



सत्यमेव जयते

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

Subject: Initiation of Regular Departmental Action against Er.Sat Paul Manhas, the then Superintending Engineer, PW(R&B) Department Jammu-Kathua Circle, Er.Suman Bhaskar Mansotra, the then Executive Engineer, PW(R&B) and Er.Purshotam Kumar Phonsa, the then Executive Engineer.(JSC-JSK-19/2019).

Government Order No. - 245 PW(R&B) of 2022
Dated: 29 .07.2022

Sanction is hereby accorded to the appointment of Er. Kishore Kumar, I/c Superintending Engineer, PW(R&B) Circle Udhampur-Reasi as Inquiry Officer to enquire into the allegations leveled against the subject.

Er. Vinod Kumar, I/c Executive Engineer, Public Works(R&B) Division, Kathua shall be the Presenting officer.

The Inquiry Officer shall submit his report/findings to the Administrative Department alongwith recommendation within one month from the date of issuance of this order.

Any modification in posting shall not debar Inquiry Officer and Presenting Officer of performing their duties vide this order.

By order of the Government of Jammu and Kashmir

-Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government

Encls: 14 pages

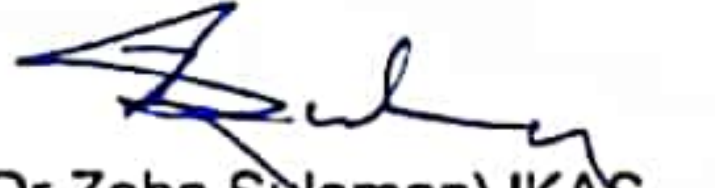
No.PWD/30/2021-01-Department of PWD R&B (C.No.38566)

Dated: 29 .07.2022

Copy to the:-

1. Principal Secretary to the Government, General Administration Department.
2. Director Anti Corruption Bureau, J&K.
3. Director Archaeology & Archives, J&K.
4. Chief Engineer, Public Works(R&B) Department, Jammu.
5. Er. Kishore Kumar, I/c Superintending Engineer, PW(R&B) Circle Udhampur-Reasi For favour of information. The copy of memorandum alongwith article of charges/statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
6. Er.Vinod Kumar, I/c Executive Engineer, R&B Division Kathua. The copy of memorandum alongwith article of charges/statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
7. Private Secretary to Principal Secretary to the Government, PW (R&B) Department.
8. Government Order file/Stock file/Monday Return.

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


(Dr.Zeba Suleman)JKAS
Under Secretary to the Government
Public Works (R&B) Department



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

Article of Charges

Annexure-I

Whereas, you (Er. Purshotam Kumar Phonsa), the then Executive Engineer PWD R&B) Kathua (JSC No. 19/2019)

Article-I

Whereas, being a public servant and holding the charge of then Executive Engineer PW(R&B) Basholi you made the departmental Payments amounting to Rs 2,99,31,524/- without following codal formalities

Article-II

Whereas, that the departmental payments for removal of slips amounting to Rs.72,08,220/- has been made without following codal formalities. But the same was not the part of the project. Moreover, the Executive Engineer allotted the stage contract for the removal of slips for the financial year 2015-16 and 2016-17 in favour of Sh. Bharat Bhushan and Sh. Deep Kumar but simultaneously the Executive Engineer also charged the slips by departmentally for the same year on higher rates.

Article III

Whereas, the road width from RDA 7/100 to 7/150 has not been maintained and found approximately 4 to 5 mtr in width which is not as per project and upto the mark. Moreover the payment should have been restricted to the work done/executed and no excess payment should have been made. But on scrutiny of records and spot inspection it was found that there is loss amounting to Rs.10,122/- for extra width charged for earthwork between RD 7/100-7/150 which is as under:-

Qty. Charged:

RD 7/100-7/150=308.00 cum @ 131.45/cum=Rs.40,487/-

Qty. Executed at Site:-

RD 7/100-7/150=231.00 cum @ 131.45/ cum + Rs.30,365/-

Hence Loss = Rs.10,122/- which is recoverable and is to be recovered from you.

