

Government of Jammu and Kashmir
Department of Skill Development
Civil Secretariat, J&K.

Subject:- Unauthorized Absence of Ms. Nida Ul Amin, (Lecturer-I Electronics and Communication) from duties-Termination thereof.

Reference:-DSD/Poly/101/725 dated: '26.07.2024' from Director, Skill Development.

Government Order No.71-JK(DSD) of 2024
Dated:-23.10.2024

1. Whereas, Ms. Nida Ul Amin was appointed as Lecturer Grade-I Electronics and Communication in Technical Education Department (now Skill Development Department), vide Government Order No. 76-Edu (Tech) of 2013 dated 10.04.2013 and subsequently posted in Government Polytechnic Shopian; and
2. Whereas, Ms. Nida Ul Amin was transferred from Govt Polytechnic Shopian to KGP Srinagar vide Government Order No. 120-EDU (Tech) of 2013 dated 25-07-2013; and
3. Whereas, she had applied for various kinds of leaves during her service from time to time, even during her probation period for which she was not otherwise entitled; and
4. Whereas, as reported by Director, Skill Development Department vide letter No. DSD/poly/101/725 dated 26- 07-2024 that the whereabouts of the official are not known since 23-12-2019.
5. Whereas, Principal KGP Srinagar vide letter No. KGP/Estt/2022/58 dated 12.01.2022, letter No. KGP/Estt/2022/229 dated 16.02.2022 and letter No. KGP/Estt/2022/252-54 dated 19.02.2022 has issued show cause notices/explanations to her to explain her position with regard to her unauthorized absence from the duties within a period of seven (7) days from the dates of the issuance of these notices, otherwise action as warranted under Article 128 of J&K CSR (Volume-I) shall be initiated against her without any further notice; and
6. Whereas, Principal, KGP, Srinagar vide letter No. Est/PF/2022/352 dated 16.03.2022 and Director, Skill Development vide letter No. DSD/Poly/101/e-62601/390-93 dated 07.06.2022 have issued the Final show cause notices to her by providing last opportunity to join her duties, otherwise action as warranted under Article 128 of J&K CSR shall be initiated against her without any further notice; and
7. Whereas the official failed to resume her duties back within the stipulated time period;
and

Handwritten signature and date:
23/10/2024

8. Whereas, the matter was examined in the Department and referred to Law, Justice and Parliamentary affairs for their opinion/advice; and

9. Whereas, Department of Law, Justice and Parliamentary Affairs, vide U.O. No. Law/Ser2/55/2022-10 dated 22.08.2022 has advised as under:-

"Department is advised to take up the matter with Finance Department after obtaining the response from Director, Skill Development Department, J&K vis- à-vis clarification sought vide communication 27.05.2022."

8. Whereas, in response to this departments letter dated 27.05.2022, Director Skill Development Department vide letter No. DSD/Poly/101/e-62601/982-83 dated 10.08.2022 has submitted that several show cause notices were issued to the officer through print media, which were duly published in many newspapers of Jammu and Kashmir viz, Daily Aftab and Precious Kashmir, where-under she was requested to report for her duties within a period of 07 days, but the officer did not join/report within the prescribed period. However, it was reported by the Principal concerned that during the period of her unauthorized absence she may have gone outside of the country without seeking proper permission from the Government; and

9. Whereas, in light of opinion of Law, Department, and report received from the Director, the matter was taken up with the Finance Department and Finance Department has vide U.No. FD-Code/99/2022-02-1175 dated 06.05.2024 has observed as under:-

"The department is advised that Article 128 of J&K CSR Vol-I read with Rule 25 of J&K Civil Service (Leave) Rules, 1979 provides that for absence beyond the period of sanctioned leave, the employee is liable to disciplinary action. Taking Disciplinary action would require that an inquiry be conducted and further action be taken based on the outcome of the inquiry as per relevant provisions of J&K Government Employees (Conduct) Rules, 1971."

10. Whereas, in light of opinion of Finance Department, Director, Skill Development Department vide Government Order No. 37 JK(DSD) Of 2024 dated 27-06- 2024, was appointed an Enquiry Officer to conduct enquiry into the unauthorized absence of Ms. Nida Ul Amin Lecturer-I (E&C);and

11. Whereas, the enquiry officer has submitted his report vide, letter No. DSD/Poly/101/725 dated 26-07-2024 and has intimated that the whereabouts of Ms. Nida Ul Amin Lecturer-I (E&C) are not known since 23-12-2019 and it appears that she is not interested in performing/continuation of her official obligations and has recommended that her service shall be terminated.

12. Now, therefore, keeping in view of the continuous un-authorized absence of the officer and opinion of the Finance Department and on the recommendation of Director

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23/7/2024

Skill Development, the services of Ms. Nida Ul Amin Lecturer-I (Electronics & Communication) is hereby terminated from the Department of Skill Development from the date she remained unauthorizedly absent from her legitimate duties (i.e 23-12-2019) in terms of Article 128 of J&K Civil Service Regulation 1956. The officer shall not be entitled to any salary/other Financial Benefits during the period of her unauthorized absence from duties.

By order of the Government of Jammu and Kashmir.

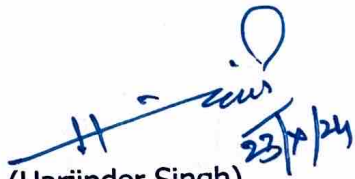
Sd/-
(Kumar Rajeev Ranjan) IAS
Secretary to the Government

No.DSD-Poly/71/2022-02 (179418)

Dated:-23.10.2024

Copy to the:-

1. Joint Secretary (JKL), Ministry of Home Affairs, GoI.
2. Commissioner/Secretary to the Government, General Administration Department.
3. Director Skill Development, J&K.
4. OSD to Advisor (B) of the Hon'ble Lieutenant Governor.
5. Director, Archives, Archeology & Museum, J&K.
6. Principal, KGP, Srinagar.
7. Private Secretary to Secretary to the Government, Department of Skill Development.
8. Concerned.
9. I/c Website, Department of Skill Development.
10. Government Order File/Stock (w.3.s.c.s)/Monday Return.


(Harjinder Singh) 23/10/24

Under Secretary to the Government.