

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

Subject: - Departmental proceedings against Sh. Tarun Kumar Arora, the then Executive Engineer, Jal Shakti (PHE) Mech. Ground Water Drilling Division Jammu & Sh. Padam Bhushan Suri, the then Executive Engineer, Jal Shakti (PHE) Mech. Ground Water Drilling Division Jammu inWP(C) No.3954/2019 titled Shri Maha Laxmi Rigs V/s UT of J&K and Ors - dropping of charges thereof.

**Government Order No. 95–JK(JSD) of 2025**  
**Dated:- 15.04.2025**

1. Whereas, the Chief Engineer, Jal Shakti (PHE) Jammu, vide file CC No. 7465157, intimated that the work related to deep drilling, development, and stabilization of a 200mm diameter tube well on the right bank of Jajjar Nallah 2 in District Reasi was allotted to the firm/petitioner. The said work was handed over to the PHE Division Reasi with a safe discharge of 4000 GPH. Payment amounting to Rs. 50,30,222/- was released to the firm. However, the Chief Engineer reported that an excess payment of Rs. 57,000/- was inadvertently made to the firm due to oversight by the department, which is to be recovered; and
2. Whereas, the petitioner, M/s Shri Maha Laxmi Rigs, filed petition No. 3954/2019 titled *Shri Maha Laxmi Rigs Vs UT of J&K and Others* before the Hon'ble High Court of J&K and Ladakh, seeking directions for the release of the balance admitted amount for the above-mentioned work. The Hon'ble Court, vide interim order dated 25.10.2019, directed the respondents to consider the release of the verified/admitted amount, if any, due to the petitioner. Subsequently, for non-compliance with this order, the petitioner also filed a contempt petition; and
3. Whereas, the Hon'ble Court provided ample opportunity to the Department to consider the claim of the petitioner. However, since 25.10.2019, the claim was not examined as per the Court's directions. The concerned officers maintained that no payment was pending and that full payment had already been made, including the excess amount of Rs. 57,000/- as reported by the Chief Engineer; and
4. Whereas, pursuant to directions recorded in file No. CC 4302239, the Chief Engineer, Jal Shakti (PHE), Jammu, was asked to identify the erring officials and provide a draft chargesheet; and
5. Whereas, the Chief Engineer submitted the draft chargesheet against (i) Shri Tarun Kumar Arora, then Executive Engineer, Jal Shakti (PHE) Mech. Ground Water Drilling Division Jammu, who was alleged to have admitted excess payment; and (ii) Shri Padam Bhushan Suri, then Executive Engineer, Jal Shakti (PHE) Mech. Ground Water Drilling Division Jammu (now retired); and
6. Whereas, the Department examined the matter and, with the approval of the Competent Authority, served the chargesheet upon both officers, who submitted their replies through the Chief Engineer, Jal Shakti (PHE), Jammu on 19.06.2024; and
7. Whereas, the replies submitted by both officers were examined and in terms of Rule 33(4) of the J&K Civil Services (Classification, Control and Appeal) Rules, 1956, vide Government Order No.



162-JK(JSD) of 2024 dated 23.07.2024, Inquiry Officer was appointed to inquire into the charges and provide his findings and recommendations; and

8. Whereas, the Inquiry Officer has submitted the enquiry report on 29.01.2025, consequent upon the appointment of Inquiry Officer both the officers were served notices by the I.O. vide letter dated 30.07.2024 to submit their reply in defense on the charge sheets served upon them. Both the charged officer submitted their reply to the Inquiry Officer; and

9. Whereas, the charges, replies, and findings were as under:

*In the case of Shri Tarun Kumar Arora, it was alleged that he admitted the petitioner's claim without verifying office records. In his reply, the officer denied any excess payment and stated that the firm was liable for Rs. 2,43,121/- and Rs. 2,43,022/- for clearing liabilities concerning Jhajjar Nallah-II. The Inquiry Officer noted that although the officer had inadvertently forwarded the petitioner's claim for fund release in his compliance report dated 22.03.2022, the letter referred to in fact highlighted an excess payment of Rs. 57,000/-. Since Shri Arora had not authorized or made this payment, he could not be held responsible for any loss to the state exchequer. On the second charge, relating to filing a statement before the Hon'ble High Court without obtaining vetting from the Law or Administrative Department, Shri Arora submitted that the report was filed in WP(C) 3954/2019 on 01.04.2022, prior to the issuance of communication dated 04.02.2023 which directed such vetting. He joined the Division only in May 2021. The report had also been countersigned by the then AAG. The Inquiry Officer recommended that both charges against Shri Arora be dropped.*

*In the case of Shri Padam Bhushan Suri, it was alleged that he made an excess payment of Rs. 57,000/- to M/s Mahalaxmi Rigs. In his reply, Shri Suri explained that a partial payment of Rs. 2,60,000/- was made in 2014 against a bill of Rs. 5,03,022/- related to Job Order No. 1747-50 (Jajjar Nallah-II), leaving a balance of Rs. 2,43,022/-. In 2017, another bill of Rs. 5,03,022/- was raised for Job Order No. 1855-58 (Jajjar Nallah-III), but erroneously mentioned "Jajjar Nallah-II" instead of "III". This error was not corrected during estimate sanctioning. A further payment of Rs. 3,00,000/- was made in 2017, under the assumption it was for the borewell work at Jajjar Nallah-III. Due to interchanged job order references, the payment was inadvertently made, and an excess of Rs. 57,000/- was released for Jajjar Nallah-II. The Inquiry Officer found the payment to be unintentional and due to negligence of subordinate staff. The excess amount is to be recovered from future payments due to the firm, and hence, there will be no loss to the State exchequer. Accordingly, the Inquiry Officer recommended that charges against Shri Suri, who is already retired, also be dropped.*

10. Whereas, the case was re-examined in the Department and it was observed that while excess payment was made for the work at Jajjar Nallah-II, a net amount remains payable to the firm for separate work done at Jajjar Nallah-V. Hence, in totality, no excess payment has been made to the firm and no loss has been caused to the State exchequer; and

11. Whereas, the charges were originally framed in relation to the above Court case, which now stands dismissed by the Hon'ble Court. The Inquiry Officer has recommended that the charges be dropped. The matter, along with the Inquiry Report, was placed before the Competent Authority (Hon'ble Minister), who has accepted the findings and recommendations of the Inquiry Officer.

**Now, therefore,** the charges framed against (i) Shri Tarun Kumar Arora, the then Executive Engineer, Jal Shakti (PHE) Mechanical Ground Water Drilling Division, Jammu and (ii) Shri Padam Bhushan Suri, the then Executive Engineer, Jal Shakti (PHE) Mechanical Ground Water Drilling Division, Jammu (now retired), in WP(C) No. 3954/2019 titled *Shri Maha Laxmi Rigs Vs UT of J&K and Others*, are hereby dropped and the case is closed at the departmental level.

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


**Sd/-**  
(Shaleen Kabra) IAS  
**Financial Commissioner/Additional Chief Secretary,**  
**Jal Shakti Department**

No. JSD-HRM04/30/2024(7478451)

Dated: -15.04.2025

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.
4. Secretary to the Government, Public Works (R&B) Department, J&K
5. Director Finance, Jal Shakti Department, J&K.
6. Chief Engineer, Jal Shakti (PHE) Jammu.
7. Director, Archives, Archaeology and Museums, J&K.
8. Pvt. Secretary to the Financial Commissioner/ Additional Chief Secretary, Jal Shakti, Department, J&K
9. Concerned officers.
10. I/c Website.
11. Government Order file (w.2.s.cs)

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