

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

Subject: Regular Departmental Action against Shri Sumeet Kumar Puri I/C Superintending Engineer, Hydraulic Circle Jammu and Shri Amulia Rattan Bhardwaj the then Executive Engineer, Flood Control Samba, in (JSC-JSK-02/2021)--- Dropping of charges thereof.

Government Order No. 66 -JK(JSD) of 2022

Dated: 11.04.2022

Whereas, Director Anti Corruption Bureau, J&K vide letter No. ACB-JSC-JSK-02/2021-18110-12 dated 12.08.2021 intimated that the instant JSC is part of Preventive Vigilance conducted with respect to drawl of bill amounting to Rs.39,59,263/- drawn by the Executive Engineer Flood Control Division, Samba at the fag end of financial year 2020-21; and

Whereas, Anti Corruption Bureau, J&K recommended that Regular Departmental Action be initiated against the following public servants in connection with the works e-tendered, allotted and commenced without obtaining Administrative Approval and Technical Sanction of the competent authority :-

- a. Sh. Sumeet Kumar Puri the then Superintending Engineer Hydraulic Circle Jammu for issuing allotment order in favour of Sh. Amarjit Singh S/o Sh. Balwan Singh R/o Raj Bagh (J&K) Tehsil and District Kathua vide No. SE/Hyd/3644-46 dated 14-08-2019 without obtaining Administrative Approval and Technical Sanction of competent authority.
- b. Sh. Amulia Rattan Bhardwaj the then Executive Engineer Flood Control Division Samba for floating e-NIT, issuing allotment order in favour Sh. Pardeep Singh Sambyal and commencing execution of work without obtaining Administrative Approval and Technical Sanction of competent authority .

Whereas, on the basis of Anti-Corruption Bureau J&K, vide this department's letter No. JSD/HRM/96/2021 dated 09.11.2021 and 12.01.2022, Memorandum, Article of Charges and Statement of Imputation and Gist of evidence were served to Sh. Sumeet Kumar Puri I/C Superintending Engineer, Hydraulic, Circle Jammu and Shri Amulia Rattan Bhardwaj, the then Executive Engineer, Flood Control Samba, presently posted as I/C Superintending Engineer, J&K Water Resources Regulatory Authority; and





Whereas, in response to the same, Shri Sumeet Kumar Puri I/C Superintending Engineer, Hydraulic Circle Jammu and Shri Amulia Rattan Bhardwaj the then I/C Executive Engineer Flood Control Samba presently posted as I/C Superintending Engineer, J&K Water Resources Regulatory Authority have submitted their reply on 15.01.2022 and 15.11.2021 respectively in defence on the charge sheet served against them; and

Whereas, the case was examined in the department and the competent authority decided to appoint an Inquiry Officer to enquire into the charges framed viz-a-viz reply furnished by the accused officers; and

Whereas, vide Government Order No. 24-JK(JSD) of 2022 dated 15.02.2022, Shri Hamesh Manchanda, I/C Chief Engineer, Irrigation & Flood Control Department, Jammu was appointed as Inquiry Officer to enquire into the charges leveled against Shri Sumeet Kumar Puri, I/C Superintending Engineer, Hydraulic Circle, Jammu and Shri Amulia Rattan Bhardwaj, the then Executive Engineer, Flood Control Division, Samba presently posted as I/C Superintending Engineer, J&K Water Resources Regulatory Authority; and

Whereas. Shri Hamesh Manchanda, I/C Chief Engineer, Irrigation & Flood Control Department, Jammu (Inquiry Officer) vide letter No.IFCJ/PS/1931 dated 14.03.2022 submitted the Enquiry Report in the department, the operative part of which is reproduced as under:-

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The complete case and the sequence of events elaborated thus, undersigned served Notices to both of them in order that an opportunity is provided to them in their defense vide communication No: IFCJ/PS/18167-69 dated: 24-02-2022 before taking a call as mandated vide the Govt. Order under reference. The replies furnished by both the Officers are in sync with the replies already furnished in response to RDA Notices served upon them and taking these latest replies into consideration and taking cognizance of the available record, it is inferred as under:-

