

**GOVERNMENT OF JAMMU AND KASHMIR  
JAL SHAKTI DEPARTMENT  
CIVIL SECRETARIAT, JAMMU/ SRINAGAR.**

**Subject:-** Regular Departmental Action against i) Shri Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua, (ii) Shri Tejinderpal Singh, (I/c AEE) the then Technical Officer to Executive Engineer, PHE Division Kathua **and** (iii) Shri Madan Lal, Assistant Account Officer, PHE Division Kathua (presently under suspension)--- Dropping of charges thereof.


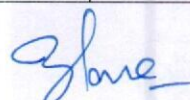
**Government Order No. 51 -JK (JSD) of 2022  
Dated:- 16.03.2022**

Whereas, the department received a complaint submitted by one Shri Vijay Kumar R/o Kali Bari, Kathua on behalf of J&K Corruption free NGO addressed to the Hon'ble Lieutenant Governor against Sh. Surjit Singh, during his tenure as Executive Engineer, PHE Division, Kathua during his 3 years tenure in PHE Division Kathua; and

Whereas, the case was examined in the department accordingly vide Government Order No.157-JK(JSD) of 2021 dated 09.08.2021 a committee of the officers was constituted to ascertain the facts, on the allegation leveled against Sh. Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua; and

Whereas, the above committee submitted its report on 18.08.2021 and thereafter, the case has again been examined in the department accordingly vide this department's letter No.JSD/HRM/94/2021 dated 23.08.2021, Memorandum, Article of charges & Statement of Imputations were served to the following officers:-

S. No	Name of the officer/official with designation
1	Shri Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua,
2.	Shri. Tejinderpal Singh, the then Technical Officer to Executive Engineer, PHE Division Kathua
3.	Shri. Madan Lal, Assistant Account Officer, PHE Division Kathua



Whereas, subsequently, in terms of Rule 31 of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 and based on the report of the Committee constituted vide Government Order No.157-JK(JSD) of 2021 dated 09.08.2021 for the purpose, the following (03) three officers/officials were placed under suspension, with immediate effect and attached with the office of Chief Engineer, I&FC /PHE Jammu respectively. The details are given as under:-

S. No	Name of the officer/ official with designation	Reference of Govt. Order No. and date	Presently attached
1.	Shri Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua,	167- JK (JSD) of 2021 dated 24.08.2021	Office of Chief Engineer, I&FC Jammu
2.	Sh. Tejinderpal Singh, the then Technical Officer to Executive Engineer, PHE Division Kathua	168- JK (JSD) of 2021 dated 24.08.2021	Office of Chief Engineer, PHE Jammu
3.	Sh. Madan Lal, Assistant Account Officer, PHE Division Kathua	169- JK (JSD) of 2021 dated 24.08.2021	

Whereas, the above named officers/officials furnished their replies/statements of defense to the charge sheet, which has been examined in the department and it has been felt that the matter needs to be verified further through a departmental enquiry; and

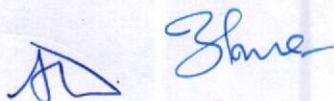
Whereas, the competent authority decided to appoint an Inquiry Officer to enquire into the charges framed viz-a-viz replies furnished by these accused officers/officials; and

Whereas, vide Govt. order No.185-JK(JSD)of 2021 dated 15.09.2021, Shri Bashrat Jeelani Kawoosa, the then I/c Chief Engineer, ERA was appointed as Inquiry Officer to enquire into the charges framed against the above named officers/officials (presently under suspension). Besides, Mr. Ashwani Khajuria, Technical Officer to Executive Engineer, PHE Division Kathua was appointed as Presenting Officer; and

Whereas, Shri Bashrat Jeelani Kawoosa, the then I/c Chief Engineer, ERA (Inquiry Officer) vide communication No.ERA/CEO/411/ Adm/2595 dated 10.12.2021 submitted the Inquiry report in the department. The operative part of which is given as under:-

**Conclusion:**

"Irregularities have been committed by the delinquent Officers by not following the codal procedure in the shape of resorting to award of a number of works without invitation of tenders. A number of discrepancies have been found in the documentation pertaining to award of contracts based on e-tendering. The prevalence of rate structure in the Division





(as observed at 2 above in findings) having not been considered for determination of reasonability of rate in case of single bids cannot be taken as ignorance but non-application of mind and procurement principles. The reporting and advice to the Executive Engineer by his Technical Officer and the Assistant Accounts Officer has not been upto the mark. However any loss to the exchequer has not been established.