Article -IV

Whereas, you rather failed to maintain absolute honesty and integrity- and acted in a manner of unbecoming of a public servant, which warrants departmental action against you under rule 33/34 of J&K CCA Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 21 days time from the date of receipt of the Article of Charges failing which it shall be presumed that you have nothing to say in your defence.

(Dr. Zeba Suleman)

Under Secretary to the Government
Public Works R&B Department

Er. Purshotam Kumar Phonsa,
the then Executive Engineer,
PW (R&B) Kathua



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

No.PWD/30/2021-01-Department of PWD R&B Computer No:38566
Dated: 13.05.2022


Memorandum

The Government proposes to hold an enquiry against you, the then I/c Executive Engineer PW(R&B) Basholi/Kathua. The substance of the imputation of misconduct in respect of which enquiry is proposed to be held is set out in the enclosed statement of Articles of charges as Annexure-I. A statement of imputations in support of these charges is also enclosed as Annexure-II.

You, the then Executive Engineer PW(R&B) Basholi required to submit your reply within 21 days from the date of issuance of this memorandum, a written statement of defense and also to state whether you desire to be heard in person.

You are further informed that if you do not submit your written statement of defense on or before the date specified above, further action as warranted under rules shall follow ex-parte.

The receipt of this memorandum may be acknowledged.


(Dr. Zeba Suleman)

Under Secretary to the Government
Public Works R&B Department

Er. Purshotam Kumar Phonsa,
the then Executive Engineer,
PW (R&B) Basholi Kathua.

Annexure-II**Statement of Imputation**

Statement of Imputation of misconduct in support of the Articles of charges framed against Sh. Purshotam Kumar Phonsa the then Executive Engineer PWD (R&B) Division- Kathua, JSC No. 80/2017

A preventive Vigilance was conducted in order to check drawl of fudge /concocted bills and ensure that financial norms and procedure are not violated by DDO's of Kathua district during the month of March 2017 being the closing of financial year..

Pursuant to the directions of Central Vigilance office, pertaining to monitoring of expenditure at the end of financial year 2016-17 matter was taken up with 06 different treasuries of Poonch, Rajouri and Kathua District. Initially details from 15 treasuries was received which was scrutinized and report sent was to CVO.

In response to the report instant enquiry was ordered authorizing PRR wing to collect further details regarding approval, sanctions, purchases etc from 69 DDO's. In view of change of jurisdiction details of 06 DDO's were referred to Jammu wing and matter of 53 DDO's (20 of Distt. Poonch and 23 of Distt. Rajouri) were taken up.

During the verification letters were dispatched to following DDO's of Distt. Kathua for providing daily drawl statement w.e.f 15-03-2017 to 31-03-2017 along with the photocopies of necessary documents attached with bills/vouchers for the requested period:-

1. Distt. Social Welfare officer Kathua.
2. Block Development officer Mandli.
3. Block Development officer Nagari.
4. Executive Engineer PHE Division Kathua.
5. Executive Engineer EM&RE Division Kathua.
6. Block Development Officer Mahanpur.
7. Executive Engineer Flood Control Division Kathua.
8. Executive Engineer PWD(R&B) Division Kathua
9. Lakhanpur Sarthal Development Authority Lakhanpur Kathua.
10. Executive Engineer PWD(R&B) Division Basholi Kathua.

Action taken:-

The record of Transactions of Six Treasuries of Distt. Kathua was scrutinized and 10 DDO's are short listed as per the No. of transactions with amount drawn more than Five Lakhs. The detail of Transactions i.e. Bills, Vouchers, Transaction Vouchers and work detail was sought from the concerned Department.

During the verification letters were dispatched to following DDO's of Distt. Kathua for providing daily drawl statement w.e.f 15-03-2017 to 31-03-2017 along with the photocopies of necessary documents attached with bills for the requested period:-

1. Distt. Social Welfare officer Kathua.
2. Block Development officer Mandli.
3. Block Development officer Nagari.
4. Executive Engineer PHE Division Kathua.
5. Executive Engineer EM&RE Division Kathua.
6. Block Development Officer Mahanpur.
7. Executive Engineer Flood Control Division Kathua.
8. Executive Engineer PWD(R&B) Division Kathua
9. Lakhanpur Sarthal Development Authority Lakhanpur Kathua.
10. Executive Engineer PWD(R&B) Division Basholi Kathua.

