



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

Subject: Suspension of Shri Asif Iqbal Zargar, I/C Executive Engineer (then AEE
(Civil).

Government Order No. - 309 -PW(R&B) of 2021

D a t e d: 18 -10-2021

Whereas, Er. Asif Iqbal Zargar had applied for two months earned leave w.e.f. 05.10.1995 to 03.12.1995 during his posting as Junior Engineer in the Office of the Executive Engineer (R&B), Kashmir and was sanctioned vide order dated 02.11.1995; and

Whereas, Mr. Zargar was supposed to join back his duties on 04.12.1995 but he had applied for extension of leave which was not sanctioned in his favour. The JE instead of joining his duty chose to remain on unauthorized absence for a long period of more than four years. The JE joined his duty on 06.09.2000 without intimating his superiors the reasons of remaining on unauthorized absence; and

Whereas, Mr. Zargar was deputed to JKPCCLtd. vide Govt. Order No. 286-PW/lyd of 2004 dated 12.07.2004 where he applied for three months Earned leave w.e.f. 29.09.2009 on medical grounds being a patient of SARCODOSIS which was sanctioned by DGM Unit 11th Kulgam of JKPCCLtd; and

Whereas, instead of resuming his duties, Mr. Zargar applied for extension in his leave on various occasions out of which some spells were sanctioned as reported by MD, JKPCCLtd (29.09.2009 to 29.06.2010) vide different orders from time to time with the result all the leave at his credit including half pay leave exhausted till 29.06.2010 whereafter he again remained absent without any leave at his credit; and

Whereas, Mr. Zargar again submitted his joining report in the office of Deputy General Manager JKPCCLtd. Unit 11th Kulgam on 04.08.2014 after a gap of five years absence as reported by GM, JKPCCLtd. vide letter dated 06.08.2014; and

Whereas, Mr. Zargar remained again on unauthorized absence from duty with effect from 30.06.2010 to 03.08.2014. He continued to undertake foreign visits without seeking prior permission of the Competent Authority which is a prerequisite in case of any government servant; and

Whereas, Mr. Zargar had gone outside country to visit Saudi Arabia on several occasions and as per CID report he was employed there in a private firm which is in violation of Rule 10 of J&K Employees (Conduct) Rules, 1971; and

Whereas, Mr. Zargar's conduct has shown that he has failed to maintain integrity & sincerity in the discharge of his official duties by acting in the aforesaid manner and has brought discredit to his service by his misdemeanor; and

Whereas, for remaining on unauthorized absence from duty, a Memorandum & Article of Charges was issued to Mr. Zargar vide No. PWD-ADM/21/2021-05 dated 31.08.2021 with the direction to submit written statement of his defense; and

Whereas, the reply submitted by Mr. Zargar substantiates the fact that he had taken foreign visits to Saudi Arabia w.e.f. 04.12.1995 to 15.09.2000 and 30.09.2010 to 03.08.2014 without proper permission from the competent authority which was mandatory for him to obtain being a government employee; and

Whereas, Mr. Zargar had requested and was granted opportunity of being heard in person during which he accepted the charges of un-authorized absence from the duty and going abroad (Saudi Arabia) without prior permission and also having taken the gainful employment there and did not deny the charges leveled against him neither in his written reply nor during his personal hearing at the time of being heard in person; and

Whereas, it has been established by the records pertaining to the case of unauthorized absence from duty, admitting the fact that he had visited a foreign country without first obtaining the permission of the competent authority and getting gainfully employed in a private company in Saudi Arabia, Mr. Asif Iqbal Zargar has not only failed to maintain absolute integrity & sincerity in the discharge of duties but is guilty of misconduct for breach of service laws and therefore has made himself liable for action to be taken against him in accordance with J&K Civil Services Classification, Control and Appeal Rules.

Now, therefore, in view of the facts and position stated herein above, Mr. Asif Iqbal Zargar, I/C Executive Engineer (Civil) is placed under suspension in terms of Rule 31 of J&K Civil Services Classification, Control and Appeal Rules, 1956 with immediate effect.

By Order of the Government of Jammu and Kashmir.

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government,
Public Works (R&B) Department.

Dated: 13-10-2021

No. PWD-ADM/21/2021-05

Copy to the:

1. Joint Secretary, Ministry of Home Affairs (J&K Affairs), Govt of India.
2. Chief Engineer, Public Works (R&B) Department, Kashmir.
3. Director Archives, Archaeology & Museums, J&K Jammu.
4. OSD to Hon'ble Advisor (B) to Hon'ble Lt. Governor, J&K.
5. P.S. Secretary to Principal Secretary to Government, Public Works (R&B) Department.
6. Shri Asif Iqbal Zargar, I/C Executive Engineer (Civil).
7. PW (R&B) Website
8. Government Order file/Stock file.
9. Monday return, GAD


(Hamid Hameed)

Under Secretary to the Government

