

**Government of Jammu and Kashmir**  
**Jal Shakti Department**  
**Civil Secretariat, Jammu/Srinagar**

Subject: - Regular Departmental Action against the officers/ officials, the then posted in the I&FC Bhaderwah (PE No. UD-03/2016-15277-78 of Vigilance Organization, now ACB) - dropping of charges thereof.

**Government Order No. 109-JK(JSD) of 2025**

**Dated: - 30.04.2025**

Whereas, General Administration Department vide OM dated 18.10.2017 forwarded a copy of communication No. VO-PE-UD-03/2016-15277-78 dated 18.10.2017 alongwith draft Article of Charges, Statement of Imputation & Gist of Evidences for initiation of Regular Departmental Action against S/Shri 1) Romesh Chander Thapa, the then Executive Engineer, I&FC Bhaderwah; 2) Pardeep Kumar Kotwal, the then Executive Engineer, I&FC Bhaderwah; 3) Abdul Wahid Zargar, the then Executive Engineer, I&FC Kishtwar; 4) N.N Raina, the then Executive Engineer, I&FC Kishtwar; 5) Satish Kumar Sharma, the then AEE, I&FC Bhaderwah; 6) Tariq Parvez Zargar, the then AEE, I&FC Bhaderwah; 7) Naseer Ahmad Malik, the then AEE, I&FC Bhaderwah; 8) Altaf Hussain Sheikh, the then JE, I&FC Bhaderwah; 9) Muzamil Ahmad, the then JE, I&FC Bhaderwah; and 10) Masood Ahmad, the then JE, I&FC Bhaderwah (PE No. UD-03/2016-15277-78 of Vigilance Organization (now ACB)); and

2. Whereas, Vigilance Organization (now ACB) intimated that Preliminary Enquiry (PE) owes its origin to a written complaint lodged by inhabitants of village Tagood, Bungan, Manzgam, Jafferna, Bandarna, Gangna, Gunderna, Than Prawana, Hiya and Vasudevan through Sh. Sewa Ram, Sarpanch, Panchayat Halqa, Tagood alleging therein that construction of Khul from Dundwas to Tagood (RD-0-5000 mtrs) was started in the year 2008 though Irrigation & Flood Control Division, Bhaderwah at an estimated cost of Rs. 3.69 Crores. The sub-standard material was used for construction of the same and despite lapse of more than 05 years the said Khul could not be made functional so far; and

3. Whereas, during preliminary inquiry, a spot inspection revealed issues with the Tagood Khul, a water channel constructed under the AIBP with a DPR costing Rs. 1.24 crore. It was observed that the Khul was damaged at several points and does not discharge the required volume of water, with incomplete work at its tail end. Additionally, pipes in sinking or sliding areas are insufficient to carry the needed discharge. The Irrigation and Flood Control Division has estimated damages at Rs. 58.60 lakh. The work was carried out without following proper procedures, and delays, along with inflation in rates, have caused a cost overrun, highlighting a lack of seriousness from the staff in completing the project; and

4. Whereas, the case was examined in the Department and accordingly, vide Memorandum dated 25.09.2018 following charges were framed against the charged officers/officials:-

- *That sub-standard material has been used for the construction of the Khul and despite lapse of more than 05 years, the said Khul could not be made functional; and*
- *That the works were taken up departmentally in violation of codal procedures and rules. The scheme has cost overrun due to delay in the execution and inflation in rates which speaks about non seriousness of staff towards completion of the work.*

5. Whereas, the charged officers furnished their replies, which were examined in the department and the Competent Authority felt that the matter needs to be investigated further through an Inquiry Officer. Accordingly, vide Government Order No. 84-PW(Hyd) of 2019 dated 06.02.2019 read with Government Order No.255-PW(Hyd) of 2019 dated 09.07.2019, Inquiry Officer was appointed to inquire into the charges; and

6. The Inquiry Officer vide letter No. PHEJ/GE/9548 dated 10.10.2019 had submitted the enquiry report, and the conclusion/recommendations of the Enquiry report is reproduced as under:-

*"The scheme was envisaged in 2004, actual execution started in 2008 and execution continued beyond 2012. Majority of the items had key ingredients like cement, store, aggregates, sand and labour component which witnessed increase in rates and wages by more than double during intervening period of 08 years or so for which the DPR had no plausible cushion. An amount of Rs. 12.56 lakhs odd remaining struck in books and lying unutilized could have improved the degree of progress by reasonable strides. The schemes as such cannot be labelled strictly as cost overrun scheme. That damages occurred at higher reaches on account of Force Majoure leading to reduced discharge and non restoration due to no funding can't be attributed to successive officer/official. The combination of factors leading to reduced length of contraction and resultant reduced discharge may not be attributed to the named officers/officials which thereby is not inference to be violative of the provisions of J&K Government Employees Conduct Rules, 1971 and thus the accused officers/officials be exonerated from the charges leveled against them".*

7. Whereas, the case was examined in the department and the following technical clarifications were sought from the Chief Engineer, I&FC, Jammu. The observations and reply submitted by the Chief Engineer, I&FC, Jammu vide letter dated 23.08.2020 are reproduced as under: -

