

Government of UT of Jammu and Kashmir
Finance Department
Civil Secretariat, J&K

Subject: Settlement of absence period of Smt. Farhat Tasleem, Statistical Assistant (Suspendee).

- Reference: i. Decision taken in the meeting held on 08-01-2020 under the Chairmanship of Financial Commissioner, Finance Department and minutes issued under endorsement No.FD/HRM/12/2019/3485-91 dated: 09-01-2020.
- ii. Record note of the Departmental Standing Committee (DSC) held under the Chairmanship of Director General, Economics & Statistics, J&K held on 20-02-2021 to review the suspension cases of Non-Gazetted Employee of E&S Cadre.
- iii. Letter No.DES/PF/SA/159/State/(Adm)/10338 dated: 03-03-2021 of the Directorate of Economics & Statistics, J&K.

Government Order No: 234- FD of 2021

Dated: 02 -09-2021

WHEREAS, Smt. Farhat Tasleem was appointed as Junior Statistical Assistant vide Order No. 215-DES/Camp of 1991 dated: 01-04-1991 issued by the Directorate of Economics & Statistics.

AND WHEREAS, the official applied for one month leave w.e.f. 01-11-2007 which was not sanctioned by the then competent authority, as no leave was due to the official who has exhausted all kind of leaves during her service period.

AND WHEREAS, Smt. Farhat Tasleem, Statistical Assistant had remained unauthorisedly absent from duties w.e.f. 01-11-2007 and left the country without permission.

AND WHEREAS, a Show Cause Notice was issued by the Directorate of Economics & Statistics, J&K to the said Statistical Assistant vide No. DES/PF-SA/159/Adm dated: 28-11-2007 wherein opportunity was given to her to resume duties within 20 days from the date of issuance of notice, however, the official failed to resume duties and continued on unauthorised absence.

AND WHEREAS, Smt. Farhat Tasleem submitted joining report on 28-07-2008 but the Joining Report was not accepted being on unauthorized absence by the then Director General, Economics & Statistics, J&K.

AND WHEREAS, Smt. Farhat Tasleem filed Service Writ Petition in 2010 vide No. 1430/2010 titled Ms. Farhat Tasleem V/s State & Ors in the Hon'ble High Court of J&K at Srinagar which is still pending.

AND WHEREAS, a fresh show cause notice was served to the official vide No. DES/PF/SA/159/State(Adm)/5089-91 dated: 07-12-2015 to rejoin the duties immediately in the Directorate of Economics & Statistics at Jammu.

AND WHEREAS, in response to the above show cause notice, Smt. Farhat Tasleem Statistical Assistant rejoined in the Directorate of Economics & Statistics, Jammu on 15-12-2015.

AND WHEREAS, formal disciplinary proceedings were initiated against the delinquent official by appointing an Inquiry Officer, the main finding of the report is as under:

"The official had remained absent from duties between 01-11-2007 to 14-12-2015 and proceed abroad (Saudi Arabia) without prior permission of Competent

authority and without prior sanction of leave and even when the leave was not due to her"

AND WHEREAS, on the basis of the Enquiry Report, the Directorate of Economics & Statistics vide Order No. 386-DES of 2016 dated: 11-06-2016, placed Smt. Farhat Tasleem under suspension.

AND WHEREAS, Subsistence Allowance was sanctioned in favour of Smt. Farhat Tasleem vide order No. 68-DES of 2018 dated: 03-02-2018 which was subsequently revised from 50% to 75% vide order No. 115-DES of 2019 dated: 11-02-2019.

