



Government of Jammu and Kashmir
Public Works (R&B) Department
Civil Secretariat Jammu

Subject:- Termination of Service of Ms Asma Wali, Junior Engineer, Store Procurement Department Kashmir.

Reference:- Letter No. DSP/Estt/457-59 dated 03.01.2022 from Director/Chief Engineer, Stores Procurement Department J&K

Government Order No 24 -PW(R&B) of 2022
Dated 20.01.2022

Whereas, Ms. Asma Wali, Junior Engineer (Mech.) appointed as Junior Engineer (Mech) vide Govt. Order No. 79-PW(R&B) of 2007 dated 07.03.2007 and joined on 20.03.2007 in the office of the Chief Engineer Mechanical Engineering Department, Srinagar; and

Whereas, She was further posted in the office of Deputy Director, Stores Procurement Department Pampore, Kashmir vide Govt. Order No. 226-PWD(R&B) of 2007 dated 11.07.2007, where she joined on 18.07.2007; and

Whereas, Ms. Asma Wali, Junior Engineer availed extraordinary leave without pay for 181 days w.e.f. 01.08.2007 to 28.01.2008, which was sanctioned vide order No. DDP/Estt/08/1095-99 dated 03.11.2008. She again went on maternity leave for 135 days w.e.f. 24.04.2008. Further she availed 51 days earned leave w.e.f 07.12.2009 to 26.01.2010 which was also sanctioned vide Order No. DDP/Estt/1695-99 dated 31.12.2009.

Whereas, Ms. Asma Wali remained on unauthorized absence from duty w.e.f. 27.01.2010 and she was directed to resume her duties through various letters and notices vide letter No. DDP/Estt/2011/1724-27 dated 20.01.2011, DSP/Estt/2010-11/9087-89 dated 26.02.2011 and DSP/Estt/2011/598-99 dated 14.06.2011.

Whereas, subsequently, Directorate of Stores Procurement Department on the directions of Administrative Department conveyed vide letter No. PW(R&B) M&S/21/2018 dated 20.03.2019, issued a show cause notice, which was published on 23.05.2019 in Daily Excelsior Jammu asking Ms

Asma Wali for resuming the duty within 21 days from the date of publication of notice; and

Whereas, in response to the said notice, Ms Asma wali, Junior Engineer (Mechanical) submitted her reasons for non continuation of her services, in the office of Deputy Director, Stores Procurement Department Pampore Kashmir on 28.05.2019 (i.e. after 10 years) with following justifications :


“That my husband who is an Engineering graduate could not find any job in the state (J&K) to make both ends meet he had to seek some job outside the country. His parents who are in old age have not been keeping good health and needed my full attention in absence of their son to take their care. I besides looking after my in-laws in their old age had also to look after my small kids. Considering the environment in the valley and the compelling circumstances, I could not leave my kids alone with my in laws which forced me to join my husband serving abroad. In view of these factors I could not resume my duties earlier”.

Whereas, as per the report submitted by Deputy Director Stores Procurement Department, Pampore, Kashmir vide his office letter No. DDP/Estt/2021/327-29 dated 08.12.2021, Ms. Asma is still absent without any intimation and the whereabouts of the concerned Junior Engineer are not known to his office; and

Whereas, the Director/ Chief Engineer, Stores Procurement Department, J&K, Jammu has requested that necessary orders for termination of her services may be processed to settle the issue ; and.

Whereas, this department doesn't find it suitable to issue any more notice to the delinquent engineer for giving her any further chance for resumption of her duties as the action on her part is willful and intentional and warrants initiation of action against her in terms of rules governing the subject; and

Whereas, the reply furnished by Ms Asma Wali, was examined in the light of rules governing the field and was found unsatisfactory. The instant case of Asma Wali is squarely covered by the Article 128 of J&K Civil Service Regulations which is read as under:-

 **Article 128** “Absence without leave or after the end of leave involves loss of appointment, except as provided in Article 203(b) or when due to ill-health in which case the absentee must produce the certificate of Medical officer.”

Now, therefore, in terms of Article 128 of J&K CSR Vol-I read with rule 30 of J&K CCA rules 1956, it is hereby ordered that the services of Miss Asma Wali, Junior Engineer are hereby terminated w.e.f. 27.01.2010 i.e the date of her unauthorized absence from duty has been found.

By Order of Government of Jammu and Kashmir

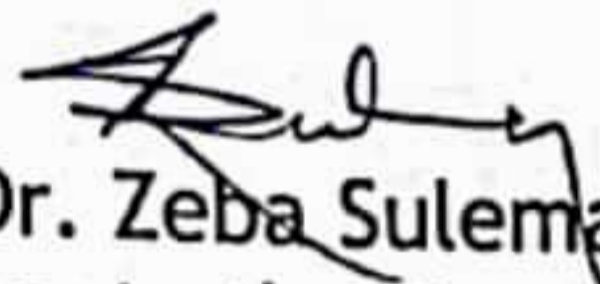
Sd/-
(Shailendra Kumar) IAS
Principal Secretary to the Government

No. PWD-NGAZOMECH/2/2022-05

Dated: 27.01.2022

Copy to the

1. Principal Secretary to the Government, General Administration Department.
2. Joint Secretary (J&K), Ministry of Home Affairs, Govt. of India, New Delhi.
3. Director Archives, Archaeology and Museum Department, J&K Jammu.
4. Chief Engineer Mechanical Engineering Department, Jammu/Kashmir.
5. Director/ Chief Engineer, Stores Procurement Department, J&K.
6. Concerned.
7. I/C Website, PW(R&B) Department
8. Govt. Order file/Monday return.


(Dr. Zeba Suleman)
Under Secretary to the Government