Facts found:-

During the course of verification, all the record pertaining to transactions made by 10 DDO's in different treasuries of Distt. Kathua during last week of financial year 2016-17 was obtained and scrutinized. However the detail of transactions of PWD (R&B) Division Kathua is as follows:-

1. **Executive Engineer PWD (R&B) Division Kathua:-**

The detail of Bills drawn by Flood control department is as follows:-

S.No	Bill Amount	Withdrawal date	Treasury	Kind of Bill
1	Rs 10,51,460	22.3.17	Kathua	Payment made to retired/expired employees
2	Rs 36,97,000	22.3.17	Kathua	Part Payment. made to Triple Associate for Bituminous work on Jandore link road in year 2015
3	Rs 9,64,000	22.3.17	Kathua	Payment for repair/renovation of Govt. Degree college Hiranagar
4	Rs 7,80,132	31.3.17	Kathua	Payment made to SICOP

5	Rs 19,39,387	31.3.17	Kathua	Payment made to SICOP
6	Rs 15,60,264	31.3.17	Kathua	Payment made to SICOP
7	Rs 6,17,490	31.3.17	Kathua	Payment made to SICOP
8	Rs 7,14,686	31.3.17	Kathua	Payment made for seven no. of Temp. Restoration works executed during 2014 under SDRF
9	Rs 8,56,161	31.3.17	Kathua	Payment made for 3 Temp. Restoration works executed during 2014 under SDRF
10	Rs 5,28,493	31.3.17	Kathua	Payment made for 3 Temp. Restoration works executed during 2014 under SDRF
11	Rs 6,59,270	31.3.17	Kathua	Payment made for seven no. of Temp. Restoration works executed during 2014 under SDRF
12	Rs 6,18,863	31.3.17	Kathua	Payment made for (3) Temp. Restoration works executed during 2014 under SDRF
13	Rs 5,24,572	31.3.17	Kathua	Payment made for (4) Temp. Restoration works executed during 2014 under SDRF
14	Rs 6,27,859	31.3.17	Kathua	Payment made for (4) Temp. Restoration works executed during 2014 under SDRF
15	Rs 8,69,167	31.3.17	Kathua	Payment made for seven no. of Temp. Restoration works executed during 2014 under SDRF
16	Rs 9,29,515	31.3.17	Kathua	Payment made for (6) Temp. Restoration works executed during 2014 under SDRF
17	Rs 7,80,132	31.3.17	Kathua	Payment to Manager SICOP
18	Rs 7,83,732	31.3.17	Kathua	Payment to Manager SICOP

The scrutiny of all the record pertaining to transactions made by Executive Engineer PWD (R&B) Division Kathua and PWD (R&B) Division Basohli during the last week of Financial Year 2016-17 revealed as under:-

(A) EXECUTIVE ENGINEER PWD(R&B) DIVISION KATHUA

The scrutiny of record reveals that 19 no.s of bills were drawn by Executive Engineer PWD(R&B) division Kathua namely Sh. Purshotam Kumar Phonsa, wherein excess works have been executed at site and

payments have been made for these excess works over and above allotted amount and have violated codal formalities. The following are the instances:-

1. **P/L 50 mm thick BM and 25mm thick SDBC on Mangloor to Jakhole road km 1st to km 15th and Jandore link road and Jandore Brow-Hote road .**

The above noted work was allotted to M/S Triple "s" Associates by the Chief Engineer PW(R&B) Department, Jammu for an amount of Rs.2,48,53,500/= vide his office no.CEJ/G/12823-85 Dated 03.11.2015. The gross payment amounting to Rs. 2,79,33,595/= has been recorded on M. Book vide CC3rd and the net payment amounting to Rs 36,97,000/= has been paid after deducting requisite taxes and departmental material and Rs.55,08,673/= is due to. Scrutiny of record further reveals that **12.39% of excess** payment amounting to Rs.30,80,095/- has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 01.12.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No7252 page no11 -12.

