



Government of Jammu and Kashmir  
Public Works (R&B) Department  
Civil Secretariat, Jammu/Kashmir,  
(HRM-Branch)

Subject: Initiation of Regular Departmental Action against Er. Vijay Kumar, the then Jr. Engineer, Public Works, Division II, Jammu and Shri Mohinder Kumar, Head Clerk (Store Keeper) Division Store PW(R&B) Division-II, Jammu.

Ref. O.M No. GAD(Vig)40-RDA/2013 dated 14.08.2013.

Government Order No. 139 PW(R&B) of 2022  
Dated: 20.04.2022

Whereas, the General Administration Department vide O.M No. O.M No. GAD(Vig)40-RDA/2013 dated 14.08.2013 forwarded a communication No. SVO-Veri-UD-50/2010-8927-29 dated 24.07.2013 along with draft Article of Charges, Statement of Imputation and gist of evidences against Er. Vijay Kumar, the then Jr. Engineer, Public Works, Division II, Jammu and Shri Mohinder Kumar, Head Clerk (Store Keeper) Division Store PW(R&B) Division-II, Jammu for initiating regular departmental action in light of the recommendations of Vigilance Organization (now ACB) in terms of J&K CS(CC&A) Rules, 1956 with the approval of Disciplinary Authority.

Whereas, the Vigilance Organization, J&K(now ACB) vide ibid communication intimated that

- I. "A source report was received by this organization, wherein it was alleged that in PWD, R&B Division-II, Jammu, material has been issued from Divisional store in the name of one contractor Shri Sanjay Singh, but actually there is no contractor card holder with the name Sanjay Singh instead one. Shri Yash Pal Singh, a Govt. employee is using this fake name for working as contractor. Secondly, contracts have been allotted by XEN on the contractor card of one Sham Singh S/o Chanchal Singh R/o Barnai but the actual card holder is not aware of the fact that someone is using his card to get works allotted.
- II. Accordingly, a verification was conducted which reveals that contracts have been allotted from PWD R&B Division-II, Jammu in the name of Shri Sham Singh, the contractor card holder however on ground the works have been found executed by one Yash Pal Singh using the name as Sanjay Singh. Besides, all the challans for dispatch of material from Divisional Store have been found prepared in the name of Shri Sanjay Singh and have also been found collected by said Sanjay Singh. The scrutiny of records also reveals that all the payments have been received on behalf of Shri Sham Singh by Sanjay Singh after producing revenue stamps signed by Sham Singh. It was further found that Shri Yash Pal Singh was introduced as Sanjay Singh in the Division by Shri Vijay Kumar, JE. It was further found though Sham Singh has authorized his brother Shri Yash Pal Singh to execute works and receive payments on his behalf, but nowhere, it was mentioned in the authorization letter, that he will execute the works using the



name as Sanjay Singh. It was established during the enquiry that officers/officials of PWD R&B Division-II, Jammu never bothered to check the identity of Yash Pal Singh who for years together received material and payments from the said division on alias name i.e. Sanjay Singh and some occasions, even used the name of Yash Pal Singh also, which makes it clear that the said person was using two names and the concerned public servants were well aware of the fact, but prefer to remain silent on the matter.

- III. The officers/officials who were found responsible for their negligent and casual approach in performing their duties vis-a-vis above mentioned facts are Shri Vijay Kumar, JE, PWD R&B Division-II, Jammu and Shri Mohinder Kumar, Head Clerk (Storekeeper) of the Divisional Store, PWD R&B Division-II, Jammu and requested to initiate regular departmental action against the above mentioned public servants".

Whereas, vide this department's letter No.PW(R&B)HRM/16/2013 dated 09.01.2014, the article of charges were served to the accused through Chief Engineer, PW(R&B) Department Jammu.

Whereas, both the accused submitted reply to the article of charges, and subsequently vide Government Order No.102-PW(R&B) of 2016 dated 28.03.2016, Er. Sudheer Kumar Shah, I/c Superintending Engineer, R&B Circle Jammu and Er. Rajan Mengi, Executive Engineer, R&B Construction Division-II were appointed as Inquiry Officer and Presenting Officer to conduct the enquiry against both the accused.

