

Government of Jammu & Kashmir  
**Directorate of School Education Kashmir**

**Sub: Un-authorized absence case of Mr. Nazir Ahmad Dar Teacher, GGHSS Chanapora, Srinagar and issuance of termination order thereof.**

Order No: 805 DSEK of 2021  
Dated: 11 /10/2021

Whereas, among others one Mr. Nazir Ahmad Dar Teacher, GGHSS Chanapora, Srinagar was deputed to Government College of Education Srinagar for undergoing B.Ed Course by the Department vide Order No. 2733 DSEK of 2009 Dated: 16/03/2009 and subsequently relieved by the DDO concerned on 20/03/2009.

Whereas, the Principal College of Education vide letter dated: 27/06/2009 intimated that the said Teacher joined the Course/College on the same date viz 20/03/2009 and remained un-authorizedly absent from the College w.e.f. 21/03/2009.

Whereas, the teacher was provided enough opportunities to resume his duties for which several notices were issued through print media and published in (Daily Aftab in its Edition Dated: 10/07/2012, 31/07/2012, 19/08/2012), but no response was noticed from him;

Whereas, the final notice was issued on 15/05/2014 which he replied but the reply was found unsatisfactory and unsubstantiated by any documented evidence.

Whereas, memorandum was also issued to him by this office vide communication dated: 01/07/2019 for initiating action against him for remaining un-authorizedly absent from his legitimate duties in terms of J&K Civil Services (Classification, Control and Appeal) of 1956 and was asked to reply to the charges leveled against him within 07 days on the receipt of Memorandum;

Whereas, the teacher replied the Memorandum/charges leveled against him but was found again unsatisfactory and unsubstantiated by any documented evidence;

Whereas, the issue was placed before the Designated Committee in its meeting held on 29/12/2020 and after examining the case the committee passed the following decision:

*“Since the reply has not been found satisfactory let the Joint Director SSA be appointed as Enquiry officer in the case”.*

*Handwritten signature/initials*

Whereas, pursuant to the decision passed by the Designated Committee Joint Director SSA was appointed as Enquiry office into the un-authorized absence case of Mr. Nazir Ahmad Dar Teacher, GGHS Chanapora, Srinagar vide this office order No. 129 DSEK of 2021 dated: 23/03/2021;

Whereas the Enquiry Officer furnished its findings on 06/07/2021 and recommended that *"the Services of the official may be terminated w.e.f. 21/03/2009 i.e the date the teacher remained un-authorizedly absent from his legitimate duties in terms of Article 128 & Article 113"*

Whereas, the issue was again placed before the Designated Committee in its meeting held on 04/08/2021 and after examining the case the committee passed the following decision:

*"Upheld the recommendation of the Enquiry Officer and formal order in terms of Article 113 of J&KCSR Vol-I of 1956 be issued."*

Whereas, Article 128 & 113 of J&K Civil Services Rules (Volume I) of 1956, reads as under:-

Article 128

*'Absence without leave or after the end of leave involves loss of appointment'*

Article 113

*"After five years of continuous absence on leave an officer is considered to be out of state employee."*

Now, therefore, in light of the recommendations of the Enquiry Officer and decision of the committee the services of Mr. Nazir Ahmad Dar, Teacher GGHS Chanapora, Srinagar is hereby removed from Government service in terms of Article 113 & Article 128 of J&K Civil Services Rules (Volume I) of 1956 read with rule 30 (vii) of J&KCCA Rules of 1956.

Sd/-

Director,

School Education Kashmir

Dated: // /11/2021

No.: DSEK/Estt/III/B-Trs/Mic/18/2021/S/1/1051

Copy to the:

1. Principal Secretary to Govt., School Education Department, Civil Secretariat Srinagar for favour of information.
2. Chief Education Officer, Srinagar for information and necessary action.
3. Mr. Nazir Ahmad Dar, Teacher GGHS Chanapora, Srinagar for information.
4. Order/stock file.
5. IC website for hoisting the same on the official website of the Department.

Personnel Officer,

Directorate of School Education

Kashmir