

Government of Jammu and Kashmir
Jal Shakti Department
Civil Secretariat, Jammu/Srinagar

Subject:- Regular Departmental Action (RDA) against Shri R.K Pandita, the then Executive Engineer, PHE Division Awantipora in case Veri-HQ-ABP-32/2014 – imposition of penalty.

Government Order No. 180-JK(JSD) of 2025

Dated: - 31.07.2025

1. Whereas, the General Administration Department vide O.M No. GAD(Vig)33-RDA/2018 dated 24.05.2018, forwarded a copy of the communication No. VO-Veri-ABP-32/2014-5150-52 dated 04.04.2018 received from Vigilance Organization (now ACB) recommending initiation of Regular Departmental Action against Shri Rajinder Kumar Pandita, the then Executive Engineer, PHE Division Awantipora for misuse of his official position and allotment of construction works to blue eyed contractors without inviting mandatory tenders during the period 2013-14; and
2. Whereas, the case was examined in the department and accordingly vide this department's Memorandum dated 14.09.2018, Article of Charges and Statement of Imputation were served upon the charged officer for violating the provisions of Rule 3 of J&K Government Employees (Conduct) Rules, 1971; and
3. Whereas, Shri Rajinder Kumar Pandita, the then Executive Engineer, PHE Division Awantipora furnished his reply to the charge sheet served upon him; and
4. Whereas, after examining the reply furnished by the charged officer, vide Government Order No. 69-PW (Hyd) of 2019 dated 04.02.2019, an Inquiry Officer was appointed to enquire into the charges framed against him; and
5. Whereas, the Inquiry Officer, vide letter No. SE/Hyd/Spr/CC/10945-46 dated 09.03.2020 submitted his enquiry report recommending dropping of the charges levelled against the charged officer but it was observed that the Inquiry Officer had recommended dropping of charges solely on the basis of the reply furnished by the charged officer, without citing any concrete grounds. Hence, the recommendations of the Inquiry Officer were not found acceptable; and
6. Whereas, in the meanwhile, the said Inquiry Officer was transferred; accordingly, in terms of Sub-Rule (4) of Rule 33 of the J&K Civil Services (Classification, Control and Appeal) Rules 1956, vide Government Order No.23-JK (JSD) of 2021, dated 25.01.2021, fresh Inquiry Officer and Presenting Officer were appointed to enquire into the charges framed against Shri Rajinder Kumar Pandita; and
7. Whereas, Inquiry Officer vide his letter No. SE/Hyd/Estt 5650 dated 24.08.2022 submitted the enquiry report/findings with the following recommendation: -

“As such nothing as alleged or otherwise has come to fore revealing an ill will or mala fide on the part of the Executive Engineer, Sh. R.K. Pandita. However, Executive Engineer, Sh. R.K. Pandita has violated codal procedures for award of various works due to negligence for which a penalty of 15 days salary is recommended”.
8. Whereas, the case was examined in the department in light of the charges leveled against Mr. Rajinder Kumar Pandita, the then Executive Engineer, reply furnished by the charged officer, findings of the Inquiry Officer and observations of Director Finance, JSD and, accordingly, the authorities observed as under:-

- i. *The inquiry proves the charges.*
- ii. *While deciding the punishment, it is not just the loss caused to the exchequer that is relevant but one has to be cognizant that the charged officer has misused the authority vested in him and indulged in a free for all situation where he has routinely taken recourse to departmental execution, grievously impacting the public faith in government's fair functioning. The other factor relevant in deciding the punishment is that the officer has retired some time back.*

9. Whereas, the enquiry report submitted by the Inquiry Officer alongwith the aforementioned observations were placed before the Competent Authority (the then Advisor to the Hon'ble Lieutenant Governor) who decided to impose penalty upon the charged officer in terms of Rule-30 (v) of J&K Civil Services (Classification, Control & Appeal) Rules, 1956, i.e. "recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders"; and

10. Whereas, the case was further examined in the department and it was observed that the loss as assessed by the Vigilance Organization (now ACB), amounting to Rs. 218.50 lakhs have been caused to the Government exchequer and accordingly it was recommended that the recovery equal to 10% of the amount be imposed upon the charged officer; and

11. Whereas, the case was again placed before the Competent Authority (Hon'ble Minister, Jal Shakti Department) for acceptance of the findings of the Inquiry Officer, establishing that the charged officer had violated codal procedures in the award of various works, and further, based on the departmental examination detailed in the preceding paragraph, for imposition of a penalty equivalent to 10% of Rs. 218.50 lakhs i.e., the value of works executed departmentally on approval mode, as assessed by the Vigilance Organization; and

12. Whereas, the Competent Authority (Hon'ble Minister, Jal Shakti Department) has accepted the findings of the Inquiry Officer and decided to impose a penalty equal to 10% of Rs. 218.50 lakhs i.e. amount of works executed departmentally on approval mode, as ascertained by the VOK, which comes out to the tune of Rs 21.85 lakhs.

13. Now, therefore, it is hereby ordered that a penalty of Rs. 21,85,000/- (Rupees Twenty-One Lakh, Eight Five Thousand only), i.e. 10% of Rs. 218.50 lakhs, the amount of works executed departmentally on approval mode, shall be recovered from Shri Rajinder Kumar Pandita, the then Executive Engineer, PHE Division Awantipora, in terms of Rule-30 (v) of J&K Civil Services (Classification, Control & Appeal) Rules, 1956 and, accordingly, the case is closed at the departmental level in case Veri-HQ-ABP-32/2014.

By order of the Government of Jammu and Kashmir.

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

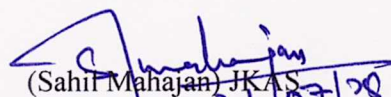
No: JSD-HRM04/10/2022-A (CC.No. 191761)

Dated: 31.07.2025

Copy to the:-

1. Additional Chief Secretary to 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.
4. Commissioner/Secretary to the Government, General Administration Department.

5. Director, Anti Corruption Bureau, J&K.
6. Director Finance, Jal Shakti Department, J&K
7. Director Archives, Archaeology and Museums, J&K
8. Chief Engineer, Jal Shakti (PHE), Jammu, **with the request to recover the penalty amount from the retired officer under an intimation to this department.**
9. OSD to Hon'ble Minister, Jal Shakti Department, J&K.
10. Pvt. Secretary to the Financial Commissioner (ACS), Jal Shakti Department, J&K.
11. Concerned.
12. I/c Website.
13. Government Order file (w.2.s.cs).


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