AND WHEREAS, as per the records obtained from passport authority and the entries made in the passport of the official from 2007 onwards up to December, 2015, the details of the visits of official outside the country are as under:

Passport No.	Dep. Date	Dep. Flight No.	Flight Route	Dep.ICP/ Airport.	Arrival date	Arrival Flight No	Flight Route	Arrival ICP/ Airport	No. of days
A821007	01-11-2007	SV-62	Riyadh	Delhi					
F7207245					24-07-2008	SV-756	Jeddah	Delhi	267
F7207245	28-12-2008	SV-759	Riyadh	Delhi	13-05-2010	SV-756	Jeddah	Delhi	502
	29-09-2010	SV-759	Riyadh	Delhi	03-01-2011	SPL-FLT	-	Delhi	97
	17-01-2011	SV-761	Jeddah	Delhi	06-07-2011	SV-758	Riyadh	Delhi	173
	30-09-2011	SV-789	Riyadh	Delhi	24-05-2013	GF-130	Behrain	Delhi	604
	05-09-2013	SV-761	Jeddah	Delhi	11-04-2014	G9-463	Sharjah	Delhi	219
	29-12-2014	SV-761	Jeddah	Delhi	03-03-2015	QR-564	Doha	Delhi	66
Total days									1928

AND WHEREAS, as per the report of Passport Officer, the passport (R9002163) of the applicant had been issued by the Passport Authority on 16-02-2018 on the basis of pre-police verification the applicant mentioned her profession as "Non-Employed" and J&K CID in their report had mentioned her profession as **"House Wife" though being Government Employee (under suspension).**

AND WHEREAS, Smt. Farhat Tasleem filed another writ petition before the Hon'ble High Court SWP NO. 564/2019 titled Farhat Tasleem V/s State of J&K & Ors. The Hon'ble High Court passed interim order no 18-03-2019 which is reproduced as under:

"respondents are directed to take review of the suspension of the petitioner in terms of the applicable rules and the law governing the field and report compliance in respect thereto before this court on next date of hearing."

AND WHEREAS, consequent upon the Hon'ble High Court order dated: 18-03-2019, a committee was constituted by Directorate of Economics & Statistics vide order No. 470-DES of 2019 dated: 14-12-2019 to examine all the issues for reviewing the suspension case of Smt. Farhat Tasleem.

AND WHEREAS, the issue of settlement of the absence period of Smt. Farhat Tasleem was discussed in a meeting held on 08-01-2020 under the Chairmanship of Financial Commissioner, Finance Department and it was decided that the Departmental Standing Committee will also review the suspension case of Smt. Farhat Tasleem Statistical Assistant.

AND WHEREAS, on the recommendation of the suspension review committee meeting held on 22-02-2020 a final show cause notice was issued to the official to explain her position for revocation of her suspension or otherwise as per the provisions of J&K and as to why the her case shall not be considered/dealt under the provisions under Article 113/128 of J&K Civil Services Regulations.

AND WHEREAS, the official submitted her reply to the final show cause notice on 03-03-2020 and 13-03-2020.

AND WHEREAS, the Departmental Standing Committee (DSC) held under the Chairmanship of Director General, Economics & Statistics, J&K held on 20-02-2021 examined in depth the reply of the suspendee employee and found no merit in the case and as such reviewed the suspension case of Smt. Farhat Tasleem, Statistical Assistant and

recommended for settlement of her absence period w.e.f. 01-11-2007 to 14-12-2015 (the official has remained unauthorizedly absent from duties and left without permission out of the Country) be treated as Dies-non (non-qualifying for any remuneration) in terms of SRO 321 dated: 07-12-1995.

Now therefore, in terms of Article 163 of J&K CSR Vol-I, sanction is hereby accorded to the treatment of absence period of Smt. Farhat Tasleem Statistical Assistant Suspendee w.e.f. 01-11-2007 to 14-12-2015 as **Dies-non**.

By order of the Government of Jammu & Kashmir.

Sd/-

(Atal Dulloo), IAS
Financial Commissioner,
(Addl. Chief Secretary)
Finance Department

No: FD-HRM0EnS/5/2021

Dated: 02 -09-2021

Copy to the:

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Director General, Economics & Statistics, J&K.
4. Director, Archives, Archaeology and Museums, J&K.
5. Private Secretary to Chief Secretary.
6. Concerned Official.
7. Private Secretary to Financial Commissioner, Finance Department.
8. I/c website Finance Department.
9. I/c website Directorate of Economics & Statistics.
10. Govt. Order file w.3.s.cs.



(Bharat B. Bhagat)
Deputy Director (HRM)
Finance Department