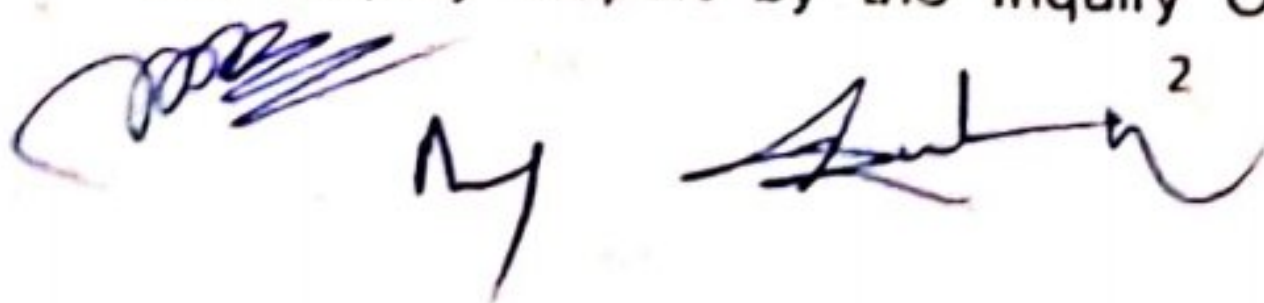
Whereas, in supersession of ibid Government Order Er.Ravinder Kumar Mansotra, I/c Superintending Engineer, PW(R&B) Circle Jammu-Kathua and Er. Rajesh Bhagat, I/c Executive Engineer, R&B Construction Division-II were appointed as Inquiry Officer and Presenting Officer respectively vide G.O.No.134-PW(R&B) of 2020 dated 20.03.2020 to conduct the enquiry.

Whereas, the Inquiry Officer vide communication No.ERA/DJ/2021/1640-41 dated 27.12.2021 reported that

- I. The works stand executed departmentally in the name of Sham Singh Contractor.
- II. The material stands issued in the name of Sh. Vijay Sharma, Junior Engineer on approved indents and also received on indents by Sh. Vijay Sharma, Junior Engineer.
- III. The issued material stands consumed on the works and no material is outstanding in the name of Sh. Vijay Sharma, Junior Engineer for the period 2007 to 2012 in R&B, Division-II, Jammu.
- IV. The payments have also been made in the name of Sh. Sham Singh Contractor.

Whereas, the matter was referred to DCW for examination. The DCW returned the file on 30-12-2021 with the following recommendation:-

"The Inquiry Report by the Inquiry Officer is very comprehensive and





explicitly explains his comments against all the charges that have been leveled against the delinquent officials. All the works in question have been executed departmentally by the then Executive Engineer in view of urgency. It was purely in the interest of general public and not inflicting any loss to the government exchequer. The claim that the contractor is a government employee has also been nullified by the Inquiry Officer. The Inquiry Officer has absolved the accused officials and reported that no loss to the government exchequer has occurred and recommended that the charges leveled against the delinquent officials may be dropped".

Now, therefore, in view of the above and by upholding the recommendation of Inquiry Officer and Development Commissioner (Works), with the approval of Competent Authority, the allegations leveled against Er.Vijay Kumar, the then Jr. Engineer, Public Works, Division II, Jammu and Shri Mohinder Kumar, Head Clerk (Store Keeper) Division Store PW(R&B) Division-II, Jammu are hereby dropped and case is closed with warning to these Officials to remain careful in future.

By order of the Government of Jammu and Kashmir.

Sd/-  
(Shailendra Kumar) IAS  
Principal Secretary to the Government


No.PWD-RDA/7/2021-01-Dept of PWD R&B (C.No.14616)

Dated: 20.04.2022

Copy to the:-

1. Principal Secretary to the Government, General Administration Department. This is with the reference to his O.M No. GAD(Vig)40-RDA/2013 dated 14.08.2013.
2. Development Commissioner (Works), PW(R&B) Department.
3. Director, Anti Corruption Bureau, J&K, Jammu.
4. Director Archaeology & Archives, J&K Jammu.
5. Chief Engineer, R&B, Jammu/Kashmir.
6. Concerned.
7. Private Secretary to Principal Secretary to Government, Public Works (R&B) Department.
8. Government Order file/Stock file.

Copy also to the Joint Secretary (J&K), Ministry of Home Affairs Government of India.

  
(Dr.Zeba Suleman)  
Under Secretary to the Government



