

Office Address

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**GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF SOCIAL FORESTRY**



*Sub: - Unauthorized absence from duty of Shri Mohd Rashid S/O Jamal Din,
Helper/Jr. Mali-termination of services thereof.*

S.F Order No: 09 of 2023

Dated: 01-04-2023

Whereas, the services of Shri Mohd Rashid S/o Jamal Din R/o Thandi Kassi Rajouri were regularized as Helper vide S. F. Order No: -176 of 2007 dated: 14-11-2007 read with Government Order No:484-FST of 2007 dated:26-09-2007 w.e.f 01-04-2000 in Social Forestry Division Rajouri;

Whereas, a complaint was received from State Vigilance Organization J&K, Jammu vide No. SVO/FST-NG-122/09-15474 dated:17-12-2009, wherein it was mentioned that Shri Mohd Rashid has managed fake School leaving Certificate and got appointment as Helper on the basis of said certificate in Social Forestry Department;

Whereas, an enquiry was initiated and matter was taken up with concerned School Authorities by the Divisional Forest Officer, Social Forestry Division Rajouri, vide No:-343-47/SFDR dated:-15-09-2010 for verification of School leaving certificate produced by Shri Mohd Rashid at the time of preparation of service records and the official was asked to produce original Date of Birth /Qualification certificate;

Whereas, the Range Officer, Social Forestry Range Rajouri vide No: -55/SFR dated:21-06-2010 had apprised that Shri Mohd Rashid has failed to submit the required documents and his whereabouts are also not known;

Whereas, Shri Mohd Rashid was placed under suspension by the Divisional Forest Officer, Social Forestry Division Rajouri vide No. 228-30/SFDR dated:-22-07-2010 w.e.f 12-05-2010 i.e the date from which he had been unauthorizedly absent from his official duty;

Whereas, the Divisional Forest Officer, Social Forestry Division Rajouri vide No. 375/SFDR dated:01-10-2010 apprised that the Headmaster of Government Middle School, Katarmal vide No. MSK-138 dated:- 25-09-2010 has intimated that the Middle pass certificate produced by Mohd Rashid purportedly issued by Govt. Middle School, Katarmal bearing No:7886 with Date of Birth recorded as 31-12-1961 has not been issued by the school and is thus not valid and is fake;

Whereas, the report was submitted to the State Vigilance Organization vide this office letter No. DIR/DSF/1364-65 dated:-29-11-2010 and in turn the SSP Rajouri was directed by the SVO to register an FIR against Shri Mohd Rashid S/o Jamal Din under relevant sections of RPC as apprised by the Administrative Department vide No. FST/SF/56/2010 dated:-03-03-2011;

Whereas, as per the instructions of SVO an FIR No.03/2011 U/S 420/467/468/RPC was registered by the Police Station Rajouri and case challaned in the Court of Law on 11-12-2013 vide Challan No. 475/2013 against the accused;

Whereas, during the year 2019, the incumbent had approached the office of DFO, S.F. Division, Rajouri with a representation for release of subsistence allowance in his favour. The DFO, SFD Rajouri had issued notice to the official vide his office No. 749-50/SDFR dated: 26-11-2019 whereunder the incumbent was asked to explain as to why he did not attend his duties for such a long time i.e since 12-05-2010 and also as to why he did not make any request during all these years regarding release of his subsistence allowance;

Whereas, in response to notice the incumbent furnished reply and attached some documents which were examined by the DFO SF Rajouri and not found adequate and convincing to justify the long unauthorized absence

from duties. DFO as enquiry officer has brought on record that based on the report of Range Officer, it is established beyond doubt that said employee abandoned his office duty since 12.05.2010 as no attendance was found marked in the attendance register nor any salary was paid to him during this period;

Whereas, the incumbent was given second opportunity through another notice vide No:-1231-33/SFDR dated:-17-01-2023 to explain his position for not attending to his official duties from the date of unauthorized absence for so many years. In turn the incumbent submitted reply alongwith some more documents and documents were scrutinized by the concerned DFO and again were found to be inadequate and unconvincing to justify his unauthorized absence from his official duty. DFO concluded that Sh. Mohd. Rashid willfully abandoned his official duty since 12.05.2010 and remained continuously unauthorizedly absent since then;

Whereas, on receipt of the report of enquiry from DFO, S.F. Rajouri through Regional Director, DSF, Jammu vide No. 7944-45/RD/SFJ dated: - 23.02.2023, the incumbent was served final notice by the Appointing authority (Director, Social Forestry Department, J&K) vide No. DIR/DSF/Estt/1676 dated:03-03-2023 to afford due opportunity to the delinquent to explain his position on his long and willful unauthorized absence from duty. The reply submitted by Sh. Mohd. Rashid was examined. It was found that he was not able to explain and substantiate the unauthorized absence from duty since 12.05.2010 when he abandoned his duty.

Whereas, in view of above facts, it is established beyond doubt that Sh. Mohd. Rashid willfully and unauthorizedly stayed away from his official duty since 12.05.2010.

Whereas, such matters of unauthorized absence are dealt as per Article 128 & Article 113 of J&K CSR which envisage as under: -

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-

81

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health in which case the absentee must produce the certificate of Medical Officer."

113- "After five years of continuous absence on leave an officer considered to be out of state employee"

Whereas, in the instant case the delinquent official remained continuously and unauthorizedly absent from duty since 12.05.2010 till date;

Now, therefor, in terms of Article 113 and Article 128 of J&K CSR read with Article 30 of J&K CCA Rules 1956, the services of Shri Mohd Rashid S/o Jamal Din R/o Thandi Kassi, Rajouri (Helper/Re-designated Jr. Mali) are terminated w.e.f **12-05-2010** i.e. from the date of his unauthorized absence from Government duty.


Roshan Jaggi, IFS,
PCCF/Director,
Department of Social Forestry,
J&K 

No: DIR/DSF/Estt./68-71

Dated: 01-04-2023

Copy to the: -

01. Principal Secretary to the Government Forest Ecology & Environment Department Civil Secretariat, J&K for favour of information.
02. Regional Director Department of Social Forestry Jammu.
03. Divisional Forest Officer, Social Forestry Division Rajouri for immediate necessary action. He may serve this order to Shri Mohd Rashid against proper acknowledgement.
04. I/c Website, Directorate of Social Forestry Department.
05. S.F. Order File.