2. **Repair / Renovation of Govt. G.L. Dogra Degree College Hiranagar**

The above noted work was allotted to Sh. Dheeraj Gupta S/O Sh. Ravi Kiran R/O Hiranagar by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 5,26,008/= vide his office no.3380-84/G Dated 04.06.2016. The gross payment amounting to Rs.13,34,491/= has been recorded on M. Book vide CC1st and the net payment amounting to Rs 9,46,000/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs. 36,933/= is due to. Scrutiny of record further reveals that **157.12% of excess** payment amounting to Rs.8,26,483/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 12.06.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book Nil page no. -Nil.

3. **P/L 50 mm thick BM and 25mm thick SDBC on Kharote Link Road**

The above noted work was allotted to M/S Kamla Hot Mix Plant Maggar Khad Kathua by Superintending Engineer PW(R&B) Department

Jammu - Kathua Circle, Jammu for an amount of Rs. 1,06,87,900/= vide his office no.SEJ/10250-52 dated 12.12.2015. The gross payment amounting to Rs 1,24,56,264/= has been paid vide CC2nd and reproduced and the net payment amounting to Rs 7,500/= has been paid in CC2nd and reproduced after deducting requisite taxes and departmental material and Rs.614/= is due to. Scrutiny of record further reveals that **16.54% of excess** payment amounting to Rs 17,68,364/= has been paid over and above the allotted amount. Which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 14.12.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No.7272 page no 14-15.

4. P/L 50 mm thick BM and 25mm thick SDBC on Dayala Chak- Dinga Amb -Challan Road km 20th to km 25th.

The above noted work was allotted to M/S Satish Singh Jamwal & Co. Private Limited , Jammu by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 1,55,41,558//= vide his office no.SEJ/10341-43 dated 22.02.2017 The gross payment amounting to Rs 2,14,77,031/= has been recorded on M. Book vide CC1st and the net payment amounting to Rs 1,14,42,100/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs 59,36,055/- is due to. Scrutiny of record further reveals that **38.19% of excess** payment amounting to Rs.59,35,473/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 10.10.2016 and date of completion is 15.12.2016. The progress of the work is recorded in M. Book No.7066 page no. 28-44.

5. P/L 50 mm thick BM and 25mm thick SDBC on P-J Road to Hiranagar Km 0/250-3/500

The above noted work was allotted to M/S Satish Singh Jamwal & Co. Private Limited , Jammu by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 1,50,43,437/= vide his office no.SEJ/16992-94 dated 30.03.2016. The gross payment amounting to Rs 1,70,05,617/= has been recorded on M. Book vide CC2nd and reproduced and the net payment amounting to Rs 2,20,970/= has been paid in CC2nd and reproduced after deducting requisite taxes and departmental material and Rs 86,45,657/= is due to. Scrutiny of record further

reveals that 13% of excess payment amounting to Rs.19,62,180/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 07.04.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No.7290 page no. 13.

6. P/L 50 mm thick BM and 25mm thick SDBC on Dayala Chak- Dinga Amb -Challan Road km 13th to km 19th

The above noted work was allotted to M/S New Jehlum Construction., Jammu by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 1,40,01,500/= vide his office no.SEJ/11217-19 dated 06.01.2016 The gross payment amounting to Rs 1,89,94,046/= has been recorded on M. Bookvide CC2nd and the net payment amounting to Rs 63,03,100/= has been paid in CC2nd after deducting requisite taxes and departmental material and Rs 49,94,122/= is due to. Scrutiny of record further reveals that 35.65% of excess payment amounting to Rs.49,92,546/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 01.03.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No.7266 page no. 09-17.

7. P/L 50 mm thick BM and 25mm thick SDBC on Dayala Chak -Jandi Road KM 1st RD 800 to KM 11th RD 500

The above noted work was allotted to M/S Gee Ess Ess Road Builders, Akhnoor, Jammu by Chief Engineer PW(R&B) Department, Jammu for an amount of Rs. 2,40,36,290/= vide his office no.CEJ/G/9916-18 dated 17.09.2016. The gross payment amounting to Rs.2,93,03,575/= has been recorded on M. Book vide CC1st and the net payment amounting to Rs 69,49,600/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.2,07,03,630/= is due to. Scrutiny of record further reveals that 21.91% of excess payment amounting to Rs.52,67,285/= has been-paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 28.09.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7672 page no 1-

P/L 50 mm thick BM and 25mm thick SDBC on Mangloor to Jakhole road km 1st to km 15th and Jandore link road and Jandore Brow-Hote road.

