteen days positively to this department. The managing Director Housing Board shall make all relevant records available to the committee.

Whereas the Inquiry Committee constituted vide Government Order No: 178-HUD of 2015 dated 14-07-2015 submitted its report wherein the committee observed that prescribed guidelines have not been exercised at any level during the execution of these works. The responsibilities/ duties associated with the offices of Managing Director, FA/CAO, DGMs, and Technical Officers have not been discharged diligently. The precious reserves of the Board have been depleted arbitrarily by over stepping the mandate and jurisdiction without any plan/provision for augmenting this loss;

Whereas on the basis of the enquiry report submitted by the Inquiry Committee, charge sheet and Article of Charges was served upon the delinquent Officer i.e. Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar for reply.

Whereas Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar furnished his reply to the charge sheet and article of charges served upon him;

Whereas the department on the receipt of the reply from Shri Aftaf Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar to the charge sheet and Article of Charges, Mr. M.Raju, IAS, the then Commissioner, Jammu Municipal Corporation, was appointed as an Inquiry Officer for conducting of Regular Departmental enquiry vide Government Order No: 142-HDDD of 2017 dated 15-06-2017;

Whereas the Inquiry Officer conducted a thorough enquiry into the matter and submitted his report to the Government on 28-09-2017. The Inquiry officer while concluding the enquiry observed and recommended as under:-

- i) Works have been undertaken without budgetary provisions.
- ii) Funds have been released to the Engineering sections/ divisions by the Accounts section without adhering to the codal formalities as are required to be followed.
- iii) That all the officers namely Mr. Ram Paul, the then I/C Managing director J&K Housing Board, Mr. Kulbushan Kumar, then FA/CAO, J&K Housing Board AND Mr. Aftab Rashid Pandit, DGM, Housing Unit-II, Srinagar have failed to follow the codal formalities and it has been found that there was complete procedural lapses at all levels during the execution of works in the J&K Housing Board.

Whereas the report submitted by the Inquiry Officer has been examined in the department at length and responsibility of delinquent officials was ascertained vis-a-vis general practices in vogue in the J&K Housing Board and it had been decided to impose a major penalty of withholding of any future promotion in terms of Rule 30 of J&K classification Control and Appeal Rules, 1956.

Whereas before imposing major penalty upon Shri Aftab Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar, in terms of Rule 30 of Jammu and Kashmir Classification, Control and Appeal Rules, 1956, a notice was served to him with advice to submit his written defence within 10 days positively failing which it will be presumed that he had nothing to say in his defence and department will proceed further against him.

Whereas, Shri Aftab Rashid Pandit submitted his reply to the said notice on 16.3.2018

Whereas; after going through the report of the Inquiry Officer as well as reply of the show cause notice furnished by Shri Aftab Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar, the Disciplinary Authority decided to withhold his promotions

Now, therefore, in view of the above position and on the basis of the inquiry report, Shri Aftab Rashid Pandit, D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar is hereby debarred from any further promotions in terms of Rule 30 of J&K Classification Control and Appeal Rules, 1956.

By order of the Government of Jammu and Kashmir


Sd/
(K.B.Agarwal)IAS
Financial Commissioner
Housing and Urban Development Department

No. HUD/HB/Trf/06/2014-II

Dated 19 .04.2018

Copy to the:-

1. Commissioner/Secretary to Government, General Administration Department.
2. MD, J&K Housing Board Jammu.
3. OSD to Hon'ble Dy. Chief Minister I/C Housing and UD Deptt.
4. Spl. Assistant to Hon'ble MoS Housing and UD Department.
5. Pvt. Secretary to the Financial commissioner Housing & Urban Development Department.
6. Shri Aftab Rashid Pandit D.G.M. Housing Unit-II, Habitat Centre, Bemina Srinagar.
7. Website Master.
8. Government order file (w.2.s.c)


(Syed Nazir Ahmad)
Under Secretary to Government
Housing & urban Development Department