



सत्यमेव जयते

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

Subject:- JSC-JSK-06/2021 Initiation of RDA against Sh. Ravinder kumar Mansotra SE, Sh. Balbir singh XEN, Sh. Shamin Din, the then AEE, Sh. Rajinder Kumar Sharma, the then AE, Sh. Yuv Raj Singh the then AE, Sh. Rakesh Radha the then JE and Sh. Saleem Malik the then JE.

Government Order No. 161 PW(R&B) of 2023
Dated: 19 -04-2023

Sanction is hereby accorded to the appointment of Er. Saleem-ul-Saba, I/c Superintendent Engineer, PW(R&B Circle Jammu-Kathua as Inquiry Officer to enquire into the allegations levelled against the subject.)

Er. Ashish Bhasin, I/c Assistant Executive Engineer, I/c AEE (Civil), CD-III Jammu shall be the Presenting officer.

The Inquiry Officer shall submit his report/findings to the Administrative Department along with 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

Ends: 15 pages

No. PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT (C.No. 7030754) Dated:- 19-4-2023

Copy to the:-

1. Commissioner/ Secretary to the Government, General Administration Department.
2. Director, Anti Corruption Bureau, J&K.
3. Er. Saleem-ul-Saba, I/c Superintendent Engineer, PW(R&B) Circle Jammu-Kathua. The copy of memorandum along with article of charges/statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
4. Er. Ashish Bhasin, I/c Assistant Executive Engineer, I/c AEE (Civil), CD-III Jammu (M&W Wing). The copy of memorandum along with article of charges/ statement of imputation and other allied documents are also enclosed herewith for perusal and further action.
5. Private Secretary to Principal Secretary to the Government, PW (R&B) Department.
6. Government Order file/Stock file/Monday Return.

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


19.4.2023

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



Articles of Charge

ANNEXURE- 1

Whereas you Er. Rajinder Kumar Sharma, the then Assistant Engineer, PW(R&B) Construction Division- III Jammu are hereby charged of following violations:-

Whereas, you remained posted in PW(R&B) Division-III as Assistant Engineer, w.e.f. 23-09-2019 till the date of JSC

Whereas vide Executive Engineer PWD (R&B) Sub Division Marh order no. 649 dated. 24-02-2021, you were deputed to hot mix plant of the contractor who have been allotted the Macadamization work for quality control including testing of material and Bituminous contents and getting the test done as per schedule of laying of BT in coordination with concerned Junior Engineer.

Whereas a JSC came to be conducted by Anti Corruption Bureau Jammu into the allegations of execution of sub standard work on Bhagwati Nagar, Revenue Complex Road pertaining to construction Division-III Jammu.

Whereas during the course of JSC the records were obtained and examined/spot inspections of the sites was conducted by the Engineering experts of ACB Jammu and samples of BM and Bitumen were lifted from the site of execution of work and also from the hot mix plant.

Whereas the report received from DIQC the minimum Bitumen contents in all the three samples of BM lifted from site is not upto mark as Bitumen contents in sample "A" "B" and "C" comes to be 3%, 2.8% and 3.2% against required limit of 4% as per allotment.

Whereas, the report of material testing lab of IIT Nagrota has revealed that the specific gravity of sample "C" is 1.03 instead of required range of 1.02 as per the IS73:2013.

Whereas during the JSC the allegations of execution of sub standard work have been substantiated.


Whereas while posted as Assistant Engineer PW(R&B) Division-III Jammu and deputed for quality control at hot mix plant, you were supposed to maintain quality of material i.e BM and Bitumen parameters as per the standards and conditions of the contract. However the enquiry conducted has revealed that you in the capacity of Assistant Engineer PWD (R&B) Construction Division-III Jammu failed to maintain/check the quality of material to be laid at Bhagwati Nagar Revenue complex road i.e Bitumen contents of BM and specific gravity of Bitumen.

Whereas you being a public servant have failed to perform your legitimate duties properly and efficiently. The PW(R&B) Department being a govt. department caters to the departmental aspects for the public and as such cannot afford to function in such a casual manner and cannot compromise with the quality of work.

Whereas, being an Assistant Engineer you were deployed at hot mix plant of contractor to maintain the quality of material which is not up to mark as per test report of material testing labs and have failed to perform your duties efficiently and diligently for which a regular departmental action has been recommended to be initiated against you under service conduct rules.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 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 defense.


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

Er. Rajinder Kumar Sharma
the then Assistant Engineer
PWD (R&B) Division-III Jammu.