Conclusion:- The e-tenders were floated by an Officer other than these two with clear mention of position of funds as 'Demanded and position of AA/TS as 'Under Process', an act which ostensibly took place in good faith and owing to exigencies of site, the affected area being vulnerable to flood damage further. The mandatory condition of obtaining 'AA' and 'TS' prior to was emphasized and reiterated by Finance Department's Circular bearing No: FD/VII-Bgt/2020 dated: 08-07-2020 and prior to this date, these mandatory conditions though very much part and parcel of codal procedures were not insisted upon in the Department. The then



Superintending Engineer Hydraulic Circle Jammu (Sh. Sumeet Kumar Puri) followed the procedure by obtaining prior approval of Higher Authority for cancellation and subsequent allotment which is not violative of GFR. The then Executive Engineer Flood Control Division Samba (Sh. Amulia Rattan Bhardwaj) was privy to an action inherited but initiated by his predecessor and made payments after obtaining 'Post Facto' mandatory documents such as 'AA' and 'TS' for the work in question. The Vigilance Organization prima facie found work executed on ground in order and no loss to exchequer was reported upon. Taking all these into consideration, undersigned is of considered opinion that the acts of obtaining 'AA' and 'TS' post floating of e-tenders is a minor aberration and can be condoned. It is recommended that both the Officers be exonerated and cleared of charges framed against each of them, subject to approval of Competent Authority”.

Whereas, the report of the Inquiry Officer appointed vide Government Order No. 24-JK(JSD) of 2022 dated 15.02.2022, for the purpose, has been examined and the Competent Authority has decided that to drop the charges leveled against Shri Sumeet Kumar Puri, I/C Superintending Engineer, Hydraulic Circle, Jammu and Shri Amulia Rattan Bhardwaj, the then Executive Engineer, Flood Control Division, Samba presently posted as I/C Superintending Engineer, J&K Water Resources Regulatory Authority and close the case at the departmental level. However issue them an advisory to be more careful in future.

Now, therefore, in view of the above, the charges leveled against Shri Sumeet Kumar Puri, I/C Superintending Engineer, Hydraulic Circle, Jammu and Shri Amulia Rattan Bhardwaj, the then Executive Engineer, Flood Control Division, Samba presently posted as I/C Superintending Engineer, J&K Water Resources Regulatory Authority are hereby dropped. However, these Officers shall remain more careful in future while performing their legitimate official duties and the case is accordingly closed at the departmental level.

By Order of the Government of Jammu and Kashmir.

Sd/-
(M. Raju) IAS
Commissioner/Secretary to the Government
Jal Shakti Department

JSD-HRM/5/2021-A-PHE, I&FC (CC No. 57651)

Dated:- || .04.2022

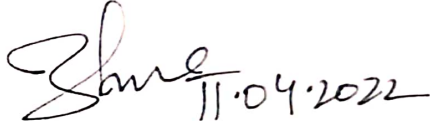
Copy for information to the:-

1. Principal Secretary to Government, General Administration Department.
2. Joint Secretary (J&K) Ministry of Home Affairs, Government of India, New Delhi.

File No.JSD-HRM/5/2021-A-PUBLIC HEALTH ENGINEERING, IRRIGATION AND FLOOD CONTROL

3. Director, Anti Corruption Bureau, J&K Jammu.
4. Chief Engineer, Irrigation & Flood Control Department, Jammu.
5. Chief Engineer, PHE, Jammu.
6. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
7. Secretary, J&K, Water Resources Regulatory Authority.
8. Concerned Officers.
9. Pvt. Secretary to Commissioner/Secretary to the Government, Jal Shakti Department.
10. I/C Website.
11. Govt. Order file/Stock file.


11.04.2022

(Banshi Lal Sharma)

Under Secretary to the Government,
Jal Shakti Department.

