



**Government of Jammu & Kashmir
Public Works (R&B) Department
Civil Secretariat, Jammu/Srinagar**

Final Notice

Subject:- Un-Authorised absence from duties by S. Punit Pal Singh, I/C Assitant Executive Engineer (Mechanical), RTIC Jammu- **Final Notice thereof.**

WHEREAS, the Jal Shakti Department, vide OM No. JSD-GS/60/2023-G-JSD (7357665) dated 12.12.2023, forwarded the case of Sh. Punit Pal Singh, I/C Assistant Executive Engineer (Mechanical), RTIC Jammu for grant of permission to visit abroad (USA) with family to attend function at his Sister's home (USA) in January, 2024;

AND WHEREAS, after consideration of the matter, vide Government Order No. 08-PW(R&B) of 2024 dated 05.01.2024, sanction was accorded for grant of permission in favour of Sh. Punit Pal Singh, I/C Assistant Executive Engineer (Mech), Division RTIC Jammu, to leave the country w.e.f. **03.01.2024 to 30.01.2024**, to attend the function at his Sister's home in USA;

AND WHEREAS, in terms of above order, the permission to visit outside country, among other conditions was subject to the condition, that he must follow the specified timelines and there shall be no extension in the leave period;

AND WHEREAS, the leave sanctioned in favour of S. Punit Pal Singh, I/C AEE (Mechanical) TRIC Jammu expired on **30.01.2024** and the said Engineer through an e-mail intimated the department for considering extension of his leave during foreign visit, without any justified reasons and unauthorizedly absented himself from official duties, continuing his stay outside the country i.e. in U.S.A;

AND WHEREAS, Sh. Punit Pal Sing, I/C AEE Mechanical, through e-mail has time and again sought extension of his earned leave beyond **31.01.2024**, lastly upto 31.05.2024, without any justified reasons, which was not accepted;

AND WHEREAS, the unauthorized absence of Sh. Punit Pal Sing, I/C AEE Mechanical has affected the working of the department and accordingly, vide this department's OM No. dated 29.04.2024, the Jal Shakti Department was requested that salary of the above absconding Engineer may not be released by the concerned Drawing & Disbursing Officer, till his period of unauthorized absence from official duties is decided by this department. Further, vide this department's OM of even No. dated 07.05.2024, the Jal Shakti Department was requested to intimate as to whether the said Assistant Executive Engineer has resumed his duties or otherwise;

AND WHEREAS, the Jal Shakti Department on **04.06.2024** has endorsed the copy of letter received by them from Chief Engineer, Jal Shakti RTIC Jammu dated 22.5.2024, where under it was intimated that that salary of the concerned Assistant Executive Engineer (Mech) has not been drawn for the period of absence from duty w.e.f 01.02.2024 onwards and **that he has not resumed his duties till date, despite expiry of leave sanctioned in his favour;**

AND WHEREAS, the request for extension of leave of the engineer was examined in the department and after consideration has been rejected, given that his unauthorized absence is against the public interest and administrative requirements;

AND WHEREAS,, Sh. Punit Pal Singh, I/C AEE (Mechanical) was instructed to resume his duties immediately through 'Notices' issued on 22.04.2024 & 20.05.2024, failing which strict action as warranted under rules shall be initiated against him, in terms of Article 128 of J&K Civil Service Regulations 1956, which involves loss of appointment, in case an employee overstays the leave unauthorizedly;

AND WHEREAS, extension in his foreign visit/leave has not been granted by the department/ competent authority, in favour of Sh. Punit Pal Singh, I/C AEE (Mechanical), beyond 30.01.2024 and he has willfully remained absent from the official duties unauthorizedly, despite providing him opportunities to resume his duties immediately;

AND WHEREAS, Sh. Punit Pal Singh, I/C AEE (Mechanical), has been given sufficient opportunities to return back and resume his duties for which notices were also served upon him time and again, but as reported by the Jal Shakti Department, he has not resumed his duties till date;

AND WHEREAS, in terms of Rule 31 of the J&K Civil Services (Classification, Control & Appeal) Rules, 1956, Sh. Punit Pal Singh, I/C AEE (Mechanical), has been placed under suspension with immediate effect vide Government Order No. 187-PW(R&B) of 2024 dated 10.07.2024, for his unauthorized absence from duties and misconduct on his part;

AND WHEREAS, the Rule 25 of J&K Civil Services (Leave) Rules 1979 provides as under:-

Rule 25 . Absence after expiry of leave:-

1. Unless the authority competent to grant leave extends the leave of a Government servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half-pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
2. Willful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.


13/12

Exception 1-Whenever a Government servant is detained on the road owing to its being blocked by land slips, snow etc., he may be treated as, on duty during the period of unavoidable detention, but will be entitled, until he rejoins his appointment, to draw leave allowances.

The above concessions will not apply in cases of overstay of casual leave or quarantine leave such leave not recognized leave.

Exception 2- Whenever a Government servant, on his return from leave (other than casual leave or quarantine leave) is detained owing to cancellation of air flight due to bad weather or otherwise, he may be treated as on duty for the period of un-avoidable detention, subject to a maximum of two days. For the period of enforced halt, he will be entitled until he rejoins his appointment, to draw leave allowances only.

AND WHEREAS, Government instructions (1) below sub rule 5 of Rule 31 of The J&K Civil Services (Classification, Control & Appeal) Rules, 1956, provides that in case where a Government servant has unauthorizedly absented from duty, the proper course is to initiate action against him under article 128 of Jammu and Kashmir Civil Service Regulations;

AND WHEREAS, Article 128 of the Jammu & Kashmir Civil Service Regulation, 1956, provides as under:-

"Absence without leave or after the end of the leave involves loss of appointment".

AND WHEREAS, more than ten (10) months have been passed after expiry of sanctioned leave in favour of Sh. Punit Pal Singh, Incharge Assistant Executive Engineer (Mechanical), however, the concerned Engineer has not joined back/ resumed his duties;

NOW THEREFORE, before proceeding ahead in terms of above rules against the absentee, final opportunity is hereby afforded to Sh. Punit Pal Singh, Incharge Assistant Executive Engineer (Mechanical) Division RTIC, Jammu, through the medium of this final notice/ opportunity of being heard/compliance to immediately resume his duties without any further delay and explain his position for remaining un-authorizedly absent from official duties, failing which action under Article 128 of the Jammu & Kashmir Civil Service Regulation, 1956, without any further notice.

This issues with the approval of the Competent Authority.


13/12

Sd/-
(Bhupinder Kumar) IAS,
Secretary to the Government.

No: PWD-GAZZ/300/2023-05 (7362449)

Dated:13.12.2024

Copy to the:-

1. Financial Commissioner (Additional Chief Secretary), Jal Shakti Department.
2. Additional Chief Secretary to the Hon'ble Chief Minister.
3. Principal Secretary to the Hon'ble Lieutenant Governor.
4. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
5. Director Information, J&K, with the request to publish this 'Notice' in two leading Newspapers in Jammu and one leading National Level Newspaper.
6. Director Archives, Archaeology and Museums, J&K.
7. Chief Engineer, Jal Shakti Department, (RTIC) Canal Road Jammu.
8. Special Assistant to the Hon'ble Deputy Chief Minister.
9. Private Secretary to the Secretary to Government, Public Works (R&B) Department.
10. ***Er. Punit Pal Singh, Incharge AEE (Mech), Mechanical Division RTIC Jammu.***
11. In-Charge Website, PW (R&B) Department.
12. Government Order file (W.3.s,c,s).


13.12.2024
(Shuaib Mohammad Naikoo)

Deputy Secretary to the Government