M

Articles of Charge

ANNEXURE- 1

Whereas you Er. Shamis Din the then Assistant Executive Engineer, PW(R&B) Construction Division- III Jammu are hereby charged of following violations:-

Whereas, you remained posted in PW(R&B) Division-III as Assistant Executive Engineer, w.e.f. 27-12-2019 till the date of JSC

Whereas a JSC came to be conducted by Anti Corruption Bureau Jammu into the allegations of execution of sub standard work on Bhagwati Nagar, Revenue Complex Road pertaining to construction Division-III Jammu.

Whereas during the course of JSC the records were obtained and examined/spot inspections of the sites was conducted by the Engineering experts of ACB Jammu and samples of BM and Bitumen were lifted from the site of execution of work and also from the hot mix plant.

Whereas JSC conducted has reveals that the work was put to tenders vide E no. 47 of 2020-21/Division-III dated 26-08-2020 by the office of Executive Engineer PWD R&B Construction Division-III Jammu for an estimated cost of Rs. 300.05 lacs.

Whereas the work was allotted for an amount of Rs. 243.70 by Superintending Engineer PWD R&B Jammu Kathua Circle vide no. SEJ/DB/5913-16 dated 06-10-2020 in favour of Jai Laxmi Road builder's village Patta District Samba.

Whereas the agreement of the contract for the above noted work has been executed between Executive Engineer, PW(R&B) Construction, Division-III Jammu and the contractor vide agreement no. 109/OWP of 12-10-2020 and the agreement was accepted vide no. SCJ/ADM/9217-18 dated 28-12-2020

Whereas the report received from DIQC the minimum Bitumen contents in all the three samples of BM lifted from site is not upto mark as Bitumen contents in sample "A" "B" and "C" comes to be 3%, 2.8% and 3.2% against required limit of 4% as per allotment.

Whereas, the report of material testing lab of IIT Nagrota has revealed that the specific gravity of sample "C" is 1.03 instead of required range of 1.02 as per the IS73:2013.

Whereas during the JSC the allegations of execution of sub standard work have been substantiated.


Whereas while posted as Assistant Executive Engineer PW(R&B) Division-III Jammu you were supposed to carry out the execution of works maintain quality of work as per the standards and conditions of the contract. However the enquiry conducted has revealed that you in the capacity of Assistant Executive Engineer PWD (R&B) Construction Division-III Jammu have executed the work of Macadamization on Bhagwati Nagar Revenue complex road without maintaining the quality of material i.e Bitumen contents of BM and specific gravity of Bitumen.

Whereas you being a public servant have failed to perform your legitimate duties properly and efficiently. The PW(R&B) Department being a govt. department caters to the departmental aspects for the public and as such cannot afford to function in such a casual manner and cannot compromise with the quality of work.

Whereas, being an Assistant Executive Engineer you were supposed to maintain the quality of work and 100% Check on M-Book and on bill form in respect of quality and specification and have no make sufficient arrangements for quality check of the material as well as specifications regarding the execution of work at site, but during the course of JSC it has transpired that you have compromised with the quality of work which is not up to mark and have failed to perform your duties efficiently and diligently for which a regular departmental action has been recommended to be initiated against you under service conduct rules.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 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 defense.


(Dr. Zeba Suleman) ^{24.3.2023} UAS
Under Secretary to the Government
Public Works R&B Department.

Er. Shamis Din
the then Assistant Executive Engineer
PWD (R&B) Division-III Jammu.

Articles of Charge

ANNEXURE- 1

Whereas you Mr. Yuv Raj Singh, the then Assistant Engineer, PW(R&B) Construction Division-III Jammu are hereby charged of following violations:-

Whereas, you remained posted in PW(R&B) Division-III as Assistant Engineer, in feb. 2021 to till date

Whereas vide Executive Engineer PWD (R&B) Sub Division Marh order no. 649 dated. 24-02-2021, you were deputed to hot mix plant of the contractor who have been allotted the Macadamization work for quality control including testing of material and Bituminous contents and getting the test done as per schedule of laying of BT in coordination with concerned Junior Engineer.

Whereas a JSC came to be conducted by Anti Corruption Bureau Jammu into the allegations of execution of sub standard work on Bhagwati Nagar Revenue Complex Road pertaining to construction Division-III Jammu

Whereas during the course of JSC the records were obtained and examined/spot inspections of the sites was conducted by the Engineering experts of ACB Jammu and samples of BM and Bitumen were lifted from the site of execution of work and also from the hot mix plant.