The above noted work was allotted to M/S Triple "s" Associates for by Chief Engineer PW(R&B) Department, Jammu for an amount of Rs. 2,48,53,500/= vide his office no.CEJ/G/12823-85 Dated 03.11.2015. The gross payment amounting to Rs.3,01,20,331/= has been recorded on M. Book vide CC4th and the net payment amounting to Rs 14,44,500/= has been paid in CC4th after deducting requisite taxes and departmental material and Rs.52,67,477/= is due to.. Scrutiny of record further reveals that **21.19% of excess** payment amounting to Rs.52,66,831/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 01.12.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7112 page no 40-48.(cc3rd bill is reflected for the same work at S.No 2)

9. P/L WMM, 50 mm thick BM and 25mm thick SDBC on Parole-Maichak road km 1st to km 8th(L=7.50 kms)

The above noted work was allotted to M/S M/S Kamla Hot Mix Plant Maggar Khad Kathua by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 1,57,50,000/= vide his office no.SEJ/10259-61 dated 12.12.2015. The gross payment amounting to Rs 1,79,36,563/= has been recorded on M. Book vide CC2nd and reproduced and the net payment amounting to Rs 2,83,000/= has been paid in CC2nd and reproduced after deducting requisite taxes and departmental material and Rs 77,57,591/= is due to. Scrutiny of record further reveals that **13.88% of excess** payment amounting to Rs.21,86,563/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 29.12.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No.7274 page no16-17

10. Construction of R/Wall on Dayala Dinga AMB Road in KM 20th RD 50-150 L=20mtr. And RD 400-500)

The above noted work was allotted to M/s Sri Ram Construction Co. by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 9,72,430/= vide his office no.3373-77/G dated 17.08.2015. The gross payment amounting to Rs.13,17,204/= has been paid vide CC1st and the net payment amounting to Rs 6,45,100/= has been paid in CC1st after

deducting requisite taxes and departmental material and Rs.252/= is due to. Scrutiny of record further reveals that **35.45% of excess** payment amounting to Rs.3,44,774 /- has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 18.08.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 6577 page no11-16.

11. P/L 20 mm thick OGPC and 75 mm thick WBM Grade III in Patches on Mela Link Road KM 3rd RD 0-1000

The above noted work was allotted to Sh. Kishori Lal S/o Sh. Shri Chand R/o Billawar by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 3,30,440/= vide his office no.3924-029/G dated 15.06.2016. The gross payment amounting to Rs.8,12,763/= has been paid vide CC3rd and the net payment amounting to Rs 2,11,272/= has been paid in CC3rd after deducting requisite taxes and departmental material and Rs.763/= is due to. Scrutiny of record further reveals that **145.96% of excess** payment amounting to Rs.4,82,323 /- has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 17.06.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7257 page no9-11

12. P/L 20 mm thick OGPC on Barwal link road and Barwal Circular Road in patches and stretches including cost of Bitumen.

The above noted work was allotted to M/s Jai Jagdembay Road Builders by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 11,47,500/= vide his office no.1713-17/G dated 16.06.2015. The gross payment amounting to Rs.39,70,305/= has been paid vide CC1st and the net payment amounting to Rs 9,36,972/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.2305/= is due to. Scrutiny of record further reveals that **245.99% of excess** payment amounting to Rs.28,22,805 /- has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date of start of work is 21.06.2015 and date of completion is 29.06.2015. The progress of the work is recorded in M. Book No 7211 page no 10-24.

