

**OFFICE OF THE ENGINEER-IN-CHIEF,
WATER RESOURCES, ODISHA, BHUBANESWAR**

No. Con.Pro.Deptt.-28/2023

28473 *****

/Dt.

06.10.23

ORDER

Whereas the S.L.S.C., Northern Division, Sambalpur vide their memo No.148 dt.03.05.16 have requested E.I.C.W.R to dismiss Sri Pradipta Kumar Dharua @ Purohit from the service as J.E since he is working as a fake S.T candidate forthwith without further notice.

Whereas Sri Pradipta Kumar Dharua, J.E (C) has been found to have been acquired his appointment as J.E by obtaining false S.T caste certificate though he belongs to Brahmin caste by birth as established from the report / order passed by the S.L.S.C, Northern Division, Sambalpur. The report/ order passed by the S.L.S.C., N.D.Division in pursuance of the direction given by Hon'ble Supreme Court in their Judgement dt.02.09.94.

Whereas basing on the said report/ order the Govt. in D.O.W.R was requested vide this office letter No.21487 dt.09.06.16 for necessary instructions to dismiss Sri Dharua, J.E (C).

Whereas the Govt. in D.O.W.R vide their letter No.4000 dt.13.02.18 have intimated that the E.I.C.W.R being the Head of Department in respect of J.E (C) is empowered to take all disciplinary action including dismissal under O.C.S (C.C & A) Rule 1962.

Whereas the R.D.C., Northern Division, Sambalpur was requested vide this office letter No.14409 dt.07.05.18 to furnish the present status/ result of the W.P (C) No.9141/2016 & Misc case No.8448of 2016 filed by Sri Dharua, J.E (C).

Whereas after several correspondences from this end the R.D.C., Northern Division, Sambalpur vide their letter No.7955 dt.10.08.23 have intimated that the alleged Sri Pradipta Dharua @ Purohit has filed W.P (C) No.9141/2016 before the Hon'ble High Court Odisha, Cuttack challenging the final orderdt.21.04.16 passed by the S.L.S.C. Accordingly, the counter affidavit has been filed before the Hon'ble High Court Odisha, Cuttack by the DWO, Bargarh since 08.02.17. Consequently the Advocate General, Odisha, Cuttack was requested severally for vacation of stay order in pursuance to Para-13, AIR 1995 Supreme Court 1994. But till date no outcome of the case has been received from the Hon'ble High Court at their end. The R.D.C., Northern Division, Sambalpur also requested to take necessary action as per the G.A & P.G. Department notification No.16495/Gen dt.29.06.21.

Whereas as per the G.A & P.G.Deptt. notification the Hon'ble High Court, Odisha, while disposing the W.P. (C) No.2863 of 2021 (State of Odisha & others -Vrs- Shibashis Kar) vide order No.03 dt.19.03.21, citing the authority of the Hon'ble Supreme Court held in case of Asian Resurfacing of Road Agency Private Ltd. and another -Vrs- Central Bureau of Investigation in Criminal Appeal No.1375-1376/2013 and clarified in MA No.1577/2020 vide order dt.15.10.20, **any stay order passed by any Court cannot remain effective beyond six months unless a specific order has been passed by the Court.**

Now, therefore the undersigned after careful consideration of the orders passed by the S.L.S.C. has been pleased to "dismiss" Sri Pradipta Kumar Dharua, J.E (C) No.4437 (I) from Government service w.e.f issue of this order.

Memo No.

28474

Engineer-in-Chief, Water Resources. 4/10/23

/Dt. 06.10.23

Copy in triplicate forwarded to the Department of Water Resources (CAD), Bhubaneswar for information and necessary action. He is requested to serve a copy of the order on Sri Pradipta Kumar Dharua, J.E (C) No.4437 (I) and return the 2nd copy to this office with his dated acknowledgement of receipt on it.

The 3rd copy is meant for record in personal file of the person concerned.

Engineer-in-Chief, Water Resources. 4/10/23

P.T.O



Memo No. 28475

/Dt. 06.10.23

Copy forwarded to the Special Secretary to Government, Department of Water Resources for information with reference to their letter No.4000 dt.13.02.18.


Engineer-in-Chief, Water Resources. 4/x/23

Memo No. 28476

/Dt. 06.10.23


Copy forwarded to the all Heads of Deptt./ Principal Accountant General (A&E) Odisha, Bhubaneswar/ D.A.G., Puri / Director Treasury, Odisha, Bhubaneswar/ District Treasury, Khurda, Bhubaneswar for information and necessary action.


Engineer-in-Chief, Water Resources. 4/x/23

Memo No. 28477

/Dt. 06.10.23

Copy forwarded to all E.I.C/ all C.Es/ all C.E & B. Managers/ all Chief Construction Engineers/ all Additional Chief Engineers/ all Superintending Engineers of W.R wing/ Sr. Administrative Officer/ All Establishment Officers/ Office Superintendent/ Drawing Disbursing Officer/ All Section Officers/ Record Asst. & Cash Branch (2 copies) of this office for information and necessary action.


Engineer-in-Chief, Water Resources. 4/x/23

Memo No. 28478

/Dt. 06.10.23

Copy to Guard File/ Notice Board of this office.


Engineer-in-Chief, Water Resources. 4/x/23