



# JEEVIKA

An Initiative of Government of Bihar for Poverty Alleviation

**Bihar Rural Livelihoods Promotion Society**  
**State Rural Livelihoods Mission, Bihar**



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Ref. No. BRLPS/Estt/1292/16/ 706

Dated: 02.06.18

## OFFICE ORDER

A complaint dated 20.12.2016, was received from one Mr. Vijay Kumar, alleging that irregularities had been committed at DPCU-Saran in Procurement Process for selecting vendors, assigning work to them and making payments on the occasion of Hon'ble CM's Nishchay Yatra in May, 2016. It claimed that the tender was managed for a particular vendor through an unreal competition amongst the bidders who actually belonged to the family of one particular vendor. The applicant claimed that he was prevented from submitting the tender and was told that he was not eligible for the said work.

A State Level inquiry Committee was constituted to inquire into the allegations. The committee reported some irregularities.

On the basis of the report a show cause had been served upon Mr. Kamal Kishore, the then DPM, Saran (Currently posted as DPM, Aurangabad) communicating the charges that were levelled against him:-

1. Specification and the sample of caps were not available in the record to compare with and ensure quality of the caps delivered. As such, the basis of procurement and competition amongst vendors were unfair. If selection of vendors was not based on a standard sample of product, then incorporating the condition of quality (as per the sample provided) in the work order was meaningless. Reviewing the quality while processing for the payment was manipulative.
2. As per report, it was asserted in the proceedings of the procurement committee convened for the selection of vendor on 07-05-2016 that the market survey had actually been conducted and quotations from certain vendors in respect of arrangements for food, caps, bottled drinking water, flex & banner printing etc. had been received. However, available records are silent in respect of matters such as mode, manner & date of submission of quotations, personnel entrusted to receive the quotations, personnel / team who opened the quotations, date of opening of quotations and so on.
3. Unsealed quotations were received and considered.
4. In some cases payment was made without following approved financial norms of the society.
5. Nothing is available on record to shed light on the presumption of Committee's observation that only around 20% caps were of inferior quality. If so, it is again not clear as to why only 10% deduction was made. Observation of the FM In- charge was that the quality of caps was not as per specification.

Anand Shankar  
2/6/18

6. Condition of payment of advance for executing the work was put forth by M/s Bombay Bhojnalya & Sweets in its quotation. Such Conditional Bidding was not dealt with properly. As per procurement norms & practice, where any specific vendor puts forth condition of advance in the quotation itself, its participation is not at the same level with others. As such, that particular bid should have been declared non-responsive.
7. That most of the tenders of Chetna Sabha at Saran for supply of goods/services were manipulated by DPCU officials in order to favour certain vendor by not ensuring adequate competition and even obstructing / stopping genuine bidders to compete in the process.
8. The DPM along with officials against whom allegations were levelled, managed to manipulate the process of procurement at all levels and allowed supply of food, water and Caps by their favoured persons /agencies.
9. It has been noticed that various documents such as vendors' quotations, vendors' letterheads, bills etc. were created and maintained on official computer (Desktop) and had even been used for certain transactions as manipulating documents etc. These had no business to be on the official computer in soft form. Its availability on official system showed that the DPM and staff related with procurement process have clear understanding among themselves for favouring certain vendors.
10. By misusing financial and administrative powers, the DPM has brought disrepute to the Society.

Mr. Kamal Kishore, DPM, Saran replied to the said show cause notice vide his letter, dated 19/08/17 wherein he denied all the charges levelled against him but he failed to allay the charges with facts & reasons. He had no justification for his deliberate commissions and omissions. His explanation had been found unacceptable.

He was given second opportunity to explain his conduct. Though he took quite some time in submitting his second reply but that is more or less repetition of the first one and does not mitigate the charges.

Thus, it is established that Mr. Kamal Kishore, the DPM- Aurangabad, abused & misused his power & position as DPM- Saran for his personal gain & committed grave misconduct as per para b (12) & b (17) of HRD Manual.

In view of the above, the service contract of Mr. Kamal Kishore, presently the DPM Aurangabad and the then DPM, Saran is, hereby, terminated with immediate effect.

By the order of CEO

*Anand Shankar*  
2/6/18  
(Anand Shankar)

State Project Manager-HRD

Mr. Kamal Kishore  
District Project Manager  
DPCU-Saran(Currently DPM, Aurangabad)

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