S. No.	Observations	Reply of Chief Engineer, I&FC, Jammu
1	During spot inspection by ACB(then Vigilance Organization Jammu) it was observed that Tagood Khul had been constructed upto Rd. 4250 whereas DPR length of Tagood Khul is 5700 Mts. The DPR cost of Rs. 1.24 crore had been exhausted and the expenditure incurred was Rs. 1,25,94,992/- which included the cost of Rs. 17,71,360/- on account of Cement and GI Pipes for temporary restoration	The DPR for the construction of Tagood Khul, approved in 2005 for Rs. 1.41 Crore and further sanctioned under AIBP in 2007, allocated Rs. 1.41 Crore for the project. However, only 4250 meters of the 5700-meter Khul have been constructed, with Rs. 12,594,992 spent so far, including Rs. 1,771,360 for temporary restoration and Rs. 1,265,320 advanced for material procurement. If the unspent amounts for temporary restoration and materials are utilized, the remaining work outlined in the DPR can be completed.
2	As per DPR, Khul was designed to carry a discharge of 0.28 cum/sec. Clarify the observations of enquiry officer as to whether the discharge of the Khul is as per DPR or not.	The canal was designed for a discharge of 0.28 cum/sec, but a 150mm pipe temporarily restored the damaged portion, which is insufficient. An additional pipe is needed to carry the full discharge.
3	Has there been codal violation? Please clarify whether tendering process had been adhered too and if works had been carried out based on allotments	Initial tenders were invited for works from RD 0 to RD 5000, with 15 works allotted to the lowest bidders. Nine (09) works were completed, while others were executed

as well as departmentally, had the concurrence/approval of Administrative Department taken in the matter.	departmentally after forfeiting CDRs. Four works from RD 4250-5000 were canceled, but the remaining works can be completed if unspent funds and materials for temporary restoration are made available to the executing agency.
---	---

8. Whereas, vide Government Order No.07-JK(JSD) of 2021 dated 07.01.2021, a committee of officers was constituted to analyse the enquiry report submitted by the Inquiry Officer appointed vide Government Order No. 255-PW(Hyd) of 2019 dated 09.07.2019 for the purpose. The Committee met on 10.02.2021 and recommended to uphold the recommendations of the Inquiry Officer; and

9. Whereas, the report of the Inquiry Officer and recommendations of the Committee were submitted to the then Advisor (B) to the Hon'ble Lieutenant Governor, who raised some observations, which were replied by the Chief Engineer, I&FC, Jammu vide No. IFCJ/PS/14968 dated 01.12.2022. Thereafter, the report of the Inquiry Officer was accepted by the then Competent Authority, and it was decided that the charges leveled against the officers/officials involved in the case may be dropped. However, the alone in-service official, may be warned to remain careful in future while discharging his duties; and

10. Whereas, on enquiry, Chief Engineer, I&FC Jammu vide letter dated 28.02.2025 and 23.04.2025 has intimated that the Tagood khul can be made fully functional by using pipes distribution network instead of open channels because such a network is one of the best solutions to improve the overall project efficiency of the said Irrigation project by minimizing seepage as well as evaporation losses. The pipe network is particularly suitable for hilly terrain due to its low maintenance cost and less vulnerability to damages due to landslides. Further, remodeling of Tagood Khul could be achieved with a project cost of Rs. 1.06 Cr having CB ratio of 1:1.0 with CCA of 28 Ha; and

11. Whereas, the report of the Inquiry Officer appointed for the purpose, vide Government Order No. 255-PW(Hyd) of 2019 dated 09.07.2019 alongwith clarifications received from the Chief Engineer, I&FC, Jammu and recommendations of the committee were again placed before the current Competent Authority (Hon'ble Minister, Jal Shakti Department) for acceptance or otherwise. The Competent Authority has accepted the recommendations of Inquiry Officer and decided to drop the charges leveled against the retired/ in-service officers/ officials involved in the case. However, it has been desired that the only in-service official be warned to remain careful in future while discharging his duties.

Now, therefore, the charges leveled against the following retired/in-service officers/officials, then posted in the I&FC, Bhaderwah, are hereby dropped in the instant case and the case is closed at the departmental level (PE No. UD-03/2016-15277-78):-

S. No	Name of the officers/ officials with designation.
1.	Shri Romesh Chander Thapa, the then Executive Engineer (now retired)
2.	Shri Pardeep Kumar Kotwal, the then Executive Engineer (now retired)
3.	Shri Abdul Wahid Zargar, the then Executive Engineer (now retired)

4.	Shri N.N Raina, the then Executive Engineer (now retired)
5.	Shri Satish Kumar Sharma, the then AEE (now retired)
6.	Shri Tariq Parvez Zargar,, the then AEE (now retired)
7.	Shri Naseer Ahmad Malik, the then AEE (now retired)
8.	Shri Altaf Hussain Sheikh, the then JE (now retired)
9.	Shri Muzamil Ahmad, the then JE (presently posted in the PHE Division Qazigund)
10.	Shri Masood Ahmad , the then JE (now retired)

Further, Shri Muzamil Ahmad, the then Junior Engineer, I&FC Bhaderwah (presently posted in the PHE Division, Qazigund) is hereby warned to remain careful in future while discharging his official duties.

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

Sd/-

(Shaleen Kabra) IAS


**Financial Commissioner/Additional Chief Secretary,  
Jal Shakti Department**

Dated: - 30.04.2025

No. JSD-HRM04/4/2021-A-JSD (C. No.34836)

Copy to the:-

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

  
(Sahit Mahajan) JKAS  
**Under Secretary to the Government  
Jal Shakti Department**