Whereas the report received from DIQC the minimum Bitumen contents in all the three samples of BM lifted from site is not upto mark as Bitumen contents in sample "A" "B" and "C" comes to be 3%, 2.8% and 3.2% against required limit of 4% as per allotment.

Whereas, the report of material testing lab of IIT Nagrota has revealed that the specific gravity of sample "C" is 1.03 instead of required range of 1.02 as per the IS73:2013.

Whereas during the JSC the allegations of execution of sub standard work have been substantiated.


Whereas while posted as Assistant Engineer PW(R&B) Division-III Jammu and deputed for quality control at hot mix plant, you were supposed to maintain quality of material i.e BM and Bitumen parameters as per the standards and conditions of the contract. However the enquiry conducted has revealed that you in the capacity of Assistant Engineer PWD (R&B) Construction Division-III Jammu failed to attend the hot mix plant even after expiry of your earned leave which was sanctioned up to 21.05.2021 thus failed to maintain/check the quality of material to be laid at Bhagwati Nagar Revenue complex road i.e Bitumen contents of BM and specific gravity of Bitumen.

Whereas you being a public servant have failed to perform your legitimate duties properly and efficiently. The PW(R&B) Department being a govt. department caters to the departmental aspects for the public and as such cannot afford to function in such a casual manner and cannot compromise with the quality of work.

Whereas, being an Assistant Engineer you were supposed to maintain the quality of work, but during the course of JSC it has transpired that you failed to attend the hot mix plant and thus failed to deliver your legitimate duties properly/efficiently and not followed the rules and regulation which effected the quality of work for which a regular departmental action has been recommended to be initiated against you under service conduct rules.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 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 defense.


24.3.2023
(Dr. Zeba Saleman) JKAS
Under Secretary to the Government
Public Works R&B Department.

Er. Yuv Raj Singh
the then Assistant Engineer
PWD (R&B) Division-III Jammu.

Articles of Charge

ANNEXURE- 1

Whereas you Er. Rakesh Radha, the then Junior Engineer, PW(R&B) Construction Division- III Jammu are hereby charged of following violations:-

Whereas, you remained posted in PW(R&B) Division-III as Junior Engineer, w.e.f 01-02-2021 till date of conducting JSC

Whereas vide Executive Engineer PWD (R&B) Sub Division Marh order no. 649 dated. 24-02-2021, you were supposed to control and check the quality of material to be laid on Bhagwati Nagar, Revenue complex road in coordination with the Assistant Engineer deputed at hot mix plant.

Whereas a JSC came to be conducted by Anti Corruption Bureau Jammu into the allegations of execution of sub standard work on Bagwati Nagar Revenue Complex Road pertaining to construction Division-III Jammu.

Whereas during the course of JSC the records were obtained and examined/spot inspections of the sites was conducted by the Engineering experts of ACB Jammu and samples of BM and Bitumen were lifted from the site of execution of work and also from the hot mix plant.

Whereas JSC conducted has reveals that the work was put to tenders vide E no. 47 of 2020-21/Division-III dated 26-08-2020 by the office of Executive Engineer PWD R&B Construction Division-III Jammu for an estimated cost of Rs. 300.05 lacs.

Whereas the work was allotted for an amount of Rs. 243.70 by Superintending Engineer PWD R&B Jammu Kathua Circle vide no. SEJ/DB/5913-16 dated 06-10-2020 in favour of Jai Laxmi Road builder's village Patta District Samba.

Whereas the report received from DIQC the minimum Bitumen contents in all the three samples of BMLifted from site is not upto mark as Bitumen contents in sample "A" "B" and "C" comes to be 3%, 2.8% and 3.2% against required limit of 4% as per allotment.

Whereas, the report of material testing lab of IIT Nagrota has revealed that the specific gravity of sample "C" is 1.03 instead of required range of 1.02 as per the IS73:2013.

Whereas during the JSC the allegations of execution of sub standard work have been substantiated.

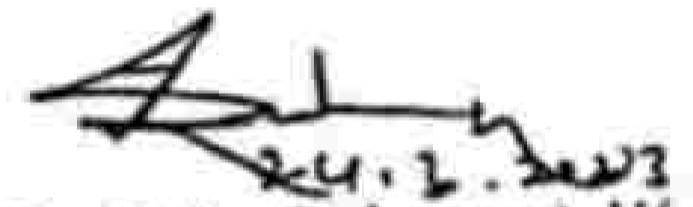
Whereas while posted as Junior Engineer PW(R&B) Division-III Jammu , you were supposed to maintain quality of work as per the standards and conditions of the contract. However the enquiry conducted has revealed that you in the capacity of Junior Engineer PWD (R&B) Construction Division-III Jammu have executed the work of Macadamization on Bhagwati Nagar, Revenue complex road i.e Bitumen contents of BM and specific gravity of Bitumen.

