

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

Subject: - Regular Departmental Action against Shri Jankar Nath, the then Executive Engineer, City Drainage Civil Division, Srinagar Municipal Corporation (Verification No. SLK-04/2016) - dropping of charges thereof.

Government Order No. 56 -JK (JSD) of 2025

Dated: - 28.02.2025

1. Whereas, Housing & Urban Development Department vide OM dated 11.06.2024, has forwarded a copy of the communication No. GAD/VIGORDA/5/2023-02-GAD (CC No. 7100606) dated 03.06.2024 of General Administration Department and requested to share the action taken in the matter with the General Administration Department and Anti Corruption Bureau; and
2. Whereas, Anti Corruption Bureau while forwarding letter dated 15.04.2024 to GAD has intimated that subject verification was concluded with the recommendation for initiation of Regular Departmental Action against Shri Jankar Nath, the then Executive Engineer; and
3. Whereas, Anti Corruption Bureau, J&K vide letter dated 08.12.2022 has intimated that the verification was conducted by the Bureau on the basis of complaint lodged by Adil Bashir, President Valley Construction Contractors Union, Nawa bazar Srinagar against the officers/officials of City Drainage Civil Division SMC Kaka Sarie, Srinagar alleging therein the allegations of embezzlement and violations in the works at Rajbagh and Chanpora, etc.; and
4. Whereas, the details of the works executed by the charged officer alongwith date of allotment are as under:-

S. No.	Name of the work	Date of allotment of work	NIT or else allocation of amount	Departmental/ NIT	Extension Given	Observations against work.
1	Construction of Cement concrete lateral drain form Rustam Colony to outfall at main drain for a length of 187 Mtrs.	28.10.2023	NIT No.17 of 2013-14 for an advertised amount of Rs. 29.40 Lakhs.	Through NIT, the work allotted to Firdous Ahmad, successful tendered for 18.07 Lakhs. The payment has been made to the tune of Rs. 17.96 Lakhs	-	The surface measurements were found tallied with the recorded and paid ones.
2	Construction of Cement concrete lateral drain including mainhole at Rustam Colony Rajbagh Srinagar (Part-I & II).	24.05.2013	SE vide No. 638 dated 24.05.2013 estimating each @ Rs. 9.47 Lakhs totaling Rs. 18.94 Lakh	Departmentally by way of approval given by Superintending Engineer	-	Gross violation of codal procedures. However, the measurements were found tallied with the recorded and paid ones.

3	Providing and laying of 600mm diameter NP3 cement concrete pipe main drain Rose lane colony Chanpora.	26.10.2013 & 14.02.2015	NIT No. 13 of 2013-14 advertised for an amount of Rs. 21.52 Lakhs. The work allotted to Mushtaq Ahmad Zargar for Rs. 16.60 Lakhs	Through tender/NIT	However the work has been extended by an amount of Rs. 3.06 lakh totaling Rs. 18.86 Lakhs	The extension has been found in violation, however the surface measurements were found tallied with the recorded and paid ones.
4	Construction of cement concrete drain for a length of L-30Mtrs and extensions thereof for a length of 160 mtrs at Rose Lane Colony Chanpora.	11.10.2013	NIT No. short term 24 of 2010 and allotted to successful tenderer for 2.28 Lakhs	Through NIT	Rs. 16.63 lakhs were extended as such an extension of 729%	Gross violation of codal procedure.
5	Construction of cement concrete drain including manhole at lane "L" to "M" length 60 meter	31.10.2013	The work has been executed departmentally on approval basis at an amount of Rs. 4.90 Lakhs	Departmentally executed. The payment to the tune of Rs. 4.886 lakhs has been made.	-	Gross violation of codal procedure. The work was found executed on ground as per measurement recorded and paid ones.
6	Construction of cement concrete drain from House No. 05 "L" onwards	31.10..2013	The work has been executed departmentally on approval basis at an amount of Rs. 4.90 Lakhs.	Departmentally executed. The payment to the tune of Rs. 4.80 lakhs has been made.	-	Gross violation of codal procedure. The work was found executed on ground as per measurement recorded and paid ones.
7	Construction of cement concrete drain from House No. 185 to H. No. 05 "L"	31.10.2013	The work has been executed departmentally on approval basis at an amount of Rs. 4.90 Lakhs.	Departmentally executed. The payment to the tune of Rs. 4.865 lakhs has been made.	-	Gross violation of codal procedure. The work was found executed on ground as per measurement recorded and paid ones.
8	Construction of cement concrete drain from Lane "J" to Lane "	31.10.2013	The work has been executed departmentally on approval basis at an amount of Rs. 4.90 Lakhs.	Departmentally executed. The payment to the tune of Rs. 4.897 lakhs has been made.	-	Gross violation of codal procedure. The work was found executed on ground as per measurement recorded and paid ones.