13. Construction of Bagial link road by way of construction of pucca drain and P/L 75 mm thick WBM grade- II RD 0/50-1/250

The above noted work was allotted to Sh. Kuldeep kumar S/O Lt. Sh. Kali Dass R/O Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 5,47,980/= vide his office no.10385-

65/G dated 14.01.2016. The gross payment amounting to Rs.6,54,673/= has been paid vide CC1st and the net payment amounting to Rs 3,39,744/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.1980/= is due to. Scrutiny of record further reveals that **19.47% of excess** payment amounting to Rs.1,06,693 /= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 14.01.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No - page no -

14. Construction of pucca drain on Rajbagh Jakhole Road km 11th RD 800 to km 12th RD 250 (Agg. L= 430 mtr)

The above noted work was allotted to M/s Rajpoot Earthmover & Construction Co. Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 6,55,294/= vide his office no.8326-30/G dated 20.11.2015. The gross payment amounting to Rs.10,85,300/= has been paid vide CC1st and the net payment amounting to Rs 3,77,000/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.1000/= is due to. Scrutiny of record further reveals that **65.62% of excess** payment amounting to Rs.4,30,006 /= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 15.12.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7212 page no 12-19

15. Construction of pucca drain on Ambedkar Bridge to Dream land Park Road in km 2nd RD 100-150

The above noted work was allotted to Sh. Deepak Kumar Gupta S/o Sh. Ram Rattan Gupta R/O Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 1,42,623/= vide his office no.7524-28/G dated 01.09.2016. The gross payment amounting to Rs.2,30,904/= has been paid vide CC1st and the net payment amounting to Rs 69,685/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.623/= is due to. Scrutiny of record further reveals that **61.89% of excess** payment amounting to Rs.88,281 /= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 08.09.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7687 page no 01-07

16. Construction of of road from Sunwan Moh. ,SC Basti and Gujjar basti by way of P/L 75 mm thick WBM Grade II (in two layers) i.e link road from Sunwan Moh. Via Kissan nagar Mai Chak km 1st RD 450 to km 3rd RD 350(L=1900 mtr. Link to Gujjar basti (l=1060 mtr link to SC Basti (L=450mtr.) and allied links(L= 200 mtr.)

The above noted work was allotted to M/s Riddhi Engineers and Developers R/o Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs. 10,41,637/= vide his office no.10993-97/G dated 10.01.2017. The gross payment amounting to Rs.11,78,497/= has been paid vide CC1st and the net payment amounting to Rs 8,87,400/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.1547/= is due to. Scrutiny of record further reveals that **13.13% of excess** payment amounting to Rs.1,36,860 /= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 15.02.2017. and date of completion is 10.03.2017. The progress of the work is recorded in M. Book No 7236 page no 27-32

17. Construction of pucca drain in km 1st RD 800-1000(L=150mtr.) and laying of 2 nos. 0.30 m dia hume pipes, 2 nos. 0.45 m hume pipes and 2 nos. 0.90 m hume pipes in km 1st & km 5th on OSK road.

The above noted work was allotted to Sh. Tarsem Chand S/o Sh. Dhian Chand R/o Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs 3,50,395/= vide his office no.4843-46/G dated 28.06.2016. The gross payment amounting to Rs.5,53,148/= has been paid vide CC1st and the net payment amounting to Rs 1,31,780/= has been paid in CC1st after deducting requisite taxes and departmental material and Rs.395/= is due to. Scrutiny of record further reveals that **57.86% of excess** payment amounting to Rs.2,02,753/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is nil and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No nil page no 04-08.

18. Construction of pucca drain in km 13th RD250-500 on OSK Road (L=100 mtr.)

The above noted work was allotted to Sh. Vinod Sharma S/o Sh. Roop Lal R/o Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs 2,03,960/= vide his office no.11784-84/G dated 26.02.2016. The gross payment amounting to Rs.3,91,017/= has been paid vide CC1st and the net payment amounting to Rs 1,64,480/= has been paid in CC1st after deducting requisite taxes and departmental material and

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Rs.1000/= is due to. Scrutiny of record further reveals that **91.71% of excess** payment amounting to Rs.1,87,057/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 16.08.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 6951 page no 36-38.