Whereas you being a public servant have failed to perform your legitimate duties properly and efficiently. The PW(R&B) Department being a govt. department caters to the departmental aspects for the public and as such cannot afford to function in such a casual manner and cannot compromise with the quality of work.

Whereas, being an Junior Engineer you were supposed to check/maintain the quality of work, but during the course of JSC it has transpired that you have compromised with the quality of work which is not up to mark and have thus failed to perform you duties efficiently and diligently for which a regular departmental action has been recommended to be initiated against you under service conduct rules.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 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 defense.



(Dr. Zeba Suleman) JKAS

Under Secretary to the Government
Public Works R&B Department.

Er. Rakesh Radha
the then Junior Engineer
PWD (R&B) Division-III Jammu.



Articles of Charge

ANNEXURE- 1

Whereas you Er. Saleem Malik , the then Junior Engineer, PW(R&B) Construction Division-III Jammu are hereby charged of following violations:-

Whereas, you remained posted in PW(R&B) Division-III as Junior Engineer, w.e.f 01-02-2021 till date of conducting JSC

Whereas vide Executive Engineer PWD (R&B) Sub Division Marh order no. 649 dated. 24-02-2021, you were supposed to control and check the quality of material to be laid on Bhagwati Nagar, Revenue complex road in coordination with the Assistant Engineer deputed at hot mix plant.

Whereas a JSC came to be conducted by Anti Corruption Bureau Jammu into the allegations of execution of sub standard work on Bagwati Nagar Revenue Complex Road pertaining to construction Division-III Jammu

Whereas during the course of JSC the records were obtained and examined/spot inspections of the sites was conducted by the Engineering experts of ACB Jammu and samples of BM and Bitumen were lifted from the site of execution of work and also from the hot mix plant.

Whereas JSC conducted has reveals that the work was put to tenders vide E no. 47 of 2020-21/Division-III dated 26-08-2020 by the office of Executive Engineer PWD R&B Construction Division-III Jammu for an estimated cost of Rs. 300.05 lacs.

Whereas the work was allotted for an amount of Rs. 243.70 by Superintending Engineer PWD R&B Jammu Kathua Circle vide no. SEJ/DB/5913-16 dated 06-10-2020 in favour of Jai Laxmi Road builders village Patta District Samba.

Whereas the report received from DIQC the minimum Bitumen contents in all the three samples of BM lifted from site is not upto mark as Bitumen contents in sample "A" "B" and "C" comes to be 3%, 2.8% and 3.2% against required limit of 4% as per allotment.

Whereas, the report of material testing lab of IIT Nagrota has revealed that the specific gravity of sample "C" is 1.03 instead of required range of 1.02 as per the IS73:2013.

Whereas during the JSC the allegations of execution of sub standard work have been substantiated.

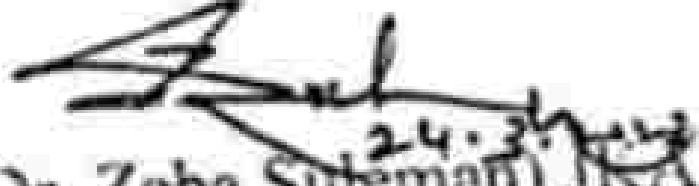
Whereas while posted as Junior Engineer PW(R&B) Division-III Jammu , you were supposed to maintain quality of work as per the standards and conditions of the contract. However the enquiry conducted has revealed that you in the capacity of Junior Engineer PWD (R&B) Construction Division-III Jammu have executed the work of Macadamization on Bhagwati Nagar Revenue complex road i.e Bitumen contents of BM and specific gravity of Bitumen.

Whereas you being a public servant have failed to perform your legitimate duties properly and efficiently. The PW(R&B) Department being a govt. department caters to the departmental aspects for the public and as such cannot afford to function in such a casual manner and cannot compromise with the quality of work.

Whereas, being an Junior Engineer you were supposed to check/maintain the quality of work, but during the course of JSC it has transpired that you have compromised with the quality of work which is not up to mark and have thus failed to perform you duties efficiently and diligently for which a regular departmental action has been recommended to be initiated against you under service conduct rules.

