

EXTRAORDINARY

REGD. NO. JK633



**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 134] Jammu, Tue., the 25th Jan., 2022/5th Magha, 1943. [No. 43-k

Separate paging is given to this part in order that it may be filed as a  
separate compilation

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Jammu, the 20th of January, 2022.

SO-33. Whereas, one Sunny Sharma S/o Late. Harbans Lal R/o Ward No. 02, Bishnah, Jammu filed a Writ petition bearing No 1230/2021 titled Sunny Sharma V/s Union Territory of Jammu and Kashmir and Others before the Hon'ble High Court of Jammu & Kashmir and Ladakh at Jammu seeking directions for payment/clearance of work done liability amounting Rs 3,73,100/- on account of various works alleged to be executed by the petitioner in the said Municipal area ; and

Whereas, the department in order to ascertain genuineness of claim of the petitioner constituted an enquiry committee vide order dated 248-

2 The J&K Official Gazette, 25th Jan., 2022/5th Magha, 1943. [No. 43-k  
DULBJ of 2021 dated 06.07.2021 to conduct an in depth inquiry of the  
alleged work done/claim raised by the petitioner in the afore titled writ  
petition, and

Whereas, after a detailed enquiry, the committee submitted its report,  
and the following pertinent findings were recorded by the committee :ô

- i. That the mandatory prescription of obligatory functions in terms of PWD manual have been bypassed in the year 2019 itself as these works have been executed on the verbal instructions of the President, Municipal Committee Bishnah, departmentally without any authority and jurisdiction against which even the payment has also been released. The said work has never been checked by concerned engineering wing which is the competent authority to check the execution of work through proper tendering process.
- ii. The copies of bills/supply orders and muster sheets annexed with the Writ petition against which the alleged work done claim projected by the petitioner are not in records of Municipal Committee Bishnah.
- iii. The work orders of different dates issued by the President Municipal Committee Bishnah are without any authority and jurisdiction and the same have been found without any dispatch number of the Municipal Committee Bishnah and as such cannot be construed as office document issued by the Municipality.
- iv. The date wise bills mentioned herein above against which the petitioner is claiming alleged payment of the goods supplied I material used for construction of lane and drain in question, have been found having cuttings in the dates column of each bill.
- v. Once the question of the said lane and drain in question happened in the year 2019 and even the payment released from time to time in the year 2019 itself against the material supplied and labourers and masons engaged in construction work though executed without any authority and Jurisdiction, there is no occasion to again construct the same in the month of Jan 2020.



4 The J&K Official Gazette, 25th Jan., 2022/5th Magha, 1943. [No. 43-k  
section of Jammu and Kashmir Municipal Act, 2000 having  
been met. Moreover, any such action taken by the President  
has to be reported to the Municipality which has not been  
done in this case

Now, in exercise of powers conferred by Section 26 of the Jammu  
and Kashmir Municipal Act, 2000, the Government hereby removes Shri  
Rajan Sharma, President, Municipal Committee, Bishnah from his office  
on the ground of abuse of his powers, with immediate effect.

By order of the Lieutenant Governor.

(Sd.) DHEERAJ GUPTA, IAS  
Principal Secretary to the Government,