



सत्यमेव जयते

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

Subject: Incident of shortage of oxygen during the night of 22.09.2020 in W.No.03, GMC Jammu leading to death of a patient- Initiation of RDA against Tejinder Singh, Soodan, Incharge Executive Engineer(Hospital Division), Mechanical Engineering Department.

Government Order No: 180 PW(R&B) of 2021  
Dated: 19.05.2021

Whereas, the Health and Medical Education Department vide O.M.No.GAZ-26/2020 (Sgr)-PF dated 15.10.2020 has intimated that vide Government Order No.738-JK(HME) of 2020 dated 23.09.2020, among others, Er.Tejinder Singh Soodan, I/c Executive Engineer, Hospital Division, Mechanical Engineering Department, Jammu has placed under suspension, with the direction that he shall remain attached in the office of the Chief Engineer, Mechanical Engineering Department, Jammu, ibid Government order and charge sheet have also been forwarded; and

Whereas, vide Government Order No.328-PW(R&B) of 2020 dated 23.12.2020, Er. Gagan Jyoti, Chief Engineer, MED Jammu was appointed as Inquiry Officer in order to conduct preliminary enquiry (PE) into the allegations leveled against Er.Tejinder Singh Soodan, I/c Executive Engineer (Mech) Hospital Division MED, Jammu by Health and Medical Education Department, while discharging his official duties.

Whereas, the Inquiry Officer has submitted report in the matter vide letter No.CEM/J/Tech/5007 dated 05.01.2021 and concluded as:-

*"the cause of depletion/shortage of oxygen supply cannot be attributable to dereliction of duties on part of Er.Tejinder Singh Soodan, the then In-charge Executive Engineer (Mech.). MH & CH Division Jammu, as the oxygen cylinder procurement and management was never the area of responsibility of MH & CH Division, Jammu but has always been the domain of the Hospital Administration".*

Whereas, the case was examined in the department and vide O.M.No.PW(R&B)/19/2020 dated 22.01.2021, the case of the delinquent officer was referred to General Administration Department for placing before the Review Committee for consideration of his re-instatement;and

Whereas, the GAD vide communication No.GAD (Vig)03/2021 dated 04.03.2021 has advised to conclude the case by following due procedure. The review of suspension at this stage would not be appropriate till RDA is concluded strictly as per the established



procedure as the procedure so followed in the case is not as per the guidelines provided under J&K CS (CCA) Rules and Circular instructions issued on the subject from time to time, latest vide Circular NO.06-JK(GAD) of 2020 dated 03.02.2020 and article of charges was also not served to the delinquent officer; and

Whereas, the Article of Charges/Statement of Imputation was served to the above accused Engineer through Chief Engineer, MED, Jammu vide letter No.PW(R&B)/ HRM/ 19/2020-Vig dated 18.03.2021. In response, the said accused engineer submitted reply into the article of charges; and

Whereas, the reply submitted by the accused examined by the Department and vide Government Order No.134-PW(R&B) of 2020 dated 01.04.2021, Er.Sami Arif Yesvi, I/c Development Commissioner (Works) and Er.Rajeev Gupta, I/c Superintendent Engineer, MED, Jammu have been appointed as Inquiry Officer and Presenting Officer respectively in the matter; and

Whereas, the Inquiry Officer, Development Commissioner (Works) vide letter No.PWD/DW/DB/700/21 dated 27.04.2021 has submitted the report and concluded that the cause of depletion / shortage of oxygen supply cannot be attributed to the dereliction of duties on part of the Officer, Er. Tejinder Singh Soodan, then Executive Engineer, MH & CH Division, GMCH, Jammu, as the oxygen cylinder procurement and management is within the domain of Hospital administration and not with Mechanical Engineering Department and recommended that the charges against the official may be dropped and his suspension order may be revoked.

Whereas, the case was submitted to the competent authorities for closure of the same and the authorities have approved with following observations:-

***"The concerned Engineer may be given a censure for dereliction of duties relating to management and maintenance of the oxygen plant".***

Now, therefore, in terms of Rule 30 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956, Er. Tejinder Singh Soodan, the then I/c Executive Engineer, Division Hospital(i.e, Government Medical College & Associate Hospital, Jammu), Mechanical Engineering Department is hereby censured for dereliction of duties relating to management and maintenance of the oxygen plant.

By order of the Government of Jammu and Kashmir

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government

Dated: 19.05.2021

No. PW(R&B) HRM/19/2020

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs Government of India.
2. Financial Commissioner, Health and Medical Education Department. This is with the reference to his O.M.No. GAZ-26/2020 (Sgr)-PF dated 15.10.2020.
3. Commissioner/Secretary to the Government, General Administration Department. This is with the reference to his O.M No. GAD (Vig)03/ 2021 dated 04.03.2021.





4. Development Commissioner (Works), PW(R&B) Department.
5. Director, Anti Corruption Bureau, J&K, Jammu.
6. Director Archives, Archaeology & Museum, J&K Jammu.
7. Principal, Government Medical College and Associate Hospital, Jammu.
8. Chief Engineer, Mechanical Engineering Department, Jammu/ Kashmir.
9. OSD to Advisor (B) to the Hon'ble Lieutenant Governor.
10. Concerned Engineer.
11. Private Secretary to Principal Secretary to the Government, Public Works (R&B) Department.
12. I/c Website.
13. Government Order file/Stock file.

(Shahid Mahmood)KAS

Additional Secretary to the Government

