



Union Territory of Jammu and Kashmir
Social Welfare Department
Civil Secretariat, J&K, Jammu

Subject:- Initiation of simultaneous departmental RDA in case FIR No.37/2014, P/S VOK(now ACB) against Mohammad Ramzan.

Government Order No:- 16 o-JK (SWD) Of 2023

Dated:- 13 -07-2023

Whereas, vide Government Order No. 62-JK-GAD(Vig) of 2020 dated 17.11.2020, sanction for prosecution was accorded against the accused in-service public servant namely Shri. Mohammad Ramzan Dar S/o Gh. Hassan Dar R/o Cherkote Lolab, the then Senior Assistant in DSWO Office, Kupwara at present Head Assistant in DSWO Office, Kupwara for commission of offenses punishable under section 5(1) (d) r/w 5(2) of the Prevention of Corruption Act, Samvat, 2006 and sections 120-B, 201 RPC in case FIR No. 37/2014 P/S VOK (now ACB);

Whereas, the General Administration Department further directed this department to initiate departmental action (RDA) against Sh. Mohammad Ramzan Dar S/o Gh. Hassan Dar R/o Cherkote Lolab, the then Senior Assistant in DSWO Office, Kupwara at present Head Assistant in DSWO Office Kupwara in terms of provisions contained in Jammu and Kashmir Civil Services (Classification, Control & Appeal) Rules, 1956 and circular instructions notified vide circular 49-GAD of 2018 dated 12.12.2018 r/w circular No. 06-JK(GAD) of 2020 dated 03.02.2020, with directions to conclude the enquiry by 31.01.2021 positively and process and examine the case of Mr. Nazir Ahmad Mir, Orderly, ICDS, Langate (illegal appointee) for his removal from Government Service by 30.11.2020;

Whereas, vide Govt. Order No: 170-JK(SWD) of 2020 dated 30.11.2020 Sh. Mohammad Ramzan Dar, posted in DSWO Office Kupwara as Head Assistant was placed under suspension and the services of Mr. Nazir Ahmad Mir have been terminated vide Govt. Order No. 169-JK(SWD) of 2020 dated 30.11.2020;

Whereas, vide Government Order No. 33-JK(SWD) of 2021 dated 09.03.2021 Director, Social Welfare, Kashmir was appointed as Inquiry Officer to conduct an in depth inquiry on the basis of report of Vigilance Organization, Kashmir (now ACB) in FIR No. 37/2014 and reply to articles of charges submitted by Sh.Mohammad Ramzan Dar;

Whereas, in compliance to the aforementioned Government Order, Director, Social Welfare, Kashmir vide letter dated 01.02.2022, submitted inquiry report in the matter wherein the charges against the delinquent official namely Mohammad Ramzan Dar, Head Assistant in DSWO, Kupwara have been established by Inquiry Officer;

Whereas, matter was processed in the department and keeping in view the seriousness of the charges against the delinquent official and the willful violation of rules and misuse of official position by him, the competent authority, approved imposition of penalty of reduction in rank to a lower post i.e Senior Assistant in favour of Mr. Mohammad

Ramzan Dar, after consultation with J&K Public Service Commission, and after issuing show cause to the delinquent official as per Rule 34 of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956;

Whereas, vide letter No. SWD-COM/03/2021 dated 05.04.2023 dated 05.04.2023 show cause notice was served upon Mr. Mohammad Ramzan Dar, Head Assistant, District Social Welfare Office Kupwara and vide letter SWD-COM/03/2021 dated 05.04.2023, the matter was also taken up with Secretary, Public Service Commission J&K for consultation with regard to imposition of the penalty of 'Reduction in rank' upon the delinquent official in terms of Article 320(3) of the Constitution of India;

Whereas, Mr. Mohammad Ramzan Dar, furnished reply to the Show Cause Notice and accepted that he has prepared the service book of the illegal appointee namely Nazir Ahmad Mir S/O Mr. Abdul Khaliq Mir R/O Bungam Langate but under undue duress; and,

Whereas, the reply furnished by Mr. Mohammad Ramzan Dar is not satisfactory and that Public Service Commission, J&K vide letter No. JKPSC-Adm/54/2023-05 (C.No. 7190565) dated 16.06.2023 has accorded concurrence for imposition of penalty of reduction in rank upon the delinquent official;

Now, therefore, in terms of Rule 30 of the J&K Civil Services (Classification, Control & Appeal) Rules, 1956, sanction is hereby accorded to the imposition of penalty of reduction in rank to lower post i.e Senior Assistant in favour of Mr. Mohd Ramzan Dar, at present Head Assistant in DSWO Kupwara, Director, Social Welfare Kashmir is directed to ensure entry to the effect in the service book of the delinquent official and take further necessary action for giving effect to the penalty imposed.

By order of the Government of Jammu and Kashmir.

Sd/-

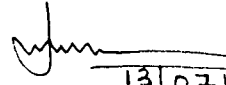
Sheetal Nanda, IAS
Commissioner/ Secretary to the Government
Social Welfare Department

No: SWD-COM/03/2021

Dated: 13 -07-2023

Copy to the:-

1. Joint Secretary (J&K) Ministry of Home Affairs, Government of India.
2. Commissioner/Secretary to the Government, General Administration Department.
3. Director, Social Welfare Kashmir.
4. Private Secretary to the Commissioner/ Secretary to the Government, Social Welfare Department.
5. Concerned official
6. Incharge Website.
7. Govt. Order file/Stock file.


(Sanjay Pandita) 13/07/2023

Under Secretary to the Government
Social Welfare Department

