



सत्यमेव जयते

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

CIRCULAR

Subject: Initiation of Regular Departmental Action matter thereof.

Number of communications are received from Anti Corruption Bureau (ACB) and Crime Branch through the General Administration Department or directly either for sanction of Prosecution or Regular Departmental Action against the officers/officials of Public Works (R&B) Department mostly due to non adherence of Codal Formalities/ GRF provisions while execution of the Works/projects. The recommendations of these investigating agencies relating to institution of Departmental Action are invariably contained in the Draft Article of Charges, Statement of imputation with gist of evidence. In most of such cases, the officers/officials of the Department overlook to follow transparent procedure in tendering process or other-wise which leads to financial indiscipline and at time loss to State Exchequer. It has also been observed that the reply of the Article of Charges and other related cases are not provided within stipulated time period, thus taking considerable time for settlement of these cases. The Enquiry Officers do not get into detail through actual spectrum of activities under scanner in particular RDA. The Departmental Vigilance Officer (DVO) and the other in-house Enquiry Officers do not remain focused in the RDA's by virtue of which said mechanism gets defeated.

In order to have improvement in the Departmental Vigilance Mechanism, it is enjoined upon all the DVOs and the Enquiry Officers to follow instant circular strictly in future while conducting any Enquiry especially the RDA's. The inquiry officers are required to be specific to the allegations in the complaint, Statement of Imputation, Draft Article of Charges and the communiqué recommending a

particular RDA. A particular Enquiry has to be reported upon in a para-wise reply made with documental strength to prove or disprove a particular allegation; the replies based on surmises must be avoided.

Further, individual role/charges are to be mentioned separately with whether charge/charges "**proved or not proved**" in respect of delinquent officers/officials in a particular Enquiry. Enquiry Report shall be submitted to the Administrative Department directly if it has been assigned by the Administrative Department.

The Enquiries pertaining to the works executed or under execution in field shall include below mentioned information in future in addition to their original spectrum in the Enquiry:-

- i. Whether AA for Work/Project accorded or not; if not then, name and designation of officer who has indulged in taking up of the said work without AA.
- ii. Whether Technical Sanction/Technical Vetting granted.
- iii. Whether e-NIT is based on SBD or otherwise.
- iv. Whether agreement is drawn on proper format or otherwise. In case of supplementary agreements if any, the same has to be mentioned separately with reasons.
- v. Whether the work is strictly executed as per the allotment or otherwise. In case of any deviation, the same has to be mentioned clearly with cogent reasons.
- vi. Whether electrical and mechanical components present in BOQ are vetted by the competent authority of relevant field or otherwise.
- vii. Whether Prescribed Quality Control tests have been carried out.

Following documents certified /countersigned by the present incumbent holding the charge of the particular position shall form the part of report of Enquiry Officer in future as well:-


- I. Copy of approved Plan Capex budget/non-Plan Budget/CSS Scheme's etc reflecting the name of work and amount.
- II. Copy of detailed technically checked/vetted estimate along with detailed drawings.
- III. Copy of Administrative Approval.
- IV. Copy of Technical Sanction.
- V. Copy of NIT.
- VI. Copy of Comparative Statement showing position of L1.
- VII. Copy of LOI and Allotment.
- VIII. Copy of Agreement and Supplementary Agreement.
- IX. Work's Register.
- X. Measurement Book.
- XI. Cash Voucher bearing Pass orders.
- XII. Store and Stock Details, if any.
- XIII. Details of Standard Tax Deduction.



- XIV. Details of Security Deposits and CDR.
- XV. Quality Control Test Reports.
- XVI. Upto date Physical/Financial Status.
- XVII. Photography/ Videography of the execution, before and after completion of work should be properly undertaken and recorded for avoiding overlapping.

Complaints received from the ACB or from other source be completed in a time bound manner within 04 weeks with due care about the legal aspects so that the accountability is ensured in the department. Dragging matters too far, benefits the culprits and dissipates the importance of the Enquiries.

Penalty is decided by the appointing authority. Enquiry Officer only requires informing proved/not proved against each charge.


(Shahid Mahmood)KAS
Additional Secretary to the Government
Public Works (R&B) Department

No.PW(R&B)HRM/01/2018-vig

Dated: 31.12.2020

Copy to the:-

1. All concerned Administrative Secretaries.
2. Joint Secretary J&K, Ministry of Home Affairs Government of India.
3. Commissioner/Secretary to the Government, General Administration Department.
4. Director Anti Corruption Bureau, J&K Jammu.
5. Development Commissioner (Works), Public Works (R&B) Department.
6. All concerned Chief Engineers/Directors/HoDs Jammu/Kashmir
7. Director Anti corruption Bureau, J&K Jammu.
8. Director Finance, PW(R&B) Department.
9. Private Secretary to Principal Secretary to the Government, PW(R&B) Department.
10. Concerned file/stock file.
11. I/c Website.