**Recommendation:**

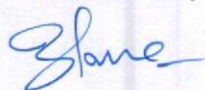
**“For having committed irregularities by not following the codal procedure, the delinquent officers qualify for receiving a punishment. However the period in question being a transition from state rules to GFR and there being curbs on office attendance and restrictions due to pandemic Covid-19 their reinstatement with a minor penalty of ‘Censure’ and withholding of one increment from the date of suspension till the date of next increment is recommended for all the three. Moreover Mr. Surjit Singh the then I/C Executive Engineer who is supposed to be an experienced guardian of the Division at the helm of all its affairs but having less than one year of service left till his retirement, may not be given any sensitive posting now onwards.**

**Furthermore for the purpose of capacity building and sensitisation of engineers/officers responsible for engineering procurement, in order to avoid such recurrences, I would also recommend imparting of trainings to them at regular intervals for keeping pace with the prevalent & emerging technologies, management tools, financial powers and their delegation.”**

Whereas, thereafter, the case was further examined in the department accordingly vide Government Order No.246-JK(JSD)of 2021 dated 24.12.2021, a Committee of the officers was constituted to analysis the enquiry report submitted by the Inquiry Officer, appointed vide Govt. order No.185-JK(JSD)of 2021 dated 15.09.2021, for the purpose; and

Whereas, the aforesaid Committee vide their letter No.IFCJ/15974-76 dated 14.01.2022, submitted the report, the operative part of which is given as under:-

**“For having committed irregularities by not following the codal procedure, the delinquent officers qualify for receiving a punishment. However, the period in question being a transition from State rules to GFR and there being curbs on office attendance and restrictions due to pandemic Covid-19 their reinstatement with a minor penalty of Censure' and withholding of one increment from the date of suspension till the date of next increment is recommended for all the three. Moreover Mr. Surjit Singh the then I/C Executive Engineer who is supposed to be an experienced guardian of the Division at the helm of all its affairs but having less than one year of service left till his retirement, may not be given any sensitive posting now onwards”.**





“After analyzing the report of the inquiry officer, the committee is also of the view that irregularities have been committed by the delinquent officers by not following the codal procedures, which makes them liable for punishment under rules. However, keeping in view the fact that any loss to the exchequer has not been established by the inquiry officer and the period mentioned being a transition from State Rules to GFR when restrictions due to Pandemic Covid-19 were also in force, the punishment of "Censure" and withholding of one increment from the date of suspension till the date of next increment of all the delinquent officials and Sh. Surjit Singh the then I/C Executive Engineer not to be given any sensitive posting now onwards, as recommended by the Inquiry Officer, is recommended by this committee also.”

Whereas, the enquiry report submitted by the Inquiry Officer appointed vide Government Order No.185-JK (JSD) of 2021 dated 15.09.2021 and the report of the Committee constituted vide Government Order No.246-JK(JSD)of 2021 dated 24.12.2021, for the purpose and all other relevant documents has been examined and the Competent Authority has decided that :-

- a. to impose penalty withholding of one increment from the date of suspension till the date of next increment in favour of the following three accused officers/officials, in terms of Rule 30 (iii) of J&K Civil Services (Classification, Control & Appeal ) Rules, 1956:-

S. No	Name of the officer/ official with designation
1.	Shri Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer I&FC, Jammu
2.	Sh. Tejinderpal Singh, the then Technical Officer to Executive Engineer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer PHE, Jammu
3.	Sh. Madan Lal, Assistant Account Officer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer PHE, Jammu

The aforesaid punishment shall be recorded in the Service Books of the above-named officers/ officials by the concerned DDO's.

- b. Shri Surjit Singh, the then I/C Executive Engineer shall not to be given any sensitive posting now onwards.



Now therefore, it is hereby ordered that to impose penalty withholding of one increment from the date of suspension till the date of next increment in favour of the following three accused officers/officials, in terms of Rule 30 (iii) of J&K Civil Services (Classification, Control & Appeal ) Rules, 1956:-

S. No	Name of the officer/ official with designation
1.	Shri Surjit Singh, the then I/c Executive Engineer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer I&FC, Jammu
2.	Sh. Tejinderpal Singh, the then Technical Officer to Executive Engineer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer PHE, Jammu
3.	Sh. Madan Lal, Assistant Account Officer, PHE Division Kathua, presently under suspension and attached in the Office of the Chief Engineer PHE, Jammu

The aforesaid punishment shall be recorded in the Service Books of the above named officers/ officials by the concerned DDO's.

**By Order of the Government of Jammu and Kashmir.**

**Sd/-**

**(M.Raju) IAS**

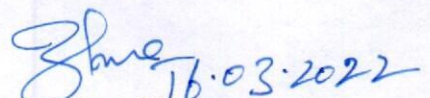
**Commissioner/Secretary to the Government  
Jal Shakti Department**

No.JSD-HRM05(3)/1/2021-HRM-PHE, I&FC (C.No.39567)

Dated:- 16.03.2022

Copy to the:

1. Financial Commissioner (Additional Chief Secretary), Finance Department.
2. Principal Secretary to Government, General Administration Department.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
4. Director, Anti Corruption Bureau, J&K Jammu.
5. Director, Archives, Archaeology and Museums, J&K.
6. Chief Engineer, I&FC Jammu.
7. Chief Engineer, PHE Jammu.
8. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
9. Private Secretary to Commissioner/ Secretary to the Government, Jal Shakti Department.
10. Concerned officers/ officials.
11. I/C Website.
12. Govt. Order file/Stock file/w.2.s.c.

  
(Bansilal Sharma)

Under Secretary to the Government,  
Jal Shakti Department.