19. General Maintenance /Up-keeping of beow mentioned roads during the year 2016-2017 upto ending march 2017

c) Lakhanpur Thein Road

d) Barni link road

The above noted work was allotted to Sh. Harminder Singh S/o Sh. Teja Singh R/O Kathua by Executive Engineer PW(R&B) Department Division Kathua for an amount of Rs 1,45,000/= vide his office no.4451-55/G dated 22.06.2016. The gross payment amounting to Rs. 2,03,624/= has been paid vide CC 2nd and the net payment amounting to Rs 51,900/= has been paid in 2nd after deducting requisite taxes and departmental material and Rs.676/= is due to. Scrutiny of record further reveals that **40.43% of excess** payment amounting to Rs.58,624/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date is start of work is 29.06.2016 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No 7195 page no 40-45.

20. P/L 50 mm thick BM and 25mm thick SDBC on old Samba Kathua road km 9th to km 15th (L=6.50 KMS)

The above noted work has been executed **without tendering** on approval. The approval for the work was given to M/S Jai Jagdembay Road Builders by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 1,78,20,000/= vide his office no.SEJ/7609 dated 14.10.2015 on the recommendations of Executive Engineer vide his no. 6803-04/G dated 14.10.2015. The gross payment amounting to Rs 1,77,56,867/= has been recorded on M. Book vide CC2nd and reproduced and the net payment amounting to Rs 26,82,000/= has been paid in CC2nd and reproduced after deducting requisite taxes and departmental material and Rs38,81,061/= is due to. The date is start of work is 06.10.2015 and date of completion is shown as work in progress. The progress of the work is recorded in M. Book No.7225page no 22.

On this a detailed questionnaire was served to the above said official and his reply was sought. Which revealed that out of above said works

only for the works executed at S. No, 4, 6 & 7 supplementary approval from competent authority i.e Chief Engineer R&B PWD has been obtained.

But for the rest, works have been exceeded beyond the limit prescribed in the book of financial powers and the payments have been made without following the codal formalities and thus acted in a manner of unbecoming of a public servant thereby violating the provisions of the J&K Service Rules.

(B) EXECUTIVE ENGINEER PWD(R&B) DIVISION BASHOLI

The scrutiny of record reveals that 05 nos. of bills were drawn by Executive Engineer PWD(R&B) division Basholi namely Sh. Suman Bhaskar. The scrutiny of all bills are revealed as under:-

1. Construction of Medical Sub-Centre (Double Storey) at Sitti (Bani):

The above noted work was allotted to Sh. Tilak Singh S/O Sh. Baldev Singh R/o Jammu by Superintending Engineer PW(R&B) Department Jammu - Kathua Circle, Jammu for an amount of Rs. 52,62,165/= vide his office no.SEJ/13057-59 dated 23.01.2014. The gross payment amounting to Rs 59,61,573/= has been recorded on M. Book vide CC5th and the net payment amounting to Rs 14,23,100/= has been paid in CC5th after deducting requisite taxes and departmental material and Rs 5,50,884/= is due to. Scrutiny of record further reveals that 13.29% of excess payment amounting to Rs.6,99,408/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. The date of start of work is 20.06.2014 and date of completion is 26.02.2016. The progress of the work is recorded in M. Book No.68/2014-15 page no 26-46

2. Up-gradation of road by way of Providing and laying 25mm thick Semi Dense Bituminous concrete over 50mm thick Bituminous Macadam on Rehan Mandla Chanchloo Mata II road (L= 7500 Km) and Madrakhi Kagrode road (L=2.750 Km).

The above noted work was allotted to M/S Satish Singh Jamwal R/O Jammu by Chief Engineer PW(R&B) Department, Jammu for an amount of Rs. 2,89,50,000/= vide his office no.CEJ/G/6504-06 dated 18.07.2016. The gross payment amounting to Rs.3,60,79,183/= has been recorded on M. Book vide CC 2nd and the net payment amounting to Rs 40,40,495/= has been paid in CC2nd after deducting requisite taxes and departmental material and Rs.1,90,79,150/= is due to.. Scrutiny of record further reveals that 24.62% of excess payment amounting to Rs.71,29,183/= has been paid over and above the allotted amount, which is beyond the provision allowed in the book of financial power in item No. 5.11. Scrutiny of records further reveals that