5. Whereas, Anti-Corruption Bureau, J&K in its letter dated 08.12.2022 at point-3 has intimated that as per probe conducted, the works were executed departmentally except extension approved of Rs.3.06 lakh against basic allotment of Rs.16.60 lakhs in respect of works S. No. 3 and also in respect of work at S. No. 4 which was initially advertised as short-term tender notice, gross violation in codal procedures has been observed in according approvals/extensions on the rate structure of SSR 2012, however **no loss to the exchequer has been caused**. But the officers of department have violated the codal procedures. The main portion of works were tendered and only subsequent works in lanes/by-lanes have been taken in hand departmentally in the interest of public and Govt. work and on the instructions of senior officers at per spot position and circumstances; and

6. Whereas, Anti Corruption Bureau has observed as under:-

- i. No double drawl of funds has taken place as well as the main portion of work was put to tender, however subsequently some works were executed departmentally on approval basis due to exigency to give immediate relief to locals of the area.
- ii. The works are found to be executed as per measurement, as such, no loss has been caused to Govt. Exchequer. However, the officers of department have violated the codal procedures.
- iii. The justification tendered to go for execution of remaining portion departmentally/on approval basis based on the spot situation and circumstances are justifiable to some extent.
- iv. Two amongst the three public servants stand retired from active service now except one Jhankar Nath, then Executive Engineer who is still in active services and responsible for departmental action.

7. Whereas, Anti Corruption Bureau, recommended that Regular Department Action may be initiated against Shri Jankar Nath S/o Haru Ram R/o Ghari Bishnah, then Executive Engineer, SMC for violation of Codal Procedures; and

8. Whereas, the charged officer namely Shri Jankar Nath, the then Executive Engineer stand retired from the Government Service on superannuation on 31.05.2024; and

9. Whereas, Article 168-A of the J&K CSR governs departmental proceedings against retired officials prescribing therein that loss caused to the government during his service may be recovered from the pension of an officer found in Judicial or Departmental proceedings by the negligence or fraud of such officer; and

10. Whereas, in the instant case, taking note that there was no financial loss, the case file was referred to the General Administration Department for clarification it has opined, vide U.O. No. GAD-VIGORDA/5/2023-09-GAD (CC: 710066) dated 11.10.2024 as under: -

Returned:- RDA can be initiated against a retired public servant within one year of his/her retirement in terms of Article 168-A of J&K CSRs, however, the same is meant for recovery of loss(es), if any, caused to the Government exchequer due to the public servant while in-service. The Department is, accordingly, advised to take further necessary action in the matter.

11. Whereas, taking note of the above, the case details have been placed before the Competent Authority (Hon'ble Minister for Jal Shakti Department) who has approved the dropping of the charges.

12. Now, therefore, the charges leveled against Shri Jankar Nath S/o Sh. Haru Ram R/o Ghari Bishnah, the then Executive Engineer & Superintending Engineer, City Drainage Civil Division, Srinagar Municipal Corporation (now retired) in verification No. SLK-04/2016 are hereby dropped in the instant case and the case is closed at the departmental level.

By Order of the Government of Jammu and Kashmir.

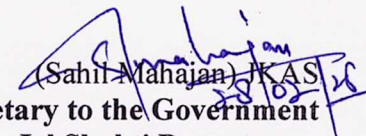
Sd/-
(Shaleen Kabra) IAS
**Financial Commissioner/Additional Chief Secretary,
Jal Shakti Department**

No. JSD-HRM04/40/2024-HRM (7502212)

Dated: - 28.02.2025

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, Housing & Urban Development Department, J&K.
5. Commissioner/ Secretary to the Government, General Administration Department, J&K.
6. Director, Anti Corruption Bureau, J&K.
7. Director Finance, Jal Shakti Department, J&K.
8. Chief Engineer, Jal Shakti (I&FC) Department, Jammu/Kashmir.
9. Chief Engineer, Jal Shakti (PHE) Jammu/Kashmir.
10. Director, Archives, Archaeology and Museums, J&K.
11. OSD to Hon'ble Minister, Jal Shakti Department, J&K.
12. Pvt. Secretary to the Financial Commissioner/ Additional Chief Secretary, Jal Shakti Department, J&K.
13. Concerned officer.
14. I/c Website.
15. Government Order file (w.2.s.cs)


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