

Subject: - Settlement of unauthorized period of absence of Mr. Imran Ali Junior Statistical Assistant.

GOVERNMENT ORDER No: 151 – (JK) IND OF 2021

D A T E D: 29 .07.2021

Whereas; vide this department Order No: 09-Ind of 2019 dated: 08.03.2019, twenty-nine days earned leave (w.e.f. 01.03.2019 to 29.03.2019) was sanctioned in favour of Mr. Imran Ali, the then Jr. Statistical Assistant in the Industries and Commerce Department, who after availing the sanctioned leave, did not report back for duties and was unauthorizedly absent from duties w.e.f. 30.03.2019 to 05.07.2020.

Whereas; in response to a series of show cause notices issued by the Department, both through post as well as print media, to provide an opportunity to the official to explain his position, no response was received.

Whereas; being from the Planning Cadre, the case of the official was taken up with Planning, Development and Monitoring Department vide letter dated 09.10.2019 for initiating action against the official. However no reply/ correspondence of the concerned department is on record.

Whereas; in the meantime, the official resumed his duties vide his joining report dated 06.07.2020, stating therein that due to bad health condition and Covid-19 pandemic, he could not resume his duties in time.

Whereas; vide Government Order No. 707-JK (GAD) of 2020 dated: 20.07.2020 read with relieving order of GAD dated:04.08.2020, the official has been transferred and posted in Union territory of Ladakh.

Whereas; having requested for release of his salary from the date of resuming his duties till the date of his relieving to UT of Ladakh, the Department vide U. O. dated 16.12.2020 took up the matter with Finance Department for opinion/advice with regard to the settlement of the unauthorized period of absence. In return, Finance Department vide U. O. dated 11.01.2021, opined as under : -

Returned. The Department is advised to decide the period of the official as per Jammu and Kashmir Civil Services Leave Rules (1979) for settlement of unauthorized leave period.

Whereas; the case was accordingly processed and Director Finance proposed to settle the unauthorized leave period of the official as under : -

Period of unauthorized absence	Treatment
30.03.2019 to 31.03.2019	02 days Earned Leave
01.04.2019 to 18.05.2019	48 days Half Pay Leave
19.05.2019 to 05.07.2020	414 days EOL without pay and allowances.

Whereas; Director Finance also opined for conduct of in-house enquiry in the matter. Sequel of which vide Government Order No. 42-IND of 2011 dated 19.02.2021, Director Planning, Industries & Commerce Department was appointed as Inquiry Officer to enquire into the case. The Inquiry Officer submitted his report dated 19.04.2021 with the following recommended:-

1. **To impose a fine of Rs. 10,000/- (not exceeding one month salary) in terms of Rule 30 of J&K Civil Service Classification, Control & Appeal Rules, 1956 and warn him to remain careful in future.**
2. **The official shall furnish an Affidavit duly attested by Ist class Magistrate regarding Non involvement in any office of profit/ anti social activity during his absence.**
3. **Settle the period of absence of the official as per the Jammu and Kashmir Civil Services Leave Rules (1979) as opined by Finance Department.**

Whereas; the Inquiry Report was accepted and approved by the authorities, and;

Whereas; vide this Department letter dated 23.06.2021, Mr. Imran Ali was directed to deposit a fine of Rs. 10,000/- and furnish an affidavit duly attested by the 1st class magistrate with regard to non involvement of anti social activities.

Whereas; in response, Mr. Imran Ali, Junior Statistical Assistant has furnished: -

- i. **A Treasury Receipt for an amount of Rs. 10,000/- as fine in terms of Rule 30 of J&K CCA Rules, 1956 and**
- ii. **An e-stamp affidavit under No. IN-LAD174851074469J duly attested by Chief Judicial Magistrate, Leh to the effect that during the period of his unauthorized absence i.e. 30.03.2019 to 05.07.2020, he was not involved in any anti-social activity / or holding any post on full-time or part time basis.**

Accordingly, taking cognizance to the opinion rendered by Finance Department & recommendation of the Inquiry Officer, sanction is hereby accorded

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to the treatment of the period of unauthorized absence of Mr. Imran Ali, the then Junior Statistical Officer, as under:-

Period of unauthorized absence	Treatment
30.03.2019 to 31.03.2019	02 days Earned Leave
01.04.2019 to 18.05.2019	48 days Half Pay Leave
19.05.2019 to 05.07.2020	414 days EOL without pay and allowances.

Sd/-
(Ranjan P. Thakur)
Principal Secretary to the Government

No.: - IC-ADM/6/2021-02

Dated : - 29 .07.2021

Copy to : -

1. Administrative Secretary, General Administration Department, UT of Ladakh.
2. Director General, Economics & Statistics, J&K.
3. Director Planning, Industries & Commerce Department.
4. Director Finance, Industries & Commerce Department.
5. Additional Secretary to the Government, Industries & Commerce Department.
6. Private Secretary to Principal Secretary to Govt. Industries & Commerce Department.
7. Concerned.
8. Government Order file (w.3.s.c)

(Sartaj Hussain Madni)
Deputy Secretary to the Government