Whereas, you failed to maintain honesty and integrity in discharge of your official duties and have thus acted in a manner unbecoming of a public servant thereby violating the provisions of Rules (3) of J&K Government Employees, Conduct rules 1971 for which disciplinary proceedings are recommended a contemplated under rule 33 of J&K Civil Services (CCA) Rules 1956.

Now, therefore you are hereby called upon to furnish your reply to the above said charges within 15 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 defense.


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

Er. Saleem Malik
the then Junior Engineer
PWD (R&B) Division-III Jammu.



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

Computer No: 7030754

PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT

Dated: 24.03.2023


Memorandum

The Government proposes to hold an enquiry against you, the then I/c Assistant Executive Engineer, PW (R&B) Construction Division-III Jammu. 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 Assistant Executive Engineer, PW (R&B) Construction Division-III Jammu are required to submit your reply within 21 days from the date of issuance of this memorandum, a written statement of defence 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 defence on or before the date specified above, further action as warranted under rules shall follow ex-parte.

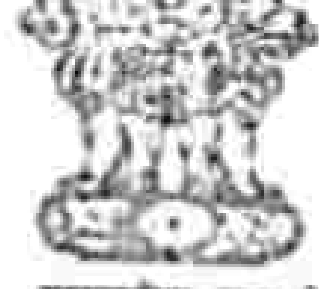
The receipt of this memorandum may be acknowledged.


24.2.2023
(Dr. Zeba Suleman) JKAS

Under Secretary to the Government
Public Works R&B Department

Er. Shamis Din,
the then I/c Assistant Executive Engineer,
PW (R&B) Construction Division-III Jammu

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सत्यमेव जयते

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

Computer No: 7030754

PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT

Dated: 24.03.2023

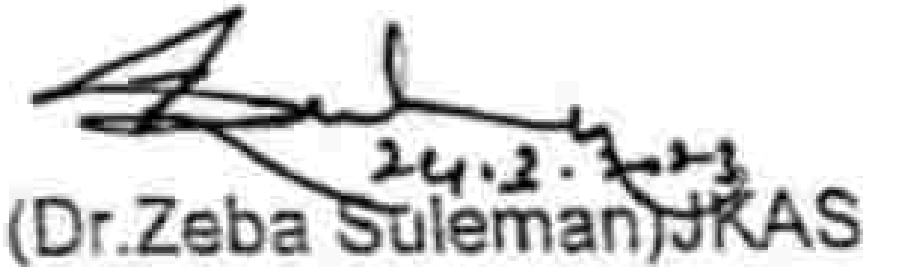
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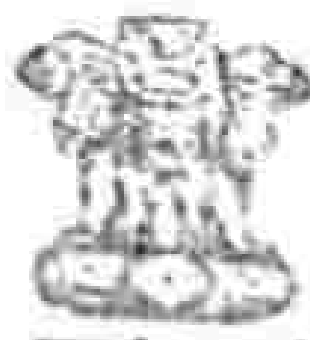
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24.2.23

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

Er. Rajinder Kumar Sharma,
the then I/c Assistant Executive Engineer,
PW (R&B) Construction Division-III Jammu

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सत्यमेव जयते

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

Computer No: 7030754

PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT

Dated: 24.03.2023

Memorandum

The Government proposes to hold an enquiry against you, the then I/c Assistant Engineer, PW (R&B) Construction Division-III Jammu. 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.

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24.3.2023
(Dr. Zeba Suleman) JKAS

Under Secretary to the Government
Public Works R&B Department

Er. Yuv Singh,
the then I/c Assistant Engineer,
PW (R&B) Construction Division-III Jammu

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सत्यमेव जयते

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

Computer No: 7030754

PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT

Dated: 24.03.2023


Memorandum

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24.3.2023
(Dr. Zeba Suleman) JKAS

Under Secretary to the Government
Public Works R&B Department

M

Er. Rakesh Radha ,
the then I/c Junior Engineer,
PW (R&B) Construction Division-III Jammu



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

Computer No: 7030754

PWD-HRM1/201/2022-05-PWD R&B DEPARTMENT

Dated: 24.03.2023


Memorandum

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You, the then Junior Engineer, PW (R&B) Construction Division-III Jammu are 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.

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The receipt of this memorandum may be acknowledged.


(Dr. Zeba Suleman) JKAS

Under Secretary to the Government
Public Works R&B Department

Er. Saleem Malik,
the then I/c Junior Engineer,
PW (R&B) Construction Division-III Jammu

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