

GOVERNMENT OF JAMMU AND KASHMIR
JAL SHAKTI DEPARTMENT
CIVIL SECRETARIAT, JAMMU/SRINAGAR

Subject: - Departmental Proceedings against Shri Nazir Ahmad Bhat, the then Executive Engineer, PHE Division Bijbehara.

Government Order No. 170-JK(JSD) of 2025

Dated: - 21.07.2025

1. Whereas, one Shri Irshad Hussain Wani filed TA No. 961/2021 in SWP No. 3681/2019 titled Irshad Hussain Wani vs UT of J&K & Ors., seeking quashment of the consideration order dated 18.11.2019 issued by the then Executive Engineer, PHE Division Bijbehara and further seeking continuation and regularization under SRO 520; and
2. Whereas, upon examination it was observed that the petitioner had earlier been engaged by Shri Nazir Ahmad Bhat, the then Executive Engineer, PHE Division Bijbehara (now retired) through Order No. 10976-78 dated 15.02.2014, without prior approval of the Competent Authority. The said engagement order was subsequently rescinded by the said officer vide Order No. PHEDB/LS/2381-87 dated 26.03.2014 with retrospective effect from 15.02.2014, in compliance with the directions of the Chief Engineer, Jal Shakti (PHE), Kashmir; and
3. Whereas, upon assessment, the financial implication of such unauthorized engagement amounts to the tune of Rs. 6,000/-, pertaining to 14 days of February and 26 days of March 2014 (@ Rs.150/- per day); and
4. Whereas, although the engagement was rescinded, wages for the said period had been recorded in muster sheets, thereby causing financial liability to the Government, and the said act of engagement was made without approval from the Competent Authority, thereby contravening the standing rules and procedures; and
5. Whereas, this Department, vide Show Cause Notice dated 13.02.2025, Shri Nazir Ahmad Bhat, the then Executive Engineer (now retired), PHE Division Bijbehara was asked to deposit the penalty amounting to Rs. 6,000/- into the Government Treasury within 10 days positively under intimation to the department failing which the matter shall be referred to the concerned Deputy Commissioner for recovery of the said amount as arrears of land revenue, in view of payment of excess wages; and
6. Whereas, in response, Shri Nazir Ahmad Bhat submitted a representation requesting withdrawal of the penalty imposed upon him; and
7. Whereas, upon examination of all aspects including the reply of the officer, relevant records, and the issues raised by the petitioner, it has been observed that the engagement was made in contravention of rules and without approval from the Competent Authority, resulting in financial loss to the Government, and thus warrants recovery under the provisions of rules; and
8. Whereas, the case has been placed before the Competent Authority who has decided that the loss to the state exchequer, even if a small amount, needs to be recovered from the defaulting officer.



9. Now, therefore, it is hereby ordered that in terms of Article 168-A of the Jammu and Kashmir Civil Service Regulations (Volume-I), 1956, a penalty of Rs.6,000/- (Rupees Six Thousand only) be imposed upon Shri Nazir Ahmad Bhat, the then Executive Engineer, PHE Division Bijbehara (now retired), and the amount shall be recovered from his pension by the Chief Engineer, Jal Shakti (PHE), Kashmir, or in case of non-recovery, be realized as arrears of land revenue after reference to the Deputy Commissioner concerned.

By order of the Government of Jammu and Kashmir.

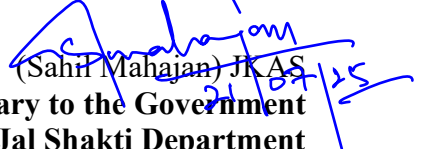
Sd/-
(Shaleen Kabra) IAS
Financial Commissioner (ACS)
Jal Shakti Department

No: JSD-HRM04/34/2024-A-JSD (CC.No.7484547)

Dated: 21.07.2025

Copy to the: -

1. Additional Chief Secretary to the Hon'ble Chief Minister, J&K.
2. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
4. Chief Engineer Jal Shakti (PHE), Kashmir with the request to recover the recovery amount.
5. Director, Archives, Archaeology and Museums, J&K.
6. OSD to the Hon'ble Minister, Jal Shakti Department, J&K.
7. Private Secretary to the Financial Commissioner (Additional Chief Secretary), Jal Shakti Department, J&K.
8. Shri Nazir Ahmad Bhat, the then Executive Engineer, PHE Division Bijbehara (now retired)
9. I/c Website.
10. Government Order file (w.2.s.cs).


(Sahil Mahajan) JK AS
Under Secretary to the Government
Jal Shakti Department