



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

Shri Ashwani Raina,
S/o Shri Prithvi Nath Raina,
C-2/91 West Enclave,
Pitampura, Delhi.

No.PW(R&B)NG/114/2013

Dated : 15.02.2017

Subject:- Final Notice.

Whereas, vide Government Order No.361-PW(R&B) of 2010 dated 03.12.2010, among, others you were temporarily appointed as Draftsman (Civil) in the Public Works (R&B) Department initially and placed on probation for a period of two years under Prime Minister's Special Package for Return and Rehabilitation of Kashmiri Migrants to Kashmir Valley; and

Whereas, you were directed to report in the office of Chief Engineer, R&B Department, Kashmir within a period of 30 days from the date of issuance of Government Order No.361-PW(R&B) of 2010 dated 03.12.2010; and

Whereas, you were transferred to R&B C.D.1st Srinagar by the Chief Engineer, PW(R&B) Kashmir vide Order No. CE PW(R&B)K-136 (Estab) of 2012 dated 29.08.2012, pursuant to which you joined in the Office of the Executive Engineer R&B C.D.1st, Srinagar on 30.08.2012, and

Whereas, you proceeded on 28 days earned leave w.e.f. 29th October, 2012 in connection with treatment of your ailing wife at Delhi, which was sanctioned in your favour by the Executive Engineer concerned followed by extension of 15 days earned leave which was also sanctioned; and

Whereas, on expiry of earned leave, you were supposed to join your duties on 17th December, 2012, but you never reported for the same; and

Whereas, three notices under endorsement No.EE/CD-I/15095-98 dated 18.02.2013, (ii) EE/CD-I/16858-62 dated

22.03.2013 and (iii) EE/CD-I/811-15 dated 12.04.2013 were served upon you which were also published in the local news papers advising you to resume your duties failing which the same will make you liable for termination from Government service owing to your continuous unauthorized absence from duty in terms of Article 128 of the J&K CSRs Volume - I; and

Whereas, there was an inbuilt provision in your basic appointment order issued under Government Order No.361-PW(R&B) of 2010 dated 03.12.2010 that in case the appointee migrates from Kashmir Valley at any time during his/ her service tenure, for any reason whatsoever, his/ her appointment/ service shall stand terminated without any notice by itself by the action of his/ her migration; and

Whereas, action on your part for remaining unauthorized absence from duty after expiry of leave warrants termination of appointment/ service in accordance with the conditions contained in your appointment order referred herein above read with Article 128 of the J&K CSRs Volume - I; and

Whereas, the Chief Engineer, PW(R&B) Kashmir was requested to afford one final opportunity to the official namely Sh. Ashwani Raina, Draftsman, to be heard, vide this department's letter dated 27.06.2013; and

Whereas, the Chief Engineer, R&B Kashmir vide letter No. ES/18708-09 dated 01.09.2013 informed that in response to final show cause notice you submitted your joining report on 24.07.2013 in Circle Office Srinagar-Budgam which stand forwarded to the concerned Division, but after submitting your joining report, you are not attending duties and still on un-authorized absence from duties; and

Whereas, after examining the matter, vide this department's letter dated 09.10.2013, a show cause Notice was served to you, whereby, you were directed to explain your position as to why your service/ appointment be not terminated in accordance with the conditions contained in your appointment order read with Rule 21 and 22 of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 and Article 128 of the J&K CSRs Volume - I to which you replied in conclusively; and

Whereas, vide Government Order No. 382-PW(R&B) of 2016 dated 20.12.2016, Smt. Tanveer Mir, Technical Officer to Chief Engineer, (R&B) Kashmir was appointed as Inquiry Officer to conduct an enquiry into the matter and furnish the report/finding within 10 days which was submitted vide letter dated 7.01.2017,


clarifying therein, that you are absent from duties for more than 04 years;

Now, therefore, a final notice is hereby served upon you as to why your service/ appointment be not terminated in accordance with the conditions contained in your appointment order read with Rule 21 and 22 of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 and Article 128 of the J&K CSRs Volume - I. Your reply/ written statement of defence should reach to this department within a period of 21 days from the date of issuance of this notice, failing which it shall be presumed that you have nothing to say in your defence and further action as warranted under rules shall be initiated.



(Des Raj Bhagat)KAS

Deputy Secretary to Government



Copy to the:-

1. Director Information, J&K Jammu with the request to publish this notice in leading two English newspapers (both Divisions) of the State and one National newspaper.
2. Chief Engineer, R&B Department, Kashmir.