

Government of Jammu and Kashmir
Jal Shakti Department
Civil Secretariat, Jammu/Srinagar

Subject:- Settlement of unauthorized period of absence of Shri Harbinder Singh, the then I/c Executive Engineer (now retired).

Reference:- Report of the Inquiry Officer submitted vide letter No. JSD/Hyd/G/34/2020 dated 18.01.2021.


Government Order No. 107-JK(JSD) of 2023
Dated:- 18.05.2023

Whereas, vide Government Order No. 325-PW(Hyd) of 2019 dated 30.08.2019, among others, Shri Harbinder Singh, the then I/c Executive Engineer, was transferred from PHE City Division-1 Jammu and his services were placed at the disposal of JKSPDC, but the officer did not join his new place of posting; and

Whereas, the officer was relieved from the PHE City Division No. 1, Jammu vide endorsement No. PHECD-I/4178-81 dated 31.08.2019; and

Whereas, JKSPDC vide letter No. JKSPDC/ADM/EG-11/3666-68 dated 24.01.2020 informed that the said officer submitted his joining report in JKSPDC on 04.01.2019 (FN) (should be 04.01.2020) which has not been accepted by the authorities, owing to the reasons that the said officer has joined after a gap of four months and three days from the date of issuance of transfer order with the unauthorized absence. JKSPDC accordingly repatriated the said officer to his parent department i.e. PHE/I&FC with immediate effect; and

Whereas, the officer had submitted his joining report to the Administrative Department on 27.01.2020; and

 Whereas, vide this department letter No. PHE/HYd/G/34/2020 dated 20.02.2020, explanation was served to the said officer and the joining report submitted by him was not accepted by the competent authority, in terms of Article 106 of J&K CSR and was asked to explain his position; and

Whereas, the said officer has furnished his reply to the explanation notice wherein, among other things, he had submitted that he could not join his new place of posting i.e. JKSPDC because during the period of absence i.e. 31.08.2019 to 03.01.2020 he was suffering from intervertebral disc bilateral neuropathy lower limb and as such remained confined to bed, unable to move and was under treatment of Orthopedic Surgeon, Bones and Joint Specialist Dr. Vikrant Sharma; and

Whereas, the reply furnished by the officer was examined in the department and accordingly vide Government Order No. 219-JK (JSD) of 2020 dated 24.11.2020, Shri Sukhpal Singh, JKAS, the then Additional Secretary, Jal Shakti Department was appointed as Inquiry Officer to conduct the enquiry about the un-authorized absence w.e.f. 31.08.2019 to 03.01.2020 of Shri Harbinder Singh I/c Executive Engineer, PHE Division Nowshara; and

Whereas, charge sheet was served to Shri Harbinder Singh vide No. PHE/Hyd/G/34/2020 dated 17.12.2020 by the Inquiry Office; and

Whereas, the accused officer submitted the reply to the charge sheet served to him on 21.12.2020; and

Whereas, the Inquiry Officer vide letter No. JSD/Hyd/G/34/2020 dated 18.01.2021 submitted his enquiry report in the matter with the following observations/recommendation:-

“After perusal of written statement/justification and careful cross examination of supporting Medical documents the undersigned has observed that the charged officer has not willful abstained from duty, but has defaulted on account of not informing the higher authorities through any valid means of communication.”

Whereas, the above enquiry report was examined in the department and the competent authority has upheld the recommendations of Inquiry Officer appointed vide Government Order No. 219-JK(JSD) of 2020 dated 24.11.2020 and decided to treat the unauthorized absence period w.e.f. 31.08.2019 to 31.01.2020 (126 days) as leave whatever kind due in favour of Sh. Harbinder Singh I/c Executive Engineer; and

Now, therefore, sanction is hereby accorded to the settlement of unauthorized period of absence of 126 days w.e.f. 31.08.2019 to 31.01.2020 as commuted leave in favour of Shri Harbinder Singh, the then I/c Executive Engineer (now retired).

By order of the Government of Jammu and Kashmir.

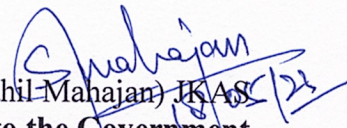
Sd/-
(Shaleen Kabra) IAS
**Principal Secretary to the Government,
Jal Shakti Department**

No: JSD-GS03/2/2021-US(B)-PHE(C.No. 22038)

Dated:- 18.05.2023

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Director Archives, Archaeology and Museums, J&K.
3. Chief Engineer, Jal Shakti (PHE) Department, Jammu.
4. Pvt. Secretary to Principal Secretary to the Government, Jal Shakti Department.
5. Concerned.
6. Government Order file (w.2.s.cs).
7. I/c Website.


(Sahil Mahajan) IAS
**Under Secretary to the Government
Jal Shakti Department**